

ספר
ישמרו דעת

חלק ב'

כי שפתי כהן ישמרו דעת
ותורה יבקשו מפיהו
מלאכי (ב' ז')

חלק ביקור חולים
הולאה שנייה עם הוספות ותיקונים

הרב פינחס יהושע הכהן כהנוב

פאסייק, נ.ד.ז.
ניסן תשע"ב

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Addictions: **Halocho and Hashkofo**

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PREFACE

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ב"ה

בואו ונחזיק טיבותא להאי גברא יקירא הרה"ג ר' פנחס יהושע הכהן כהנוב שליט"א רב דק"ק אהבת תורה פילאדעלפיא, פא. אשר רחש לבו דבר גדול ונשגב לייסד ולכונן בית חינוך מיוחד כדי לטפל בצעירי הצאן שנתפסו ל"ע במחלה רעה של "סמים" שמנפש ועד בשר תכלה, שבעוה"ר הרבה מבני ומבנות ישראל נפלו ברשת סכנה זו, והצמידיות לזה עולה על ראשם, עד שאין בהם כח המעצור ויורדים ונופלים לבאר שחת ר"ל, בגשמיות וברוחניות.

זהנה הרב הנ"ל אחרי אשר איזן וחקיקר אצל רופאים ומומחים בענינים אלו, סידר תכנית שלם של טיפול להאחוזים בסבך זה, והציעם לפני וראיתי כל הסדר שהוא מיוסד על אדני התורה והיראה לרפאם רפואת הנפש והגוף ולקרב לבם לאבינו שבשמים, וברצו"ה יצליח להוציאם מאפילה לאורה להדריכם לחיי תורה ומצות.

הנני בזה לתמוך בידיו, ונפשי בשאלתי לאחינו בני רחמנים בני רחמנים לבא לעזרתו בנדבות הגינות אף יותר מכפי היכולת כי זה ענין של הצלת נפשות ממש וחויב גדול לסייעו שיוכל לבצע זאת באופן נעלה והכי מועיל.

א' יתרו ט"ז שבט תש"ס לפ"ק

הכ"ח למען המצוה

הי"ל וויינבערגער

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ראש הישיבה
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בעל "הפני חיים" זצ"ל

כידוע המצב "ברחוב" האמריקאי התדרדרה עד מאד וקשה, במיוחד, לצעירים להמלט מהשפעת "הרחוב". אחת מן הבעיות הגדולות היום הוא מחלת "הסמים", שלדאבונו הרב חדרה אל מחנה אנשי שלומינו וגורם לצרות כבידות בהרבה משפחות ר"ל. המוסדות שמטפלים במחלת "הסמים" אינם מתאימים לחי' היהדות, ולכן נחוץ מאד ליסד מוסד תורני תחת פיקוח יראי שמים.

והנה קם אחד מיקירי עיר פילאדעלפיה הרב פינחס יהושע הכהן כהנוב שליט"א מרא דאתרא דק"ק אהבת תורה, וערך תוכנית ליסד בית רפואה לסמים על אדני תורה ויראה. התוכנית נעשה בהתיעצות מומחים וגדולי מרנן ורבנן שאומרים על הרב הנ"ל "שיש לו יד ושם ונסיון מוצלח בשטח הלאה" וגם "שתוכניתו הוא בדעת בחכמה ובכשרון".

עכשו הרב הנ"ל עומד לבצע תוכניתו בס"ד, על כן מצוה גדולה לעזור אותו ולתת לו סיוע חשוב ברוח נדיבה. וכל המסייע יתברך בכל מילי דמיטב

ועל זה באתי על החתום יד אייר תש"ס

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זש"ק ר' מלכאים גלס' אב"ק, כרוק'ין נא יארק.

קראנו קציון אג הגבנית להניח הרב בימים יחולד בנינו שללא
עד הצלג נפלוג קין וקונג ילולא אלו אז נאנו במוהו לא דוק
אז ידי ש'לכבו דמה הסמים המסוכנים, הלך ישמנו.

הרב אב' ארמליק מן האמר אלו לצדקו ואחריכען מלויים
במחנה ילולא למיני גמ"צ זשכור ומאוג ילויים נפלוג אוהלות בנ"י,
ומחנה קולר אין איל לם אז אי לצדקם, ויזכ' אז יורגים והולכים
מח"א א' דה', וגלמג בראשן חל"ה.

ז"כ כמון ונחציק אוכה ארוד בנינו שללא אלו נשנו אלו ארקיג
מוסד לצדק ארמלויים ה"ח לצדקם מחויים ואחריכען מליצ'ר, ארקיג אז
לז' נלויים אכונן אלוויים.

ואם ש'תני מבר איליג אג הוד בנינו שללא, מ"ה מבר' כעיו
יניר ש'תנימ' רב"י ארמליק ובנינו ה"א קצ'ר דממה ונכסרון. וקד'ר רש"א
אלו קודד'ר ע'ק'ר, ה"מ מ'מחידים לטמ' ארמוג, ומקום הניחו לו מן
השמים ארמוג'ר כו.

אכן מבר' צדוקה לל הצלג נפלוג וסקונ' ארמוג ווסידו
ק"ו אופן לל סיוד, ובני אדו ה"ח (אח"כ ט') כל המצאד זמנו זמ'
הביטור צוכו ונמוה קמח'ר ציבור, מני גלוג ש'תני' ד' ד'ו של
הוד בנינו שללא יצויה ליניו מחשגה הלינה ה"א ה"מ'א קרודו,
והליג יצ'בור כרע'ר זמ'ן וילול' דמחברר קד'צ'ר

הכ' הכ'ו קוד מבר' הצלג נפלוג ה"ח
רבי היילפרין

FORWARD

There is a saying,
“Religion is for people who are afraid of going to
Gehinnom/Hell;
Spirituality* is for those who have already been there!!”

This compendium of Teshuvos (Halachic Responsa) is being published for both of the above groups:

1) For the second group, those who have “been there already”, and are beginning now to find their path in spiritual recovery, this compendium will provide them with Halachic and Hashkafic guidance tailored to meet their specific needs. It covers the spectrum of addictions: from food addiction to sexual addiction; And the codependent syndromes/symptoms suffered by victims of abuse (please see page 21 for description and definition of abuse as used in our context!)

2) For the first group, this volume is also intended to serve a very important function. Namely to acquaint them with the yearnings, challenges and aspirations of the *other* group - this significant part of the Jewish people that desire to serve and feel connected with Hashem; but cannot do so in the context of what is erroneously considered by most, as the required Halachic standards. My experience of 16 years in this endeavor, has taught me that we,

* The term SPIRITUALITY as used in this aphorism and throughout this volume is NOT identical with what is, in our common terminology, described as RUCHNIYUS; AND neither of them are synonymous with RELIGION.

This differentiation is a basic fundamental that needs to be absorbed and grasped at a deep level, in order to comprehend the “world of recovery”.

Please see pgs 118-148 for elaboration.

as a community, who pride ourselves on being the normal, mainstream flag-bearers of Torah and its Mesorah would do very well to take a step back, as I personally was forced to do (see pgs 118-134), and see whether what we are really promoting is authentic Torah Judaism and its values. Some of what is written in this volume is very shocking to our preconceived value system. This is because we perceive our Jewish Cultural Mores as being identical with Halachic Torah Observance! However, the intellectually honest reader will come to realize, as he contemplates what is written within this volume that there is much in our cultural mores that is considerably “off-the-mark”.

Indeed, the more appropriate question that should be asked is, “Is the Judaism (Yidishkeit, Chareidism, Yeshivishkeit, Chasidishe, Heimishe) that presents itself to our eyes really a true representation of what God has written in His Torah and stated in His Oral Torah?” Or have distortions and misperceptions crept in and now have become counterfeit axioms of a quasi new religion. Rav SR Hirsch & Rav Yisroel Salanter in the 19th century and the Chazon Ish in the past century all admonished to be very careful not to confuse Jewish Culture with Torah Observance. Or as has been wittingly remarked, “Please! Do not confuse Jews with Judaism!”

To this end, I have included my source-material and cross-references within the Teshuvos, so that the reader can study them and ascertain for himself the veracity and acceptability of my conclusions, guidance and recommended solutions;
OR alternatively the reader should be able to demonstrate where I have erred. **If indeed this is the case, I would greatly appreciate a communication so that I may correct my error!**

INTRODUCTION

Is a person afflicted with Mental Illness considered a Choleh (sick) by Halocho? In its more serious forms can Mental Illness be considered a Choleh SheYesh Bo Sakana? (A life-threatening disease?)

Does it fall under the rubric of Pikuach Nefesh? (Do we lay aside most of the Torah's laws in consideration of attending to the medical needs of such an afflicted person?)

These questions are central to the contents of this volume. If one answers the above questions in the affirmative; then the majority of what follows will not be surprising to the reader who is knowledgeable of the Halachic requirements and directives in regards to medical needs. This work then is merely a simplified ordering of practical Halachos and Hashkofos tailored specifically for a specific area of illness and health.

To all too many within our community, however, and sad to say, even among our esteemed rabbinic and lay leadership, these basic premises are a matter of great confusion and consternation. The reason for this conflict is also explored in a number of the chapters within this volume (pgs 21, 45, 48, 118, 197-216, 238, 467-496).

This introduction is being written with this latter, very significant portion of our people in mind. I am hopeful that our community will be sufficiently open-minded to realize that we are dealing with a very severe challenge to the very fabric of our Chareidi community that needs to be addressed in a very informed and enlightened manner. This volume seeks to expedite the enlightening process so as to alleviate and mitigate so much suffering among our people. **The tragedy and travesty is that most of this suffering is totally unnecessary** would we just allow ourselves to be educated in the causes, symptoms, remediation and prevention of these maladies.

In this vein, I am hopeful that the reader will consider and contemplate these words of introduction.

So to return to our original questions:

Is a person afflicted with Mental Illness considered a Choleh by Halocho? In its more serious forms can Mental Illness be considered a Choleh SheYesh Bo Sakana? Does it fall under the rubric of Pikuach Nefesh?

In Halocho we find 2 criteria for establishing what is considered illness/life jeopardy and what is not:

Criterion #1: Those items explicitly stated by Chazal to fall into any of these categories, is considered halachically as so doing today as well, even if modern medical research disagrees! A classic example of this is tearing (as in crying tears) with a bloody discharge from the eye. The Halocho considers this Pikuach Nefesh - sufficient grounds to set aside Shabbos Laws etc. to rescue the patient (Shulchon Aruch 328:9 - see inset below) even though modern medical science is incredulous as to the danger to life posed by such a condition. In practical terms, Poskim tell us that we nevertheless follow the Halocho and not current medical science in regards to Shabbos (and other Torah Law) and this medical condition.

Criterion #2: If current medical experts and research consider a specific condition as being a serious illness and/or as life threatening/jeopardizing, then Halocho recognizes the current medical experts' opinions and we set aside Shabbos Laws etc. to rescue the patient. Please see the 2 excerpts from Shulchon Aruch below. (The first is Hilchos Yom HaKippurim 618:1 et al; and the second is from Hilchos Shabbos 328:10)

הלכות יום הכפורים סימן תריז תריה

אם ילדה בשבעה בתשרי נערב אין מאכילין אותה ביה"כ (יד) אם לא אמרה צריכה אני אע"פ שלא שלמו לה ג' ימים עד י"כ נערב משום דכיון שנכנס יום רביעי ללילתה מקרי לאחד שלשה:

תריית דין חולה ביה"כ. וכו' י' סעיפים :

א * חולה שצריך לאכול אם יש שם (א) רופא בקי אפי' הוא (ב) עובר כוכבים לשאמר אם לא יאכילו אותו אפשר שיכבד עליו החולי (ג) (ב) ויסתכן מאכילין אותו על פיו ואצ"ל ששא ימות יאפי' אם החולה אומר א"צ (ג) שומעים לרופא * וואם החולה אומר (ד) צריך אני אפילו מאה רופאים אומרים א"צ (ה) שומעים (ג) לחולה: ב (ו) הרופא א' אומר צריך (ז) ורופא א' אומר א"צ מאכילים אותו. כנס וס"ס לשנים כנגד שלס (ח) וזפילו קלטן (ד) יותר בקוואין מקלטן כנ"ל: ג (ט) וואם החולה רופא אחד עמו אומרים שא"צ (י) ורופא (אחר) אומר צריך 'או שהחולה

הלכות שבת סימן שכה

ואפילו ביום הא' : ב' החושש (כב) בעינו או בעינו ויש בו ציר או שהיו שותתות ממנו דמעות מחמת הבאב או שהיה שותת דם או שהיה בו (כג) ריח ותחלת אוכלא (ס') (כד) מחלט חולי מחללין עניו את השבת : י' קבל חולי (כה) שהרופאים אומרים שהוא סכנה אע"פ שהוא על דבשי מכווץ (כו) מחללין עליו את השבת * ואם רופא אחד אומר צריך * ורופא אחד אומר א"צ מחללין * ויש מי שאומר (ז) (כו) שאין צריך מומחה (כה) דכר בני אדם חשובים מוסחין קצת וספק נפשות להקל, כנס ו"ח (כט) זוקת סכנאליס (ל) חגל סמס ח"י שאין רופאין לא מחזקין לומס ככק"ח

Returning now to our original questions:

Is a person afflicted with Mental Illness considered a Choleh by Halocho? In its more serious forms can Mental Illness be considered a Choleh SheYesh Bo Sakana?

Does it fall under the rubric of Pikuach Nefesh?

Criterion #1- I believe the sources in Shearim Metzuyonim b'Halocho (see below inset) give adequate sources that Halocho indeed considers Mental Illness as falling into this category.

To realize this however, the uninitiated will need the following clarification in regards to terminology: Chazal in their delineations of Halocho utilized a term "Ruach Ro'oh" to describe a medical condition. The symptoms described, therein, are identical in symptomology with the condition described by Freud as "Hysteria". Currently, the Mental Health Field and its practitioners have renamed Freud's "Hysteria". Today it is classified as Acute Trauma Reaction or more commonly as PTSD (Post Traumatic Stress Disorder). A little more investigation reveals as well, that most of the Mental illnesses and conditions listed in the DSM

(Diagnostic and Statistical Manual of the American Psychological Association) have previous traumas in their etiology.

(Below are the quotes from the Shearim Metzuyonim b'Halocho, Kitzur Shulchon Aruch chap #133 footnote #10 second paragraph, and chap # 165 footnote #6)

כתוב ברמ"א ה' שבת (סי' שכח סל"ה) דרוח רעה הוא חולי שאין בו סכנה. ובמנהגת פתים שם מקשה ממש"כ בב"י (יו"ד סי' רכח דף קמו) בשם תשו' הרשב"א דחולי רוח רעה הוא חולי שיש בו סכנה ורא"י ממשנה (שבת כט:): המכבה הגר מפני רוח רעה. וע"י בגמרא (תענית כב:): מתריעין בשבת על גרדף מפני רוח רעה ופרש"י דנכנס בו רוח שד ורץ והולך ושמא יטבע בנהר או יפול וימות, וע"י במג"א (סי' תקנד סק"ח) ובפמ"ג שם דמשמע קצת דחסר דעה הוא כחולה שיש בו סכנה וע"י בהגהות מהרש"ם (סי' תריח). ובשו"ת לבושי מרדכי (חו"מ סי' לט וחו"ד סי' סח) כתוב גמי דשגעון הוא בכלל סכנה, ובשו"ת חבלים בנעימים (חו"ד סי' יג) כתוב בחולה שוטה שאם יתענה יחזור לשטותו, פטור מלהתענות דטירוף הדעת הוא בכלל פקוח גפש.

שְׁעָרִים מְצוּיָנִים בַּחֲלָה

ו) ואם התינוק חולה קצת כו'. כתוב בשו"ת חתם סופר (או"ח סי' פג) בנער שוטה כבן ד' שנים, והרופאים אומרים למסרו לבית חינוך הרשים ושוטים ללמדם דעת ותבונה, והבית חינוך מתנהג ע"י נכרים ששם המאכלים אסורים — דאע"ג דעפ"י הדין, היה מותר למסרו שם עד י"ג שנים, כיון שאין אומר לו בפירוש שיאכל האיסורים, והוי כמעמידו אצל גבלה, — מ"מ אין למסרו שם, שהעידו הקדמונים שע"י מאכלות אסורות מטמטם לבו, לכן מוטב שיהא שוטה כל ימיו כו', ובשו"ת בית יצחק (אהע"ז סי' לט) כתב, דזה נאמר רק בדרך הפלגה בעלמא, וגם רק במצב שישאר בר מצות, אלא שלא יהיה בקי בהיות העולם, אבל כשישאר שוטה ממש דינו כמו חולה הגוף ותלוי בסכנות נפשיות. וע"י לעיל (ח"ג סי' קלג סק"י) דשוטה הוא בכלל סכ"ג.

Concerning criterion #2 – On pages 21 and 361, I have reproduced correspondence that I have undertaken to enlighten leaders and lay people of our community about the most current recent findings of medical science research as to the severe nature of these Mental Health conditions. The documentation quoted therein, clearly demonstrates that criterion #2 is more than adequately met as well.

Therefore, the answer to all of the questions posed at the beginning of this introduction is indeed in the affirmative:

Is a person afflicted with Mental Illness considered a Choleh by Halocho? **YES!**

In its more serious forms can Mental Illness be considered a Choleh SheYesh Bo Sakana? **YES!**

Does it fall under the rubric of Pikuach Nefesh? **YES!**

Please note that the following 2 qualifications are in order:

1) Just as in the case of heart disease, diabetes or any other potentially life-jeopardizing condition, whether or not at any particular moment, we will set aside Torah Law (Chillul Shabbos or eating Treif etc.), is completely dependent on the severity of the symptoms at that particular moment. (See pgs 83-90 for clarification)

I.E. - If the symptoms are severe, out of control, or we lack certainty as to what is really going on, then the condition is considered Pikuach Nefesh!

However, if the Choleh is under medical treatment and the conditions are under control, then we deem the situation at that moment not Pikuach Nefesh.

Of course, it is self understood, that the situation needs close monitoring and slight changes in condition and or environment might precipitate the escalation to a Pikuach Nefesh emergency at a moment's notice.

Mental Health issues are Halachically to be treated precisely the same!

2) A corollary of the above:

Just as with physical medical conditions, were someone to have the ability to "infect" someone with these conditions and would attempt to do so, he would be classified in his attempt as a Rodef (Attempting Murder), so too would this be so with an attempt to

“infect” someone with mental illnesses that qualify as Pikuach Nefesh. (See pgs 293 and 235 for a fuller discussion.)

RABBI YEHOShUA KAGANOFF
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12 Adar I, 5771

Dear Rav L., Shlita

The accompanying letter to the editor of the Yated Ne'eman (pg 361), I believe is self explanatory. Nevertheless I would like to preface it with some words of introduction.

Although the letter specifically addresses the trauma damage suffered by victims of sexual molestation, it is equally applicable to all childhood traumas. I am attaching (pg 367) a research paper (Dong 2003) published by the USA 'Centers for Disease Control and Prevention' which describes the 10 Adverse Childhood Experiences (ACEs), their interconnectedness and their universal capacity to cause severe enduring impairment.

Please note that of the more prominent ACEs are emotional abuse and neglect. I have attached (pg 385) an excerpt "Invalidating Family Experiences" which is from Marsha Linehan's groundbreaking research and book concerning 'Borderline Personality Disorder' and falls under the categories of emotional neglect/abuse.

For your convenience, I have also attached (pg 390) the research paper (Anda 2006 - Centers for Disease Control and Prevention) that describes the extensive damage done to the brain as a result of ACEs. In the winter of '10, a Harvard researcher provided me with this synopsis:

On Wed, 6 Jan 2010 12:23:57 -0500 "Jim Hopper"
<hopper@nmr.mgh.harvard.edu> writes:

Dear Rabbi,

This article from Bessel [van der Kolk] is from the late 1990s, and rather dated. There's increasing evidence that it is a vast oversimplification, not only in terms of the more widespread deficiencies in awareness and regulation of emotions and bodily arousal, but also because it ignores the profound effects trauma can have on what is referred to as the brain's 'reward' circuitry. This impairment of multiple brain circuitries involved in fear, reward, and other fundamental aspects of organismic regulation significantly disrupts the biological foundations of:

- *meeting basic physiological needs like food/nutrition*
- *regulating states of physiological arousal, emotions and impulses*
- *wanting and seeking constructed needs (eg for the latest mobile phone) and objects of addiction (not only alcohol and drugs but also pornography, gambling, etc.)*
- *wanting, seeking and being able to enjoy truly fulfilling goals and experiences that promote genuine wellbeing, including experiences of autonomy/freedom, competence and relatedness*
- *wanting, seeking and being able to enjoy spiritual needs, including alignment of oneself with God's law.*

Another important aspect to keep in mind is that the extent of dysregulation and/or impairment cannot be predicted with precision because of many factors (besides those mentioned by Bessel) that have been shown to modify the effect.

Among these are:

- *social/relational context of the trauma - who the perpetrator was; how others responded to the trauma;*
- *how important the meanings people assign to traumatic events are, especially meanings about their worth and capacities as human and moral beings (which are not merely disembodied cognitions)*

Jim

*James W. Hopper, Ph.D. Behavioral Psychopharmacology
Research Laboratory,*

Department of Psychiatry, Harvard Medical School and McLean Hospital, Belmont, MA, and

Department of Psychiatry, School of Medicine and Dentistry, University of Western Ontario, London, Ontario, Canada

Likewise I have attached (pg 416) the article from “Science News” referenced in the Yated letter and the research of “Yael Danielli” (pg 429) concerning the “Intergenerational Transmission” of these impairments.

The “Children of the Lager” (pg 451) by Mrs. Ruth Lichtenstein of HaModia fully supports (unbeknownst to her) the above. Namely, that greatly erratic behavior is present amongst the Jewish people and nothing, or very little, substantive is being done to remediate the problem.

Finally in summation I have attached the 3rd part of an essay (pg 480) which I wrote recently which summarizes the manifestations of these impairments upon our contemporary Chareidi society. (The last 4 pages are excerpts of more of HaModia’s reported findings.)

(Finally, in case your curiosity was piqued as to the context and content of the above-mentioned essay, I have attached (pg 467) it, in its entirety, as well.)

I was prompted to bring this to your attention because recently, I was contacted by a very prominent and competent Trauma Therapist with whom I collaborate frequently. (Although not Jewish, she is given top ratings by Echo, who refers Chareidi people to her for services on a regular basis.) This therapist called in concern about one of her clients whose husband had joined her for a number of sessions. It is observably apparent to the therapist and to the wife that the husband has some serious impairment(s) of the above described nature and that they are impacting their Sholom Bayis. However, he is in denial and has been totally

unreceptive to entertain the possibility that any of the above information is relevant or pertinent to him. It was reported that he had consulted with you and that being unaware of the research herein enclosed, you supported and encouraged his assertions and opposition.

Perhaps you may realize of whom I am speaking and I would caution that it would seem to me prudent not to reveal to him: 1) that the therapist contacted me, or 2) of my own initiative to contact you (the therapist and the wife are not aware that I have undertaken this). I am concerned that if he finds out that he will not allow his wife to continue in therapy with this very competent therapist and prevent her from getting the much needed help she needs to resolve her own issues.

I am available if you would like to discuss any details or questions that you may have concerning these matters.

Sincerely yours,
Yehoshua Kaganoff

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5 Adar II, 5771
11 March '11

Erev Shabbos P' VaYikro

Dear Rebitzen Salomon,

Malky of the Bais Medrash Govoha community has been in communication with me and has shared with me her conversations with you and her letter to the Mashgiach, Shlit'a.

Her conversations omitted a critical, closely related topic. I am enclosing a letter on this related topic that I recently sent to a Rov in a different community. In it I outlined this other information that he was totally unaware of, which had caused serious misguiding of his Talmidim. **To his great credit as a person of integrity, the Rov conceded his error, reversed his counsel, and as a result that couple is now on the way to receiving the proper therapy and treatment.**

Unfortunately, this particular Rov was not unique in his lack of information on this topic and the consequent ill-advised counsel.

So as not to unduly burden the Mashgiach, Shlit'a, I have chosen to approach you first. I hope you will read the enclosed letter and agree that it is of great importance. I will gladly send the balance of the support documentation referenced in the letter. (Out of respect of, and courtesy to, the Mashgiach, the Rebitzen and their overburdened schedules, I did not feel it appropriate to just send them all the literature and documentation unannounced.)

Please feel free to contact me.

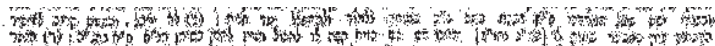
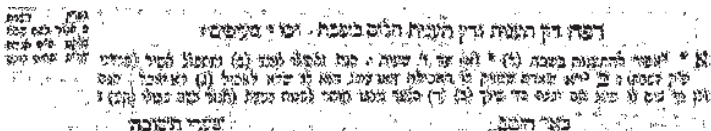
BiChvod Rav,
Yehoshua Kaganoff

FOOD **ADDICTION**

FOOD ADDICTION & SHABBOS SEUDOS (meals)

Shulchon Aruch (Orach Chaim 288:2 - see insert below) states that if food is injurious to someone, then he/she are exempt from eating on Shabbos (Eating on Shabbos is supposed to be an aspect of Oneg - enjoying the day, if it's not enjoyable then one is exempt).

The commentaries (Mishne Berura et al) point out that indeed, Not only is one exempt; but since it is injurious, it is actually prohibited from doing. (It is an outright violation of the Oneg principle!)



Likewise on YomTov, the overarching principle underlying eating is the fulfilment of the Mitzva of Simcha – rejoicing - and the Mitzva of Oneg (Orach Chaim 529:1-3, Mishne Berura #4 &16). If neither of them is being fulfilled because eating is injurious and/or not enjoyable, then the above-stated principle concerning Shabbos is equally applicable to Yom Tov as well.

On Fri, 20 May 2011 "R S" <r.s@com> writes:

Dear Rabbi Kaganoff,

I had a little confusion come up regarding the halachic requirements of my Lechem Mishna on Shabbos; I would greatly appreciate if you are able to help me clarify.

Which meals am I obligated to wash HaMotzi for?

Is the measurement $7/8^{\text{th}}$ of an ounce of matzo?

Do I need to keep the matzo sholem for the bracha? (If so there will be a problem of measuring out the matzo after making the bracha – I guess then I could ask my sponsor if eating that extra 1/8th of an ounce will be ok)

With regards to Friday night and washing hamotzi, my sponsor insists [that] I must eat my matzo together with my meal and have no space of time between eating my matzo and my Friday night dinner.

I can just push all my meals till later on, on Friday so that I can sit down and wash and eat my meal once I've served everyone by around 10:30 pm. However the following problem arises - when I am struggling emotionally, I find it very difficult to change my regular eating times which are breakfast at 8, lunch at 1 and dinner at 6 to crazy hours like breakfast at 10:30 (I get up at 5am so it's 5 and a half hours after I've started my day) and then lunch at 4pm and dinner at 10:30pm – as Friday is my most challenging day of the week - we have at least a dozen guests every Friday night and juggling that with caring for the children... I worry that if my food isn't in its regular place and dealing with all these challenges I'll make mistakes with my food and I worry about breaking my abstinence.

I feel more safe if I would just eat before bringing Shabbos in at 7pm, but then I run into the problem of having to wash HaMotzi once Shabbos is in and I can't do that if I've already eaten my meal earlier on. So another solution would be to eat straight after I light candles and say Kiddush (without drinking the grape juice) and wash and eat Matzo and then eat whilst everyone is davening- is that ok?

Many thanks

R. S.

From: Rabbi Yehoshua [<mailto:kaganoff@juno.com>]

Sent: 20 May 2011 10:02

To: r.s@.com

Subject: Re: lechem mishna and oa

Hi RS,

Based on the data that you reported above:

1) You are exempt (actually prohibited) from Lechem Mishna (washing HaMotzi) on Friday night at this time of year (summer) Orach Chaim (O.C.) 288:2

2) You are obligated by Torah Law, to eat your meals on Friday exactly the same time as you do every other day of the week. O.C. 618:1

You are exempt (prohibited) from eating late Friday night when you serve the others (except for what program and sponsor allow you to do) O.C. 288:2

3) On Shabbos Day (Saturday), for whichever meals your sponsor allows you to eat HaMotzi (Lechem Mishna & washing) you should do so - O.C. 274: Mishne Berura (MB) #9- (up to 3 meals; but only what and if your sponsor allows) O.C. 288:2

4) The amount of Matzo is 7/10ths of an ounce NOT 7/8ths. - Based on calculations of "Moznei Tzedek" by Rabbi Dovid Braunfeld with allowances for Cholim as per M.B. 486:1

5) The Matzo does NOT have to be Sholem O.C. 274: MB#2
OR

6) You can weigh the proper amount on a mechanical scale AFTER the Brocho. (A mechanical, non-electronic scale is permissible to be used on Shabbos and Yomtov) O.C. 306:7 & M.B. #36

Sincerely,

Rabbi Kaganoff

973.614.8446

On Fri, 20 May 2011 "R S" <r.s@.com> writes:

One more question if that's ok, what is my obligation with regards to Kiddush Shabbos morning before breakfast? And lunch?

From: Rabbi Yehoshua [mailto:kaganoff@juno.com]

Sent: 20 May 2011 14:41

To: r.s@.com

Subject: Re: lechem mishna and oa

I will assume that like others in program that you are allowed unlimited amounts of tea (decaffeinated or regular) – for our purposes here, only original tea will do, NOT herbal

1) Before Shabbos, BREW some tea. (Adding water to 'tea essence' will not suffice). Heard from Rav Shimon Schwab, Ztz'l

2) Take 3 oz of this brewed tea in a goblet, becher etc and recite the Kiddush text & Shehakol before eating your meal - Shiur of Reviis - "Moznei Tzedek" by Rabbi Dovid Braunfeld

3) Whenever you daven is not relevant; OR even if you don't daven at all (which is the custom of most busy Jewish Moms) = in any event you should recite the Kiddush over brewed tea before breakfast. O.C. 289:1 & Beur Halocho "Chovas"

If your program restricts you to only water, seltzer and watered down tea or herbal = then just forget about Kiddush. O.C. 289:2

4) If another person above Bar/Bas Mitzvah is present, he/she can make Kiddush on wine, schnapps, or beer on your behalf. You do not need to 'taste' of what they made Kiddush upon (he/she would need to do so) to be Yotzi with their Kiddush and consequently you would not need the brewed tea. O.C. 273: MB # 26; O.C. 271:14 MB#71, Igros Moshe O.C. 2 #75

Sincerely,

Rabbi Kaganoff 973.614.8446

On Fri, 20 May 2011 "R S" <r.s@.com> writes:

Sorry two more, you say I should only wash Shabbos day for what my sponsor allows. She only allows what I absolutely must according to Halacha – so which meals must I absolutely wash according to Halacha Shabbos day?

Also scales work in $1/8^{\text{th}}$ of ounces; I'm not sure how to work it out. Do I convert the ounce to grams i.e. 1oz is 27g? And then work out $7/10^{\text{ths}}$ of 27g – math not being my forte at all – so is that 27 divided by 10 times 7 which gives me 18.9 g? (I tried to get it right Pesach time, but I think I messed up on the math).

Thank you again!

From: Rabbi Yehoshua [<mailto:kaganoff@juno.com>]

Sent: 20 May 2011 15:02

To: r.s@.com

Subject: Re: lechem mishna and oa

Shulchon Aruch (Orach Chaim 288:2) states that if food is injurious to someone, then he/she are exempt from eating on Shabbos (Eating on Shabbos is supposed to be an aspect of Oneg - enjoying the day, if it's not enjoyable then one is exempt).

The commentaries (Mishne Berura et al) point out that indeed, Not only is one exempt; but since it is injurious, it is actually prohibited from doing. (It is an outright violation of the Oneg principle).

Based on this and the report of your situation, it would appear to me that you are prohibited from "washing etc" on Shabbos at all. If your sponsor deems that having the Matzo is safe for you, then the first 2 meals of Shabbos have the priority.

What you are suggesting is correct. Convert to grams; divide by 10; multiply by 7.

Have A guten Shabbos

Sincerely, Rabbi Kaganoff

From: Rabbi Yehoshua [mailto:kaganoff@juno.com]

Sent: 23 May 2011 02:34

To: r.s@.com

Dear RS,

Unfortunately my email "crashed" and I lost your last email question. I will try to respond based on my memory but if it is off-the-mark, please rewrite your question. Either way, please confirm that you received this.

1) Yes, you would be obligated to make Kiddush before eating breakfast. O.C. 289:1, Beur Halocho "Chovas"; O.C. 89: 3 & 4

2) If you will be eating Matzo with the breakfast meal, then the HaMotzi is an adequate substitute for the Kiddush and you do not require any tea etc. O.C. 272:9

3) If you will NOT be eating Matzo with breakfast, Then it is preferred to have 'brewed tea' for Kiddush. Aruch HaShulchon 272:14 & Igros Moshe O.C. 2 #75

I guess this would be something your sponsor will help you decide. Does she prefer that you have Matzo with breakfast or allow you the cup of tea?

4) Brewing? - You can take decaffeinated tea bag(s) and cook them on the stove top before Shabbos and then use the broth (tea) straight without dilution for Kiddush (3 oz goblet full) Heard from Rav Shimon Schwab, Zatzal

Sincerely,

Rabbi Kaganoff

973.614.8446

On Thu, 14 Jul 2011 "SiL sil@.com> writes:

Dear Rabbi Kaganoff,

(editor's note – this correspondent is also prohibited from eating late on Friday night, but instead is eating 3 Shabbos Seudos by day)

I normally daven before eating which would mean I could make Kiddush over the Matzo with my breakfast. If I do make Kiddush over the Matzo, Do I wash, say Kiddush and then make HaMotzei?

I personally find no problem eating the Matzo, so I don't think it's injurious to my health – I just need to know what I do halachically, and then my sponsor will allow it.

If it is better to eat a bit extra than the required amount of Matzo and have it Shalem, then I could do that too.

I hope that is clear. Thank you for your time,
Sincerely, Sil

Dear Sil,

The Kiddush that you need to recite in your situation (on Shabbos Morning) is the Friday night text minus the "VaYechulu" paragraph. You wash first and then recite Kiddush. Instead of Birchas HaGofen, you insert Birchas HaMotzi. O.C. 271:8; O.C.274 MB #9

Yes, if the extra bit of Matzo will not harm you, then a Shalem is preferred. O.C. 274:1 MB #2

Also have a second Matzo in hand when reciting the HaMotzi so will also fulfil "Lechem Mishne" (do not eat the second Matzo - there is no requirement or need to do so.) O.C. 274:1

Sincerely, Rabbi Kaganoff

973.614.8446

FOOD ADDICTION & THE PESACH SEDER

Nisan, 5771

Dear Rabbi Kaganoff,

(editor's note – the responses are interspersed within the questions)

I have been given your name by a Food Addicts' member. If you could please advise me concerning the following, I would really appreciate it, as I will need to inform my sponsor, prior to the Seder, the exact amounts of what I will be eating.

Q. What is the smallest amount of Matzo I need to eat in order to fulfil my obligation each time we eat Matzo during the Seder (e.g. motzie matzo, afikomen etc), and are there any matzo 'eatings' that I should refrain from?

A. You should eat one k'Zayit = .7 oz (weight) = 21 grams (Unless your disease is severely virulent; in which case, you should make a private personal consultation.) - Based on calculations of "Moznei Tzedek" by Rabbi Dovid Braunfeld with allowances for Cholim as per M.B. 486:1

And this .7 = seven tenths of an ounce, you should eat, all at once; O.C. 475:1 MB #9; 475:6

See below for directions on when, within the Seder, this eating of the matzo should take place;

The other eatings you are to refrain from! They are prohibited for you to eat! O.C. 482 MB 6

(Unless your sponsor determines that your disease is not so virulent and allows you to eat a second time; in which case you would eat one k'Zayit for Motzie-Matzo and one for Afikomen). O.C. 477: Shaar haTziyun #4

Also, ask your sponsor if you are permitted to use Whole Wheat matzos. Oat Matzos are available and are generally preferred for

people in “Food Program”. Some use Spelt Matzos which are also available. The amount for all 3 remains the same as above Based on calculations of “Moznei Tzedek” by Rabbi Dovid Braunfeld with allowances for Cholim as per M.B. 486:1

Q. Does this mean both Sedorim?

A. Yes each Seder requires this amount and you eat matzo only once each night unless otherwise permitted by your sponsor. (If sponsor permits one night and not the other, then priority requires that it be the first Seder (first night) (The first night is a Torah requirement as opposed to the second night which is only a Rabbinic requirement.)

Q. What is compulsory for me to eat? And how much? With regards to the karpas, marror, charoses, etc and what should be left out?

A. Only Maror could be required, and then only if your sponsor permits. O.C. 473 MB 36 & 43

The amount is 1oz weight = 29 g Based on calculations of “Moznei Tzedek” by Rabbi Dovid Braunfeld with allowances for Cholim as per M.B. 486:1

Q. [editor’s note – this from a different correspondent] My sponsor will allow me to have dilute grape juice and one k’Zayis of Matzo for the Seder, but does not want me to delay my meal so late and does not want me to add Maror at the Seder. If I eat my dinner meal after candle lighting and have some romaine lettuce as part of my salad would I be able to be Yotzei Achilas Maror and make a Brocho at that time?

A. As long as you eat the "Maror" at least 10 minutes after sunset (Shkiah) (in continental USA), you can make the Brocho of Achilas Moror on a “Shiur” (ie one ounce - weight) of Romaine lettuce.

(Maror before Matzo- OC 482:1 MB #3;

10 minutes after sunset – Igros Moshe OC 4 #62)

Q. Can I also clarify the issue of the 4 cups of wine? Wine is not acceptable by Program Standards.

A. You can use grape juice in any of the following ways:

1) Take 3 oz (88 cc) of red (purple) Concord grape juice and mix with 9 oz (266 cc) of water. That will give you 12 oz (354 cc) of mixture. Use for each of the 4 cups a 3 oz (88 cc) cup filled with 3 oz (88 cc) of the mixture. (Repeat this procedure for the second Seder) O.C. 272:5 & 6, Beur Halocho 'Mekadshin'

If your sponsor is not OK with suggestion#1 then:

2) Get 10 lbs (4 kilo) of any type of grapes and before Pesach squeeze the grapes into juice. Strain and/or filter per your own taste and preference. This juice should be used "straight" for the 4 cups. O.C. 272:2 (Make sure that you have 24 oz of juice before Pesach starts. you will need 12 oz (354 cc) for the 1st Seder and 12 oz for the second Seder. if not enough, buy and squeeze more grapes. (Squeezing may not be done on Yom Tov.)

If neither of these suggestions will pass muster with your sponsor, then an oral consultation is in order. Perhaps you should use Brewed tea instead. (see Shabbos Seudos chapter on "brewing" tea. Pgs 32, 34)

Q. I am supposed to eat 3 meals a day and nothing in between except for water and my meals should be spaced with 4 to 6 hours intervals. I am supposed to eat my breakfast before 9, lunch before 2 and dinner before 8. My sponsor will allow changes only if necessary due to Halachic requirements. What should I be doing with regards to the Seder and Shulchan Oruch? Should I wait until Shulchan Oruch to eat dinner or should I eat before candle lighting? (It seems that many Frum women in program eat a small snack on late Friday nights and Yomim Tovim or Seder to enable them to eat later without waiting so many hours between lunch and

dinner without eating. However my sponsor has not allowed me to do this.)

A. Eat before candle lighting OC 89:3&4 and eat the above Matzo requirement for Afikomen (you will wash and make Netilas Yodayim right before Afikomen; not when everyone else does before Shulchon Oraich). O.C. 482:1 MB #6

The only other thing you will have during the Seder is the 4 cups of dilute grape juice etc. (and water, of course, as per program protocol)

If your sponsor allows you to eat Shulchon Oraich, then:

It is best to eat the 'program food' first, and then wash Netilas Yodayim and eat the Matzo for Afikomen (reciting the brochos of Motzei Matzo before eating it). O.C. 482:1 MB #6

If this is unduly uncomfortable, you may eat the Matzo with the Brochos when everyone else is doing so, and then eat your meal. O.C. 70 MB 23 end; O.C. 89:3&4 & MB 28 In this scenario you will be exempt (and programmatically and Halachically prohibited) from Afikomen. (Unless of course your sponsor has permitted for you to eat Matzo twice.)

Please feel free to contact me if an explanation of the above Halachic directives is deemed necessary or for any further information or clarification. Or

If these guidelines are anticipated to be too difficult to fulfill.

OAT BRAN

From: <kaganoff@juno.com>

Date: Wed, 17 Jun 2009 15:13:12 -0400

Subject: OAT BRAN - halachic update

I believe that this is some nice news for people in food program.

After recent conversations and communications with OU Kashrus and the Star-K, the conclusion has been reached that the proper Brochos on OAT BRAN (in America and Israel) is exactly the same as Oatmeal or Oat flour.

Therefore:

1) If the OAT BRAN is cooked like oatmeal etc., then the proper Brocho is Mezonos and the after Brocho, assuming that one ate a k'Zayis, is Al HaMichyo.

2) If the OAT BRAN is mixed with water and baked the Brocho is HaMotzi and the after Brocho is Bircas HaMozone; once again assuming that one ate a k'Zayis.

(I believe that this will be a big boon:

a) For Shabbos and YomTov Seudos,

b) The requirement of Kiddush b'Mokom Seuda, and

c) Consequent Sholom Bayis, for many people in program.)

3) If OAT BRAN is mixed with other liquids (milk, yogurt, oil, juice) or if other ingredients are mixed into the dough (similar to cake or cookies) it falls under the category of "Pas Habo b'Kisnin" and therefore:

3a) if eaten as a snack, the Brochos are the same as #1;

3b) but if eaten as a meal (K'vius Seuda) the Brochos are the same as #2.

4) However, if OAT BRAN is uncooked or just mixed into a warm liquid, the Brochos remain SheHakol and Borei Nefoshos.

Please feel free to share this information freely with program members.

5) Based on the above Psak, if one made a large enough dough of Oat bran, it would also be obligated to have Challah taken from it.

6) Likewise, based on this Psak, technically, Matzos for Pesach could be produced from it. The challenge now is to find a way to get "Shmurah" Oat Bran and a Matzoh Bakery willing to produce it. (At a somewhat reasonable price!)

The research and discussion that led to these conclusions can be found beginning on page 67. Please feel free to share it with any of your Rabonim or Poskim.

Sincerely,
Rabbi Kaganoff

OASAS Divrei Brocho v'Chizuk

My greetings of Shalom u'Beracha to the Orthodox Women in food recovery - the attendees of the Shabaton and readers of this newsletter. My heartfelt wishes for a most meaningful, fulfilling and spiritually uplifting Shabbos and recovery experience.

Shabbos is the “Yom Menucha u'Kedusha” par excellence. The Posuk in Shmos (31:13) tells us, Keep My Shabbosos..... Because I, Hashem, make you holy. Clearly what is being stated is that Shabbos has the capacity of investing us with Kedusha. It can bring us a step closer to realizing our national mission and title designation as Goy Kodosh – “v'Atem Tihyu Li Mamleches Cohanim v'Goy Kodosh” “you will be for me a kingdom of priests and a holy nation” (Shmos 19:6).

Indeed the Kuzari and other Seforim write that unfortunately due to the deleterious effects of Golus the magnitude of our Kedusha index is severely compromised.

However, I am encouraged through the growing popularity of 12 step recovery programs in our community, that we may realize a reversal of this degrading state of affairs. This is because I perceive those in recovery as the vanguard for the restoration of Kedusha to the Jewish people.

Lest I be accused of exaggeration, let me explain my sentiments by quoting excerpts of Rav S.R. Hirsch's definition of Kedusha (commentary VaYikro 19:2 – K'doshim Tihyu).

“Kedusha is a state of character. A person attaining this character trait will have the propensity to be ready and willing to perform all that is good; a person cannot attain this virtue unless his whole being is steeped in morality....for much work is required of anyone seeking to attain this marvelous trait of Kedusha.

“Kedusha is attained through mastery over all of one’s powers and faculties and over all temptations and inclinations associated with them -- to be ready and willing to do God’s Will.

“Self-mastery is the highest art a (man) [person] can practice. Self-mastery does NOT mean neglecting, stunting, killing, or destroying any of one’s powers or faculties. In and of themselves, the powers and faculties – from the most spiritual to the most sensual – that have been given to man are neither good nor bad. They all have been given to us for exalted purposes – that we use them to do God’s will on earth. The Torah sets for each of them a positive purpose and negative limits. In the service of that purpose and within those limits, all is holy and good. But where a person strays from that purpose and exceeds those limits, coarseness and evil begin.

“As in any other art, virtuosity in this, the highest moral art can be attained only through practice – training one’s moral willpower to master the inclinations of the heart. But this training is not to be undertaken in the realm of the expressly forbidden, where any slip would result in wrongdoing. Rather, moral resolve must be tested and strengthened in the realm of the permitted. By learning to overcome inclinations that are permitted but related to the forbidden, one gains the power of self-mastery and thus makes all his powers and faculties subservient to the fulfillment of God’s will. Each person, according to his own unique qualities, should work on his inner self; and he should train *quietly*, in a manner *known only to himself*.”

(By the way, Rav Hirsch was niftar (1888) 50 years before the first 12 step program was founded (1935). I think this chronological surprise speaks volumes of what authentic Torah really has to say about Recovery.)

So to all of us in Recovery, my Brocho that we should continue to strive to live up to these ideals and “Carry the Message” by “Attraction not Promotion” for the betterment of our families, our

people, and the world at large.

“Ve’Hyeh Brocho” (Brashis 12:2)

Sincerely,
Rabbi Kaganoff

An OA Member's Letter to Her RAV

Subject: 12 step program

Date: Sun, 06 Jun 2010 12:16:40 -0400

From: Zk<zk@.com>

To: R.E <Rabbi@.org>

שלום Rav E, א,

I have heard from people about their perceptions of things they claim that the Rav has said about 12 step programs, and would like to share some observations that I have made and knowledge that I have gained through being a member of more than one program.

“Step One” makes a statement that can easily be misinterpreted. It states, “We admitted we are powerless over _____, that our lives had become unmanageable.”

Some who have not actually participated in the program, or who have not accurately understood its methods, may get the impression that this means to suggest we are claiming lack of בחירה [free choice]. However, this is a misunderstanding!

This statement means that we need to admit that through our בחירה [free choice], we have chosen to allow harmful elements (alcohol/drugs/harmful attitudes, etc.) to enter our beings. This poor choice has chained us to bad behaviors, to become אנוסים [compulsive], and we realize that we now cannot overcome this problem without סייעתא דשמיא [heavenly assistance].

The program constantly stresses the need for השתדלות, or “leg work.” Nevertheless, the fact that without Hashem's help, השתדלות will be unsuccessful is emphasized as well.

I know that in my daily תפלה [prayers] I ask “וכוף את יצרנו להשתעבד לך;” [God – please, rein in my coarse nature to serve you.] and I also know that the *Chofetz Chaim* is said to have pleaded with

Hashem before the ארון קדש [Holy Ark] for help in controlling his anger—not because he denied the principles of השתדלות and בחירה, *chas v'shalom*, but because he recognized that he could not do it alone. (My husband has suggested that perhaps the author of the 12 step program just needed a good editor to accurately convey his point.)

I look at a 12 step program as a רפואה [treatment] for an illness - not as Torah. Just as the man with a heart condition may need bypass surgery in order to serve Hashem, I and those who have the disease of addiction like me, in similar fashion need the “program” to do so.

Some may indeed, regrettably, make the program into an ע"ז [idolatry], but this is no different as some who decide to turn particular *mitzvos* into an ע"ז [idolatry]. It's not the subject that is the problem; it is this particular individual's approach to it that is! The importance of consulting a Rav who is well-versed in the fundamentals of 12 Steps—and understanding the principle “Take what you need and leave the rest”—is crucial.

I admire Rav E for speaking out on even unpopular issues. It is a wonderful goal to spur the Kehilla on to serious thought about the matters that affect their lives. However, I would like to respectfully note that it is very dangerous for those in early recovery to hear that there are theological problems with the program –which there aren't. I strongly feel that any presentation of the 12 step program must clarify that the program's principles totally follow mainstream Torah *Hashkofos*. Otherwise, those involved and/or in need of 12 step programs may in response drop the program, and may not *live* to think about these issues--especially those in Narcotics Anonymous or Alcoholics Anonymous.

(Indeed, as a person who went into the program “kicking and screaming,” I would have loved any excuse to drop it.) It is true פקוה נפש.[rescuing from life jeopardy]

Just as an aside, my very close friend was amazed at the changes in רוחניות [spirituality] that have taken place in me during the last five-and-a-half years that I've 'worked the program'. She asked her husband—a grandson of Rav Chatzkel, a מגיד שיעור [Torah professor] and a בעל מוסר [Mussar Ethicist] in his own right—"How could such a change be developed from working a program developed by גויים [non-Jews]?" He answered that the בעלי מוסר state that those who reach desperation (a.k.a. "rock bottom" in program lingo) will find Hashem.

I feel secure in signing my name, as I am confident that my anonymity will be protected.

May הקב"ה [The blessed One] grant you הצלחה [success] and *gezunt* [good health] in leading our community.

בכבוד רב,

Mrs. Z.

P.S.--Attached is an article Rabbi Kaganoff, שליט"א, gave me on this topic. Pages 174-175 [pgs 172-174 of this compendium] speak about the program's concept of "powerlessness."

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5 Tishrei, 5772
3 October, '11

BS'D

Binah Magazines
207 Foster Ave
Brooklyn, NY 11230

Dear Editor,

In Binah Vol. 5 # 248, you printed a few letters lauding the existence of a program known as TLC. I am writing to respond to some of the erroneous perceptions and information promoted by these letters.

I believe it would be in order to give some introductory background information about myself: I am Yeshivishe, Frum-from-Birth and a Rov, who has been Paskening Shaalos re: Shabbos, Taharas Hamishpocho, Kashrus, etc. for almost 30 years (Washington Heights, Philadelphia, Passaic). My S'micha is signed by Rav Yosef Breuer, ZTvK'L, Rav Shimon Schwab, ZTvK'L and L'Havdil Bain Chaim l'Chaim the Novominsker Rebbe, Shlita.

I have been involved with people in 12-step recovery and program for 16 years. I began my association with the "Recovery community" with much skepticism and asked many questions and challenged many of their concepts and premises. Over this time period, I have done much research into the compatibility of "Program" with Yidishkeit. Suffice it to say at this point, that any concerns that are raised by well-meaning people (and I certainly

was one of the more vociferous critics) about 12 step programs are simply just NOT shared by Normative Halocho. What Normative Halocho teaches will be elaborated upon below, BUT there is one overarching concept that I need to address first.

One of the most fundamental principles of Torah is Areivus - “Kol Yisroel Areivim Zeh l’Zeh! I AM responsible for the welfare - both spiritual and physical - of my Jewish brothers and sisters. This is diametrically opposed to the prevailing attitude of our culture “NIMBY” (Not In My Back Yard). For those who may be unaware, NIMBY translates into, “just let me protect my own Daled Amos, and let others suffer, whatever may happen!” The Torah teaches the very opposite – that in attending to my own needs, the impact of my actions on the welfare of my brethren needs to be taken into account BEFORE I proceed. Moreover, in our specific case the principle of Areivus is further reinforced by the Mitzvos of “Hashevosu Lo” (returning lost property etc to the rightful owner) and “Lo Sa’amod Al Dam Reacho” (It is prohibited to standby idly and allow injury to befall another.) (Sanhedrin 73a)

A classic application of this Halocho would be the following:
If an elderly or sickly Jew is instructed by his doctor and Rov that he needs to eat for health reasons on Yom Kippur. And the patient, not out of malice but out of simplemindedness, refuses to eat unless the Rov also eats, then the Rov would be required to eat in order to induce the patient to save his own life. Rav Yaakov Kaminetzky, Zatzal used this concept to explain the actions of Rav Yisroel Salanter in that famed episode of his Kiddush on Yom Kippur. And moreover, Rav Yaakov himself invoked this principle when, as a Rov in Toronto, he acquiesced to an earlier (earlier than would be acceptable by our standards) ending of the Yom Kippur fast, out of consideration for those in the community who would be in jeopardy by extending the fast.

With the inception of TLC, 3 and a half years ago, I pleaded with the participants to consider the impact that their actions may have

on their not so fortunate brethren. I posited then, “Indeed TLC *perhaps* may help Jews in large metropolises but what of Jews who are in smaller towns? Are you not invalidating 12 step recovery in their eyes? This is so- even just for food addicts.

“Moreover the undermining of 12-Step recovery will surely carry over to the programs of recovery from drugs and alcohol which is certainly Cholim She’Yesh Bo Sakana!” and TLC is not offering an alternative for them!

Grievously my prediction has come to fruition:

I am personally, and painfully, aware of alcoholics and drug addicts in the Chareidi community of Monsey who have either refused to engage in, or worse, have dropped out of their AA (Alcoholics Anonymous) and NA (Narcotics Anonymous) programs due to this lack of foresight. We cannot help them and they are now doomed to die of their disease! This is only in Monsey; who can project what has occurred elsewhere?

So unfortunately, even though some well-meaning, but short-sighted, people may consider the TLC activities as “Mili d’Mitzvo v’Chasidus”; anyone with a little broader perspective and understanding knows full well that it is an Aveira of jeopardizing the lives of a significant segment of our community.

Space restraints due not allow me to demonstrate in great detail that:

1) The overwhelming majority of the 12-Step Program and its Spirituality fits very well with rigorous, well-researched and knowledgeable Torah Observance. And

2) that the very small part that may not be fully acceptable at first glance, does not override the considerations that for Refuas Choleh [healing of the Sick] and Pikuach Nefesh [saving lives], Normative Halocho directs us to be Maikel [lenient].

(Likewise, due to space constraints, I am unable to publish the support documentation- Halachic and secular - for what I state in

this letter. However, I will gladly provide it (pgs 83-190; 21; 361-466 of this volume) and respond to any other sincere inquiries of any interested reader.

However, I will elaborate below on the fallacies of some of the more recurrent issues that are raised:

- 1) That to assert that compulsive overeating OR ANY OTHER ADDICTION is just a bad habit (“Ta’avos”) is contrary to the findings of the most current medical research. MRI & CT studies have proven that there are physiological changes in the brain function of these afflicted people. They are truly **Cholim** [sick];
And moreover, in most cases, if left untreated, their sickness will progress to the level of Choleh SheYesh Bo Sakana. [Life-jeopardy]
- 2) That until this present date, there is and has not been any alternative Refuah [treatment] for addictions - except 12-Step programming. And that in the past all attempts to “modify” the 12-step program have resulted in miserable failure.

The above 2 points, I shared with Gedolei HaPoskim and they responded to me that they found it very informative and enlightening.

- 3) According to Shulchon Aruch the only occasion that we put people’s life in jeopardy, “Yehoreg v’Al Yaavor”, is for the 3 Aveiros Chamuros [Cardinal Sins]: Avoda Zora [Idolatry], Gilui Arayos [Incest or Adultery], Shefichas Domim [Murder]. I would ask of any critic to produce one item of 12-Step program that falls into any of these categories.

Furthermore, please keep in mind, that the clear Psak is that Yehoreg v'Al Yaavor even of these 3 categories does not apply to Issurei d'Rabonon [rabbinic injunctions] or Minhagim [proscribed by custom only] of these 3 Aveiros Chamuros. (YD 195:16, 17 Ramoh and Biur HaGro #21)

Moreover, I would ask any skeptic to produce anything in 12-Step programs, significant enough that it would prohibit even just a Choleh Kol Gufo She'Ain Bo Sakana [a common sickness that has no life-jeopardy] person from participating.

- 4) A vague, emotional assertion that the program is just "Goyish" [not-Jewish] does not qualify to prohibit participation. To impose Mili d'Chasidus [super piety] on others when it will jeopardize their lives and/or well-being, is castigated by Chazal as Chasidus Shel Shtus [Foolishness]! (Sota 20a, 21b)
- 5) If we have witnessed wayward behavior in some people in recovery; the fault is not in the 12-Step programming but in our Chinuch system that does not follow the instructions of Shlomo HaMelech, "Chanoch la'Naar Al Pi Darkoh [Individualized educational programming]. We do not teach, in a manner specifically tailored to each individual, the deeply meaningful spiritual experience that should be intrinsic in all Mitzvah performance. Were we to do so, and had we done so, these individuals would not be so bitter towards Yidishkeit [Jewish religious] Observances, that at their mere introduction to spirituality, that they would abandon Kiyum HaMitzvos [fulfillment of Torah Observance].
- 6) The essence of the 12-Steps, as Rabbi Twerski so effectively demonstrates in his book "Self Improvement? I'm Jewish!" is identical with a program based on Mussar.

As a matter of fact, it has been quipped that 12-Steps is the “Americanization of Mussar.”

7) The idea, that the 12-Steps is Christian, stems from:

(A) The mistaken assumption that step 5 is the ‘Catholic’ confession. - The Gemoro (Sota 32b) clearly says to the contrary! The Gemoro states that one who brings a Korbon Chatos [Sin Offering] needs to reveal his Aveira [Sin] to the Cohein [Priest] and possibly to all present in the Bais Hamikdosh [Temple]. And this is part and parcel of the atonement process!

And Reb Elimelech of Lizansk includes it as mandatory in his Tzetel Koton [“Short List” of daily character inventory].

AND

(B) The regular use of the lord’s prayer. - This is a very minor detail and not of essence to the program. Anyone who does not want to say it can substitute any Jewish Tefilla instead and is perfectly acceptable by program rules and custom. **Moreover, it is stated clearly in the 12 Step literature (A.A. Big Book 3rd edition pages 10- 11) that the founders of 12 Step recovery were M'vatel their religions and specifically "Oso Ha'Ish".**

The Halocho is quite clear that when that occurs, even the "Getchka" [Idol] itself becomes permitted for use—certainly a benign prayer that contains no objectionable content. (See pgs 150-160 for further elaboration.)

8) **“Powerlessness”** - An article was published about 15 years ago. It adequately explains how terms and words used in AA jargon have different meanings than the way they are used by social workers and other mental health professionals. One such word is “powerlessness” (see page #174 of the article – pg 172 of this volume). Consequently, unless a social worker or other mental health professional

has especially studied and experienced 12-Step Recovery, he or she are totally incapable of making any judgment call concerning addictions and the recovery therefrom. Moreover, articles from US News and World Report and from

http://www.wired.com/magazine/2010/12/ff_dsmv/all/1

adequately describe the Ziyuf (counterfeit) nature upon which Mental Health professionals have been operating. Their attitudes and bases of information and treatment are based on data that is far from rigorously honest and therefore undependable and unreliable.

It appears quite clear that Rav Tzadok HaCohain. (Resisei Layla, Pg 6a,b,c – pg 187 of this volume) and the Chazon Ish (Igros # 2 - pgs 180 of this volume) are teaching the same concept of “powerlessness” as in 12-Step Recovery - that without Hashem’s help we are absolutely powerless to accomplish anything.

- 9) The commonly used expression “Ain Dovor Omed Bifnei HaRatzon [“when there’s a will; there’s a way”] is NOWHERE to be found in Chazal. The closest is from the Zohar P’ Terumah and there it coincides with 12-Step Program. See pgs 189-190 The Ratzon [Will] being referred to, that overpowers everything, is the Ratzon Elyon [Divine Will]. And we need to be Machniya [humble] our own ratzon [will] to the Elyon [Divine will]- and do so b’Ahava (Attitude of Gratitude); to be Me’Orer [“arouse”] the Ratzon Elyon to accomplish what He desires.
- 10) Among the letters quoted in the above referenced issue of “Binah” is the statement, “Torah transmits Kedusha [Holiness] only when it is transmitted thru pure conduits” [and therefore it is prohibited to learn Torah from a Goy--non-Jew]. And quoted as a source reference is Yoreh Deah

179:19. It is intimated that this Mekor [source] is the support for this position.

However, I am sorry to say that the opposite is true. Not only does the source reference that is quoted NOT support this position; BUT most accurately and precisely, it contradicts this assertion!

The Halocho in question states: “one who studies Torah from an ‘Amgushi’ is Chayav Misa” (culpable of a death penalty). Obviously the Shulchon Aruch is stating that it is prohibited to do so; and the stating of the consequence is intended to give us a sense as to the magnitude of the prohibition. However to posit from this Halocho that one can derive that “Torah transmits Kedusha only when it is transmitted thru pure conduits” is woefully inaccurate, as I shall presently demonstrate:

What is an “Amgushi”? The commentators to Shulchon Aruch (Poskim) disagree:

The Shach, Gro (Vilna Gaon), and other later Acharonim state that the category “Amgushi” only includes a missionary (either Jewish or non-Jewish). This indeed is also the simple, unforced rendition of the Talmud, Gemoro Shabbos 75a, which is the origin of this Halocho.

The Bais Yosef, Levush and Darchei Teshuva include within the Category of “Amgushi” (besides the missionary above) also a Mechashef, a sorcerer, someone (Jewish or non-Jewish), who is skilled in the ‘dark arts’ (a la Harry Potter).

However, what is absolutely clear according to ALL opinions is that there is nothing wrong with learning Torah from a plain non-Jew. Otherwise, why isn’t this also stated in Shulchon Aruch and Poskim? According to none of the

Halachic authorities is he included in the “Amgushi” classification NOR is it proscribed; even though he certainly isn’t pure (by Torah standards). So “Torah transmits Kedusha only when it is transmitted thru pure conduits” is just, plain and simple, inaccurate.

Sincerely,
Rabbi Yehoshua Kaganoff

FOOD
ADDICTION
TESHUVOS

Brochos on Whole Wheat and Oatmeal 'Patties'

Dear Rabbi Kagnoff,

I wrote this E-mail about a week ago but as you told me, you didn't receive it. Please take a look. My main point is that you need to have a dough which is made out of flour; without that it cannot ever become Hamotzi. The fact that it is placed in the oven, in and of itself won't give it the status of פת .

Hope to hear from you by E-mail,

Thanks again,

Moishe Yoselevitz

Shearim Seminary, Yerusholoyim

כבוד ה"ה ר' יהושע הכהן קגנוף שליט"א:
שלום וברכה, רצוני קודם כל להודות מראש על טרחתכם לענות לי ולחפש המספר טלפון שלי. הסיבה שלא השארתי את המספר הנ"ל כי לא רציתי שתרגיש מחויב להתקשר לא"י עבורי. עכ"פ הגה שאלתי ובקשתי: לפני כמה חודשים נשאלתי מאחת הבנות פה בבית הספר שהיא משתפת בחברה O.A. והסבירה לי שאנשים מהחברה הנ"ל מקבלים ע"ע לא לאכול כמה מיני קמח, והשאלה היותר חמורה בשבת שידוע שחייבים לאכול עכ"פ שתי סעודות לחם כדאיתא בשו"ע רע"ז סע' ד'. ושמעתי שיש להם שתי עצות אחת לאכול מצה עשויה מקמח שיפון דברכתה המוציא (אע"פ שדומה להא דסימן קס"ח סע' ז' דכעכים יבשים מ"מ אנו בני אשכנז מברכין המוציא כידוע וכבר טרחו הפוסקים להצדיק מנהגינו עי' ציץ אליעזר). אכן העצה השנייה היא לקחת חיטין חייין ולשרות אותן במים עד שיהיו קצת רכים ואח"כ אופין התערובת הזו בתנור. והתלמידה הנ"ל שאלה אותי מה מברכים על התערובת הנ"ל. ועניתי לה לברך במ"מ ע"פ הא דאיתא כס"ר סע' ב' דעל חמשת מיני דגן ששלקו מברכין במ"מ והטעם שלא אמרתי לה לברך בפה"א כיון שמשמשים בגרעיני חיטין שלקחו מהן הקליפה וידוע שהיום גם חותכין חלק מהגרעיין (עי' פתחי הלכה ס"ח וזאת הברכה) וזה נחשב כתשן. ועוד ע' כאג"מ או"ח ח"א סר" ס"ח שנקט שבספק ג"כ מברך במ"מ. אולם לענ"ד לא נחשב זה לפת או פת הבב"כ כלל דרק אם נעשה מקמח יכול להיות לחם כדאיתא בחיי אדם כלל מ"ב סע' א' שמונה שם שש תנאים כדי לברך המוציא ותנאי הראשון שיהיה קמח מה' מינים. והרי המאכל הנ"ל לא נעשה מקמח ובלי זה לא יכול להיות לחם. ותנאי הז' שנעשה מבלילה עבה וגם זה אינו בנד"ד דרק

הוה תערובת מים וחיטין ותו לא. ועוד דאף בקמח תלוי אם נעשה בלילה
עבה או רכה כזאיתא בס' קס"ח סע' ח'.
עכ"פ ע"פ הנ"ל עניתי לה לברך במ"מ ובשבת רק להשתמש במצה מקמח
שיפון דבמאכל השני לא יוצא ידי סעודת שבת ועוד צ' לברך על שאר
מאכלים דלא טפלים לזה המאכל. אולם אחרי זמן ספרו לי שהרבה אנשים
בחברה גם בא"י וגם בארצה"ב קובעים סעודת שבת על מאכל הנ"ל
ונוטלים ידיהם וכו' כאילו הוא לחם ואני מדמה לעצמי שאולי יש כאן אי
הבנה מצידם או שאני לא יורד לעומק הסוגיא. ו"כ אבקש מכ"ת לענות על
שאלתי שהיא להלכה ולמעשה.

בכבוד

משה יוסלביץ

"שערים" ירושלים

Dear Rabbi Yoselevitz

Once again I want to thank you for your interest in this topic and your willingness to bring this Halachic issue to my attention. At the outset I need to apologize that I cannot respond to you in L'shon HaKodesh - I do not have a Hebrew word processor; so I hope that "talking in learning" in English will be OK.

My response will contain the following 4 points:

- 1) Chayei Odom's use of word Kemach is Lav Davka.
- 2) Even whole grains with Klipa (Bran), if during processing stick together, Brocho is no longer ha'odom
- 3) The word used to describe the mixture of whole wheat kernels and water when ready for baking is called "Mush" i.e. has lumped together as a sticky mass.
- 4) Items not falling under the classification of Pas Habo'oh b'Kisnin = differentiation in processing is the determining factor that causes a change in Brocho:
I.e. Cooking (Bishul) = Mezonos; Baking (Afiya) = HaMotzi

Now the details:

1) I reviewed the Chayei Odom that was quoted. It appears to me that the thrust of his intent (the first Tnai) is that it must be Chameishes Minei Dagan. The word 'Kemach' is not the main thrust. It is incidental because that is generally (stamo d'milsa) how one bakes.

Indeed, a proof of this is the end of the seif, in discussing if one of these 6 tnayim are absent, the Chaya Odom himself refers us to klal 54. In Klal 54 seif # 2, Chayei Odom lists the various categories whereby the Chameishes Minei Dagan become upgraded to a Brocho of Mezonos (instead of Ho'Adomo that was discussed in seif # 1). In this categorization he equates Halachically:

- 1) grains that have had the bran removed and have stuck together as a result of cooking
- 2) those that have been split even if they don't stick together
- 3) Kemach.

This would indicate that even the Chayai Odom in 42: 1 was not insisting on flour=Kemach but was using it as the primary example of processed grain.

This approach is the one presented by the Star-K on its website concerning breakfast cereals which I have copied below. (I have reddened the pertinent parts.) It may be that the Star-K does not intend to learn this way in the Chayei Odom, however it is their Halachic opinion which, if not also Pshat in the Chayei Odom, would nevertheless be a rejection of your reading of the Chayei Odom from normative Halocho.

2) Rav Moishe in OC 4 #45 clarifies the Teshuva that you quoted from OC 1. He says that even if at the beginning, the grains are whole with the Bran Klipos, nevertheless if after processing they stick together, it is indicative that the grains have split open and as a result the Brocho is Mezonos. (Rav Moshe is referring to a case of bishul cooking, therefore because it is cooked, at most it can be

Mezonos - see later #4 concerning baking)

3) The mixture in question in our discussion, has been described before the baking as a "mush". Perhaps we would need to observe it personally, but just from the verbal oral description, the word "mush" indicates to me that grains are already sticking together before baking. Perhaps they are only sticking because of the dampness of the water on the surfaces, but that usually is not what is meant by the term "mush". It usually conveys a deterioration and disintegration of the original individual units.

4) The Shulchon Aruch 168: 13 discusses what is the defining process that will decide whether the Brocho on Chameishes Minei Dagan (excluding Pas BaBo'oh b'Kisnin) should be Mezonos or Hamotzi. The Normative Halocho (Mechaber and Ramo) is that it is baking vs. bishul:

If baked - the Brocho is HaMotzi,

If cooked - Mezonos.

(Mishne Berura s.k.#75 discusses variations of Sofek d'Oiraisa based on the dissenting opinion that the defining parameter is Blila Ava, but this isn't pertinent to our present discussion because we are dealing with a Blila Ava "mush" that is baked.)

As I mentioned to you on the phone, I had not been previously consulted about this "whole wheat 'mush' 'patty'", (I had previously only dealt with oat patties), but based on all of the above, I believe that what the people in OA are doing is Halachically acceptable.

Once again I want to thank you for your interest and your willingness to bring this Halachic issue to my attention.

Sincerely,

Rabbi Yehoshua Kaganoff

Brochos for Breakfast

Rabbi David Heber, Star-K Kashrus Administrator

Special *halachic* status has been given to products coming from *chameishes minei dagan*, the five special grains: wheat, spelt, barley, oats, and rye.¹ When these grains are ground up, mixed with water, and baked into cake, cookies, crackers and other *pas haba'ah b'kisnin* products, the *brocha* is *Mezonos* and the *brocha achrona* is *Al Hamichya*. If one is *koveya scudah* (eats enough to constitute a meal), the *brocha* is *Hamotzi* and one must recite *Birchas Hamazon*.² One of the definitions of *pas*

In the above cases, the *chameishes minei dagan* is broken down. However, if the grains remain whole and are simply roasted, they are no different from any other variety of produce which grows from the ground (e.g., corn), and the *brocha* is *Hoadama*.⁴ What this means is as follows: The *brocha* on unprocessed and slightly processed (e.g., toasted whole) wheat or oats is *Hoadama*. The *brocha* on fully processed wheat and oats (e.g., flour and water that is baked) is *Mezonos*. **The question the poskim address is -- at what point are the wheat and oats considered processed enough to recite a *Mezonos*?**⁵

To understand this, it is important to know the following: Wheat has four parts—the endosperm, bran, germ and husk.. Endosperm makes up the majority of the kernel and is the primary source of flour, bread and cake. The husk, wheat's outer shell, comes off easily by threshing. The remaining kernel (with endosperm, germ and bran) is called "whole wheat."

The process for most other puffed wheat is to first remove bran from the kernel through a process known as pearling. In this process, some endosperm may also incidentally be removed. The kernel is then placed into a pressurized heated chamber and steamed. The moisture rushes out of the kernel, thereby "popping" it.

There are different opinions as to which *brocha* is recited. Some opinions say this is processed enough to become *Mezonos*. This *psak* is based on the *Mishnah Brura* which says one can recite a *Mezonos* on pearled barley,⁹ a product that is similar to puffed wheat.¹⁰ Others are of the opinion that regular puffed wheat is not processed enough, and the *brocha* is *Hoadama*. In order to be *Mezonos*, the product must be a "*maaseh kedaira*", similar to a bowl of oatmeal in which the grains stick together. In puffed wheat this does not occur, hence the *brocha* is *Hoadama*.¹¹

10. Based on the *Sefer Mkor Habracha* 54. Additionally, Rav Heinemann explains the following *svara*: This product is now a "*maaseh kedaira*" because it has been processed into a form that is normally eaten. According to this *svara*, the *brocha rishona* is *Mezonos* and the *brocha achrona* is *Al Hamichya*.

11. *Sefer V'zos Habrocha* Chap. 12 as further explained in his *Birur Halacha Siman 27:4* in the name of Harav Shlomo Zalman Auerbach, zt"l. Since these grains are simply popped and do not stick together, the *brocha* is *Hoadama*. The *brocha achrona* is a *safeik* and, therefore, the product should *l'chatchila* be eaten during a bread meal. If it is not eaten during a bread meal, the *brocha achrona* is *Borei Nefashos*.

BROCHO ON WHEATSQUARES

From: yehoshua kaganoff <kaganoff@juno.com>

To: owestheim@badatz.org

Date: Thu, 26 Mar 2009 20:51 :54 -0400

Lichvod Rav Westheim, Shlita

Regarding the proper Brocho on the Paskesz product of Wheat Squares: Thank you for describing to me their production processing, i.e., complete whole wheat kernels including their bran are placed between two metal plates approximately 3/4 inch distant from each other and then they are heated until they pop. Simultaneous to their popping they become fused together to form the "pattycake"-like format as it appears when it is marketed.

I had posited that this would be equivalent to a cooking process "bishul" of whole wheat kernels until they completely disintegrated and adhered to each other of which the MB 208:3 (end) states that the Brocho is Borei Minei Mezonos.

You countered that all of this discussion in the Shulchon Aruch and Acharonim revolved about only a liquid based processing but a dry process such as the puffing/popping of the grains as described above would not engender any discussion or dispute and would unanimously be Borei Pri Ho'Adomo.

I must respectfully disagree with you for the following reasons:

1) The source of this conversation is Shulchon Aruch Seif 4 where the Mechaber equates raw wheat, roasted (puffed?) wheat, and cooked (stewed) wheat. In all of these instances if the grain kernels are still whole and complete the Brocho is Borei Pri Ho'Adomo. The original source of these words of the Shulchon Aruch is Tosfos Brochos 37a D"H HaKoses. Tosfos' language and format clearly indicate that they are setting up two parallel examples of consuming edible complete whole grain - i.e. Kloyos and Shlukos (roasted/popped and stewed). Tosfos

initially states that because of the issues revolving around the appropriate after brocho, they should be consumed only within a Seudah. Tosfos then adds the addendum that if indeed “Nisma’achu” the grains - they are totally and substantially disintegrated - then the Brochos are like those of porridge - i.e. Borei Minei Mezonos and Al HaMichyo. The language structure and formatting of Tosfos clearly indicates that the “Nisma’achu” factor/dimension is equally applicable to both Sholuk or Kloyos,

2) This manner of understanding Tosfos is how Rav Moishe in his lengthy and punctiliously analytic Teshuva (Igros Moishe IV #44) states as the Shitas Tosfos. (pg #76, first column. 2nd par. line 10) that BOTH Kloyos AND wholewheat kernels are subject to the “Nisma’achu” factor and the Brocho is Borei Minei Mezonos and Al HaMichya.

3) One should not counter argue that if the above is correct, then one should recite Borei Minei Mezonos even on single "puffed" wheat. The answer being: that in the course of Rav Moishe's analysis, he demonstrates that the Shulchon Aruch is also including/incorporating into the Nisma’achu factor, the dimension of Nisdabku as well – that the position of the P'sak Din is that the grains in the finished product besides Nisma’achu need to adhere/fuse together as well (see MB 208 #4, #6, #15).

4) Even though, - Rav Moishe as a result of his analysis in this Teshuva states clearly (pg 78, column I, line #16) that he is reversing his position from what he wrote in OC I #68 and he now disagrees with the MB concerning the Brocho on cooked whole grains that underwent Nisma’achu. He states that he currently holds that because of the Sfeikos generated by the Machlokes HaShitos that he now opines that the Brocho remains HaAdomo. Nevertheless it is evident that a short while later he once again reversed himself and concurs with his Psak In OC I #68. The proof that this is so, is the dates on the two consecutive Teshuvos, The Teshuva of his lengthy analysis (#44 quoted above) is dated 5737. The relatively short following Teshuva #45 which is a clarification and

corroboration of OC I #68 is dated 27 Tamuz, 5738.

I posit that from all of the above it would appear that the position of the Shulchon Aruch and the Acharonim based on the summarization of Mishne Berura and Rav Moishe Feinstein is that the proper Brochos on the Paskesz WheatSquares would be Borei Minei Mezonos and AI HaMichya.

Once again it has been a real pleasure to be able to share this conversation with you. I anticipate that after some contemplation that you will have a response. I am looking forward to hear from you.

Tizku I'Mitzvos Rabbos
B'Birchas Chag Kosher v'Sameach,
Respectfully.
Rabbi Yehoshua Kaganoff

OAT BRAN

From: Gersten, Eli

Sent: Wednesday, March 11, 2009 2:30 PM

To: Kaganoff, Yonatan

Your brother (from Passaic) sent Rabbi Belsky a letter (pg 71) regarding oat bran: What is its bracha, whether it is chayav in challah, and whether it can be used for matzah?

Rabbi Belsky read the whole letter and said he would need to think about it. He did not have any problem per se with what he had written but said that before saying a chidush, he wanted time to think it over. I no longer have his e-mail address so can you please forward this to him.

Rabbi Eli Gersten

Rabbinic Coordinator

212-613-8222-phone 212-613-0742-fax

Gerstene@ou.org

On Fri, 12 Jun 2009 12:26:22 -0400 "Rabbi Mordechai Frankel"
<halacha@star-k.org> writes:

Lichvod Rav Kaganoff shlit"a,

Your letter concerning the correct bracha on oat bran has made its way to my desk. This issue has been raised by contemporary Poskim. Rav Shternbuch (Teshuvos VeHanhogos 3:71) agrees with your argument. It would seem that the Minchas Yitzchok 9:15 would also hold this way. However, the Shevet HaLevi 6:22 clearly rejects this, based on his reading of Teshuvos HaBach 107. If any of these sources are not available to you, I would be happy to e-mail a scan of the teshuvah.

Have a good Shabbos.

Rabbi Mordechai Frankel

The Institute of Halacha at the Star-K

Phone: 410-484-4110 ext 238

Fax: 410-653-9294

halacha@star-k.org

----- Forwarded Message -----

From: kaganoff <kaganoff@juno.com>

To: halacha@star-k.org

Date: Mon, 15 Jun 2009 16:07:18 -0400

Subject: Re: bran

Thanks again for the Mareh Mekomos. I was able to access them in 2 Botei Midrash. I have the following comments:

1) The Shevet Levi is talking about Wheat Bran, as is the Teshuvos HaBach. Therefore we don't know that he will object to my thesis (re: oat bran).

2) Rav Shternbuch is Maikel even on wheat bran (that is also what he is referring to). This is even more radical than my thesis.

3) Dayan Weiss is also speaking about wheat bran; likewise more radical than my Heter. But there is another difficulty with his Teshuva. He is discussing Brocho of Mezonos etc on bran that is uncooked. Yogurt is eaten cold, as well as 'compot' (Marak Peiros). Clearly everyone agrees that uncooked flour (bran) is at most Shehakol even if you mix it in with something else. v'Tzorich Iyun Godol!

Thanks again for your help.

Sincerely,

Rabbi Yehoshua Kaganoff

----- Forwarded Message -----

From: <kaganoff@juno.com>

Date: Wed, 17 Jun 2009 15:13:12 -0400

Subject: OAT BRAN - halachic update

I believe that this is some nice news for people in food program.

After recent conversations and communications with OU Kashrus and the Star-K, the conclusion has been reached that the proper Brochos on OAT BRAN (in America and Israel) is exactly the same as Oatmeal or Oat flour. Therefore:

1) If the OAT BRAN is cooked like oatmeal etc., then the proper Brocho is Mezonos and the after Brocho, assuming that one ate a k'Zayis, is Al HaMichyo.

2) If the OAT BRAN is mixed with water and baked the Brocho is HaMotzi and the after Brocho is Bircas HaMozone, once again assuming that one ate a k'Zayis. (I believe that this will be a big boon for Shabbos and YomTov Seudos, the requirement of Kiddush b'Mokom Seuda, and consequent Sholom Bayis, for many people in program.)

3) If mixed with other liquids (milk, yogurt, oil, juice) or if other ingredients are mixed into the dough (similar to cake or cookies) it falls under the category of "Pas Habo b'Kisnin" and therefore:

3a) if eaten as a snack, the Brochos are the same as #1;

3b) but if eaten as a meal (K'vius Seuda) the Brochos are the same as #2.

4) However, if uncooked or just mixed into a warm liquid the Brocho remains SheHakol and Borei Nefoshos.

Please feel free to share this information freely with program members.

5) Based on the above Psak, if one made a large enough dough of Oatbran, it would also be obligated to have Challah taken from it.

6) Likewise Based on this Psak, technically, Matzos for Pesach could be produced from it. The challenge now is to find a way to get "Shmurah Oat Bran" and a Matzoh Bakery willing to produce it. (at a somewhat reasonable price!)

I am happy to share the research and discussion that led to these conclusions (pg s 71-74) with any of your Rabonim or Poskim.

Sincerely,
Rabbi Kaganoff

[Ed. Note - Identical correspondence concerning Oat Bran was sent to Rav Belsky of OU Kashrus and Rav Heineman of the Star-K. For printing efficiency the correspondence has been combined.]

RABBI YEHOShUA KAGANOFF

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יום ג' פ' מלורט, ד' ניסן תשס"ח

(לכבוד מורי ורבי הרב הגאון ר' ישראל הלוי זעלסקי שליט"ח)
(לכבוד הרב הגאון ר' משה היינעמאן שליט"ח)

אחדשוכט"ם בכל הכבוד הראוי צאתי להאיע השאלה כדלקמיה,

צענין מאכלים הגעשים מ Oat Bran

צ"ח"ח סימן תנ"ד ס"ב צצה"ל סוף ד"ה, שאינו' הציא דעת פמ"ג שתערובת מורסן עם קמח רגיל דניס צו כתערובות אחרות ותלוי בכזית צכדי אכילת פרס או צטעס כעיקר וכו' וכו' והצה"ל שם חולק עליו דמורסן מגרי גריעי דמפסדי דאינו ראוי לאכילה. ודבר זה מחלוקת גדולה צאחרונים עיין צכף החיים תנ"ד ס"ק ו'
וצבה הפלוגתא ג"כ תלויים דין הפרשת חלה וצרכה ראשונה ועוד הרבה דינים כמבואר צפ"א דחלה מ"ח

וצביאור גר"א י"ד ס"ס ש"ל הכריח דפירוש הגכון צעיסת כלבים דמתני' אליצא דמאי דק"ל להלכתא הוא כדברי ר"ש ע"פ דברי ריש לקיש צירושלמי דמערב צו הרבה מורסן וממילא יולא דהטעם דאין מורסן איקרי לחם, אינו פסול צעטס, אלא מחמת שאין הרועים אוכלים ממנו, ואדרבא ממתני' מוכח דאם רועים כן אוכלים ממנו שפיר איקרי לחם וצצה"ל הג"ל חקר מה השיעור מורסן צקמח וג"כ הסיק ע"פ רשב"א כיו"צ דתלוי צהמליאות אם אוכלים ממנו אי לאו.

וא"כ יולא שאילו צזמן וצצמקום שדרך צני אדם לאכול פת מעורב צהרבה מורסן וצוצין שפיר איקרי לחם - וכמו כן יצבאר דאפילו פת צוצין או פת מורסן לגמרי ג"כ שפיר איקרי לחם

וכן לכאורה משמע מש"ך י"ד שכ"ד ס"ק י"א וכן רמז"ס צפ' המשנה פ"ב מ"ו דטעם הפטור שאין דרך,, עישה ועריסה" צכך לכאורה משמע דאילו הוי דרכו צכך שפיר דמי וכמו צעיסת כלבים

וממילא ילא שזה שכתב ש"ע א"ח תנ"ד צס"א ומ"צ ס"ק א' שאין יולא מלת מלוא צפת צוצין או פת מורסן הוא דווקא צזמן שאינו נאכלת לצני אדם

ולכן צזמה"ז שזה כמעט ככ' שנה שמוכרים צשוק עוצר לסוחר cereal breakfast וכן שאר מאכלי "קמח" מ bran לצד, צלי תערובת של קמח רגיל, ואדרבא מודיעים צשער

בת רבים בשם הרופאים הממונים ע"פ הממשלה וכו' שאלו המאכלים יותר בריאים מסתם קמח לבן וכו' וכו'

לכן היה נראה שבהיום צרכתם על כל אלו המאכלים הגעשים ממורסן וסוזין היה לריך להיות המוליץ או מזונות כעל דגן רגיל וכן חייבים עיבתם בחלה, ואדם יכול ללאות בו ידי חובתו למנות מלה אם נאפית בשמירה ולשמה וכו' וכו'

וזה שכתב בעל אג"מ באזה"ע ח"א ס' קי"ד אינו סתירה להג"ל דהא תשובתו נכתבת בשנת תשי"ט דהיה לפני הודעת הרופאים הג"ל והשינויים בדרך האכילה, ואז באמת לא אכלו בני אדם סוזין ומורסן -,,הקליפות" בלשון אדמו"ר ז"וק"ל, אבל כהיום נשתנה המליצות וממילא ישתנה הדין.

ונפשי בשאלתי האם מסקנותי לודקים.
והודות רבות על הזדקקות כתר"ה בגדון זה.

תלמידו מכבדו ומעריצו
פינחס יהושע הכהן

ויד' אייר תשס"ח ענה לי מורינו הרב הגאון ר' ישראל הלוי בעלסקי שליט"א
ע"י העלפון ש wheat bran אין לו שום עעם, וגם אינו מפרנס את
הגוף
אבל בנוגע ל oat bran אם באמת מפרנס את הגוף הסברות שכתבתי הם
נכונים

RABBI YEHOShUA KAGANOFF
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Rosh Chodesh Adar, 5769
23 Feb, '09

Based on the accompanying Shakla v'Tarya (pgs 71-72), from Tishrei through Shvat 5769, I conducted blind taste tests comparing Oat meal and Oat Bran. I engaged the following members of my community to assist with these tests:

2 Baale Bostas known for their discriminating sense of taste.
3 Mashgichim who work for different kashrus supervision services. and
a professional chef.

I gave each one of them 3 ounces of Oatmeal and 3 ounces of Oat Bran in clear plastic bags marked "A" and "B". The 2 samples were ground to the same texture, albeit they had slightly different coloration.

I asked each of them to prepare the samples exactly the same way, informing them that one of the samples would require less liquid mixed in, to achieve the same consistency.

I asked them to report to me on the difference in taste.

The results:

One Baale Bosta reported that the bran had a better flavor. "It has a "nuttier taste." The other was more bland."

All the others reported that they did not find any difference in taste at all. (One of the Mashgichim actually conducted the test multiple times.)

2 of the testers eat oatmeal on a regular basis and therefore

recognized the oatmeal, based on the familiarity of the texture and consistency of the prepared product. Nevertheless they reported no difference in taste between their 'regular' and the other (bran) sample.

The Chef did volunteer the following information upon my initial conversation to ask for her assistance, "Wheat bran is totally insoluble fiber and therefore has no nutritional value for humans. It is totally roughage. However, Oat Bran is water soluble and therefore does have nutritional value for humans. It is not just roughage."

Based on these results and the Halachic discussion of above, I would venture to conclude that:

- 1) the Brocho on Oat bran products would be Mezonos/HaMotzi.
- 2) A dough even if made exclusively from Oat Bran would be Chayav in Challah etc.
- 3) And Oat Bran could be used, b'Shaas Hadchak situations, to fulfill Mitzvas Matzah.

I respectfully request of the (OU Poskim) (the Star-K) to comment (corroborate or refute) on my findings. My question is not just theoretical. I am consulted on a regular basis by a section of the population that for medical reasons is on a very restricted diet and Oat Bran is a part of their limited diet.

Thank you in advance for your attention to my Shaaloh.
BiChvod Rav,
Yehoshua Kaganoff

See pages 67 and 72 for the responses.

Oat Matzohs

From: yehoshua kaganoff <kaganoff@juno.com

To: owestheim@badatz.org

Date: Thu, 26 Mar 2009 20:51 :54 -0400

Lichvod Rav Westheim, Shlita

Once again I want to thank you for the recent middle of your night call of this past week (19 mar. '09) and the pleasure of being able to speak with you.

At the outset I need to apologize that I cannot respond to you in L'shon HaKodesh - my Hebrew word processor is very temperamental and limited; so I hope that "talking in learning" in English will be OK.

My present missive has 2 parts: I - regarding Pesachim 48 and Oat Matzos: II - concerning the Brocho on Paskesz WheatSquares (pg 64 of this volume)

I - Oat Matzos time limit :

In regards to your Teshuva that you so graciously shared with me concerning the Chimutz time limitation of 18 minutes. Is it equally applicable to oat flour? And what appears to be the maskono of the Gemoro Pesachim 48a.

I would like to share my thoughts on the sugya, which we realized when we spoke that they are corroboratory of your approach.

- 1) Rabenu Chananel (RC) adds words of commentary that appear to have gone unnoticed. First he introduces the sugya "v' Af Al Gav etc" which has no meaning unless the concluding phrase is "Omar Rav, Kava Malugno'oh etc". Secondly RC adds "Zeh v'Zeh Shiuron Shoveh" if referring to challa and matzo then these words are entirely superfluous

because he repeats the same immediately afterwards. It is more reasonable to understand that "Zeh v'Zeh" is referring to wheat and barley of the earlier machlokes. According to this reading it is not mere conjecture that Rav is being machriah the earlier machlokes, but it is Rabenu Chananel's pirush in the Sugya!

- 2) From the machlokes of Rabi Yishmoel bno shel Rabi Yochanan ben Broka (RYbsRYBB) and Rabi Noson Bshem Rabi Elazar (RNbsRE), I believe we can derive a time shiur for barley (oats) as well; as follows:

To help "Halt Kop", as I proceed thru my analysis, at each step, I will remark upon the conclusion as it is pertinent to our issue at hand and at the end of the analysis I will summarize each and compare in order to arrive at a (tentative) final overall conclusion.

- 1) (RYbsRYBB) states $2 \text{ kav wheat} = 3 \text{ kav barley}$. The simple interpretation is that barley takes longer to be machmitz than wheat. Conclusion: this would be a non issue for oat matzoh production - we adhere to 18 minute Zman as a matter of course.

- 2) (RNbsRE) holds the reverse $3 \text{ kav wheat} = 2 \text{ kav barley}$. Rashi and RC both explain that (RNbsRE) holds that barley is machmitz faster.

Conclusion: if we pasken like (RNbsRE) this could be problematic for oat matzoh production; But we would still need to determine if there is a defined more rapid rate of chimutz for barley within which we can still produce kosher matzos.

- 3) We will need 2 background items for our further discussion:
a - all Shitos in Rishonim hold that a certain volume of grain (any kind) when ground into flour will produce a volume of flour greater than the original volume of kernels. (Each grain with a different ratio). please see Bais Yosef OC Siman 456 Rosh and Rashbo.

b - At the time of Chazal, Matzos were produced by individuals at home. see MB 456:7 a discussion as to whether this effects the Halochoh LeMaaseh B'zman Hazeh. But no one disputes that this was the common practice in the time of Chazal and that the Gemoro's discussions revolve around that scenario.

4) RC explains (RYbsRYBB) NOT like simple interpretation (above #1) but maintains that (RYbsRYBB) is talking about grain kernels that when ground (2 kav wheat or 3 kav barley) convert to approximately the same volume of flour. Moreover, the wheat flour will be slightly more than the barley flour - even though starting with a substantially smaller amount of kernels.

This that (RYbsRYBB) is talking about kernels is pretty much Muchroch from the later discussion of the Gemoro of Chasichoso and Maalyoso; but the greater increase of volume for wheat over barley is RC's addition.

conclusion: barley has a slightly more rapid rate of chimutz - therefore since the wheat has a limit of 18 minutes, the barley being slightly more rapid, will be perhaps 15 minutes.

5) According to Rashi and RC, (RNbsRE) certainly holds that the chimutz rate of barley is more rapid than wheat.

The question is, does (RNbsRE) agree or disagree with the grain to flour volume changes attributed by RC to (RYbsRYBB) in #4,

If he does NOT agree; then (RNbsRE)'s shiurim are in flour not grain kernels;

If he does agree; then his shiurim are in kernels like (RYbsRYBB)

Each possibility and its ramifications are explored below:

6) If (RNbsRE) disagrees; then 3 wheat =2 barley is referring to flour; 18 minutes is the rate for processing 3 kav wheat flour. Since he opines that barley will become chometz at a faster rate therefore 2 kav is the limit on barley e.g. it would appear that whereas the ratio is 3:2 or one third less; wheat has an 18m limit; we would conclude that barley has a 12m limit. ($2/3 \times 18 = 12$)

conclusion: even L'Daas machmirim (RNbsRE) we have a time shiur for barley - e.g. 2/3 the time limit for wheat - a stringency but certainly workable!

7) If, however, (RNbsRE) agrees with the volumetric conversions of (RYbsRYBB), then the following (steps #8-10) calculations will become operative

8) (RYbsRYBB) opined that 2 kav of wheat will become, when ground, slightly greater than 3 kav barley when ground. A kav is 4 log, therefore 3 kav barley = 12 log. After grinding these 3 Kav will become 12 plus log (since we are not told the factor of increase of barley grain to flour). The wheat however will experience a change in volume from 2 kav = 8 log to slightly more than 12 plus log as per RC's explanation of (RYbsRYBB) - an increase of more than 50%!

9) Accordingly if (RNbsRE) agrees with these volumetric changes, then 3 kav of wheat kernels will convert to more than 4.5 kav of flour = 18 log (even if we assume that the change to Midos Tziporios took place at the time of Rabi Yehuda HaNasi and these Tanaim who were 2 generations prior to Rabi Yehuda HaNasi and were still operating under the Midos Yerushalmiyos, the volume of flour in the Tziporios measurements - converted from the Midos Yerusholmiyos quoted - would still be 15 log. AND the time limit on this volume is 18 minutes!

Remark: to posit this volume/time ratio as appropriate for one person appears to me quite absurd. Gemoro Pesachim 37a indicates that the Lechem HaPonim which was a Tefach thick and consisted of twice the Shiur Challa (2 Isaron = 2 Omer = 10 log) was the domain of capability of Kahanei Zerizei to produce as matzoh and not chometz. To say that the common housewife could do the same with 15-18 log (1.5-2 times the volume of the Lechem Haponim) is difficult to accept.

10) Alternatively we could posit that (RNbsRE) holds the 18 minute time limit for his volume (slightly more than 8 log) of barley with the more rapid rate of Chimutz. This would make him more maikel than (RYbsRYBB) above #4.

However, a difficulty that would arise from this position is that the 3 kav of wheat would be allowed more than 36 minutes for its time limit of Chimutz.

11) I believe that all of the absurdities in steps #7-10 would leave us with #6 as the most reasonable explanation of (RNbsRE)

And therefore in conclusion, we do have a Chimutz rate for barley (oats) = 12 minutes if the Halocho is like (RNbsRE).

And If the Halocho is like (RYbsRYBB) then its rate is approximately 15 minutes (as per #4 above)

RECOVERY

As stated in the introduction of this compendium (pg 15), according to Halocho people with Mental Illness, Victims of Abuse, and those with Addictions and Eating Disorders all qualify as Cholim.

Whether they qualify as Cholim SheYesh Bo Sakana or not, will effect as to what extent and degree we set aside Torah and/or Rabbinic law.

I developed the following chart of Halachic guidelines to assist in the determination of the severity of symptoms and the concomitant appropriate actions. Although specifically referring to Shabbos Halochos (Orach Chaim 328), the directives therein apply to all Torah Laws (see Yoreh Deah 155:3). There are some notable exceptions (ibid), however, on a practical, L'Maaseh, level they are rarely encountered - see pgs 51-52 for clarification.

GENERAL RULES

In general, any condition that is slightly doubtful that it may be life threatening should be treated as Pikuah Nefesh. (see pgs 86-90).

On the contrary, one must be absolutely sure that it is NOT life threatening in order to refrain from Chillul Shabbos!

Therefore:

Rule #1 - DO FIRST; ASK LATER !!

Rule #2 - WHEN IN DOUBT, DO !!!

THE CARE OF INFANTS, THE SICK, OR INJURED ON SHABBOS

CASE:

WHAT CAN BE DONE?

I.

CERTAIN

LIFE IN JEOPARDY

or

DOUBTFUL JEOPARDY

Definition: Not absolutely certain that delay in action will not cause further deterioration of condition

IF IN DOUBT

(NO MATTER HOW SLIGHT),

DO FIRST

ASK QUESTIONS LATER!!!

- 1) Any & All Direct Treatment
- 2) Anything that withholding thereof, may cause deterioration of condition. (i.e., call relative for companionship.)
- 3) Anything that will improve general wellbeing that will enable to fight injury or illness (i.e. turn out light to enable sleep, cook fresh food)
- 4) If action is part of usual treatment, but withholding it will not be detrimental to patient, then Chillul Shabbos should be avoided (i.e. writing down medical information or medications, registration in hospital, etc.)
(sources on pgs 86 – 90)

II.

JEOPARDY TO LIMB ONLY

e.g. (a) Ear infection

(b) Nursemaid's Arm or

(c) Traumatic amputee at facility.

- 1) Non-Jew can do anything & everything
- 2) Jew can do Rabbinic prohibitions (e.g., a child that is able to walk may be carried or rolled in stroller thru medical street.) OC 328:17 MB #57
- 3) If no Non-Jew available, then a Jew can do a Torah - prohibition in an unusual backhanded fashion. (**Rav Shlomo Zalman Auerbach Zt'l** quoted in Shmiras Shabbos K'Hilchoso 2nd edition pg 460 note17*)

III

A. TOTAL ILLNESS

Sick enough to be in bed,
total body involved,
not just localized pain or
infection, e.g.,

- (1) Fever
- (2) Flu
- (3) Heavy Cold
- (4) Extensive Pain
 - (a) Severe Tooth Ache
 - (b) Migrain

OR

B. NEEDS OF A YOUNG CHILD

(Less than 8, 9, 10)

- (1) Non-Jew may do anything
 - (a) Cook fresh food
 - (b) Bring medications
 - (c) Drive patient to doctor
- (2) May take medications
(Concerning injections,
ask a shailoh)
- (3) Jew may do rabbinic prohibition
in an unusual backhanded
fashion.

(4) If non-Jew is not available, Jew
may do even Torah prohibition in an
unusual backhanded manner only (**Rav
Shlomo Zalman Auerbach Zt'l** quoted in
Shmiras Shabbos K'Hilchoso 2nd edition
pg 460 note17*)

IV MINOR ILLNESS, e.g.

- (1) Sore Throat
- (2) Bruise
- (3) Localized Infection
- (4) Stuffy Nose
- (5) Aches and Pains

OR

V. HEALTHY PERSON DOING
THINGS TO IMPROVE OR
STRENGTHEN HIS HEALTH

(e.g., Exercise)

- (1) For MINOR illness, may ask a
non-Jew to do Rabbinic
prohibition. OC 307:5
- (2) No Medicines OC 328:1
- (3) No medicinal activities that 'are
obviously medicinal. e.g.,
gargling. OC 328:1
- (4) It is permitted to do activities
that are not medicinal in
nature, even though that is
motivation. OC 328:37 e.g.,
(a) Schnapps for sore throat
(b) Hot tea for sore throat
(c) Oil to soften hands
(d) Cold water on bruise

Determination of Pikuach Nefesh Parameters

23 Sivan, 5769

15 June '09

Dear Rabbi Eidensohn,

I'm sorry that there seems to be such confusion [about my previous letter pg 293]. Let me see if I can clarify:

1) Sakonas Nefoshos and Pikuach Nefesh in regard to suspending Isurei Torah (Chillul Shabbos, Ma'acholos Asuros, etc – in the balance of this essay, I will be using Chillul Shabbos as a paradigm. It is meant to include all other Torah prohibitions with the exception of Avoda Zoro, Gilui Arayos, and Shfichas Domim) always mean a life-threatening situation. The person is in danger of dying- physical death.

If, however, we know for sure that he will not die, but only will have his life functions severely compromised, this is not Sakonas Nefoshos or Pikuach Nefesh. I believe this is universally accepted.

2) A Sofek of the above is treated the same as a certainty. (Rambam, Shabbos 2:1; Shulchon Aruch OC 328 MB #17)

3) Even the slightest concern of #1 above is required to be treated as if it's the "real thing" (MB 328:16).

Quite To the contrary, I have to be absolutely certain (Shulchon Aruch 328:4; "Makirim b'Birur" MB # 16) that there is absolutely no possibility of Sakono in order to desist and refrain from Chillul Shabbos!

4) But this is all theoretical. I know what I should or should not do; but I'm still faced with a dilemma: I still don't know what does a Sakono look like!

Obviously, if flood waters are about to drown someone and other similar circumstances, everyone instinctively knows that this is a

Sakono. However, most circumstances and situations are much more subtle.

Therefore, Chazal in the Gemoro and Shulchon Aruch (328: 3,5,6,7,8,9) began the process of identification by listing events and situations that definitely qualify as Sakonas Nefoshos;

And by extension anything that may be within the parameters of #2 or #3 above, of these identified conditions are also included thereby.

Finally, Chazal state (328 #10) that the identification process is an ongoing dynamic of keeping abreast of all the latest current medical data. (See also MB 328 #15)

5) Are chest pains a Sakonas Nefesh?

A: Based on what current Medical science informs us (#4) and following the before mentioned principles:

Paragraph #3 above needs to guide our actions (even though the pains may just be indigestion or a muscle strain). We need to conduct ourselves per Paragraph #3 until we are absolutely certain that there is no Sakona or the Sakona has passed (In medical terms, "the patient has been stabilized").

Even after "stabilization", those activities that are needed to maintain the stabilization and induce full overcoming and dissipation of the Sakona are mandated by Halocho.

6) If we suspect that a person may have been bitten by a rattlesnake or symptoms of Swine flu develop, what shall we do? The answer is the same as #5. Current medical science informs us that a Sakonas Nefesh entity has possibly been introduced into the victim's system and Halocho requires us to conduct ourselves as per Paragraph #3 above.

7) If we suspect that a person may have been exposed to an event or substance that can lead to mental illness; or symptoms develop that indicate the possible onset of mental illness, what shall we do? Since current medical science informs us, that until a proper assessment ("workup") has been done, we are completely "in the

dark” as to the extent of the affliction. That being the case and since the realm of mental illness includes many conditions that without intervention engender Sakonas Nefesh, the answer is the same as in #5 and #6. That we are required to be concerned that a Sakonas Nefesh entity has possibly been introduced into the victim’s system and Halocho requires us to conduct ourselves as per Paragraph #3 above.

8) Much of the rabbinical discussion concerning the classification of mental health ailments is, most unfortunately, due to the history of antagonism and lack of trust (not entirely unjustified on either side (see my attached essay pg 467) and subsequent lack of very open, honest, and trusted communication between the mental health professionals and the rabbinical professionals. Even though the situation is beginning to improve, in many cases, we, the “Hamon Am” – the common layman, are still the victims of backwards provincialism in both camps. (Please see my attached letter. *ibid.*)

9) The classification of what is a Rodef, parallels the same criteria as Paragraph #3 above. This is clearly stated by Chazal. (Rambam Gneiva 9:10, Aruch HaShulchon CM 425:10; 358:17)

I hope that this has been helpful in clarifying the matter.
Sincerely,
Rabbi Kaganoff

Treatment – To what Extent?

23 Sivan, 5769

15 June '09

Dear Rabbi Eidensohn,

II

Concerning the rabbinical discussions re: treatments

Concerning the Igros Moshe and Nishmas Avrohom that you quoted, I concede that there are discussions.

However, I base my opinion on the conclusion of the Biur Halocho OC 328:4 d"h Kol She'Regilim, where he has a lengthy analysis re: ancillary treatment for the Choleh Sh'Yesh Bo Sakana - i.e. those services that are not direct treatment but merely customary support services or activities that make the Choleh more comfortable.

At the end, the Biur Halocho summarizes "Even according to those who prohibit these services; only in a scenario where we are absolutely certain that desisting from these services will not intensify the disease (and compromise the patient's capacity to survive) [that is when they prohibit]. However if there is a "Chshash" (slight concern) that withholding the service will weaken the patient and the disease will overtake him, then even the Machmirim concur that we violate Shabbos (even for these ancillary services) on the Choleh's behalf.

"Moreover, even if our activity will just serve the purpose of improving his general physical state (which will provide the Choleh with added reserves of energy to fight the disease) we should also not withhold this from him."

I believe that the general guideline for Pikuach Nefesh (that when in doubt we take a lenient stance) requires that we follow these rulings of the Biur Halocho.

So in response to Rav Shlomo Zalman's rhetorical question, "Do you mean to say that we can carry a newspaper where there is no Eruv for the Choleh?"

I would respectfully respond, "Cavalierly, we certainly would not! **But** if the Choleh requests it and denying his wish could cause him distress and this distress could possibly compromise his already frail condition even further, then of course we are required to do it. **Likewise** if bringing the newspaper will "lift his spirits" and give him more energy with which to fight the disease, likewise the answer is, "yes, we are required to do so".

Please keep in mind the aphorism of Rav Chaim Soloveichik. I am not being Maikel in Chillul Shabbos (Isurei Torah)! I am being Machmir in Dinei Nefoshos!

Sincerely,
Rabbi Kaganoff

“REHAB”

Mitzvah Observance in a REHAB Facility

From: rabbi y. kaganoff <kaganoff@juno.com>

To: dfrazer@theaspennacademy.com

Date: Mon, 14 Jun 2004 23:49:05 -0400

Subject: kosher food and customs

Dear Danny,

It was an absolute pleasure speaking with you and Randy today. It is hardly imaginable to find people so accommodating, caring and understanding. As we suggested, I am following up with a written communication to summarize and continue the discussion.

Once again, it is of utmost importance that the observance of any religious laws and customs does not detract from the therapeutic process. These activities should not be allowed to "split" Naomi from the group discovery and recovery process. Within that context, whatever accommodation can be made with her and for her is greatly appreciated.

Kosher Laws:

1) Food Sources:

1. We eat only kosher animals (i.e. cows, sheep, goats) and fowl (chicken, turkey, goose)
2. These animals and birds need to be appropriately ritually slaughtered and processed before we can eat of their meat.
3. We only eat fish that have fins and scales.
4. Consequently, we do not consume any pig products - i.e. pork, bacon, lard, ham etc; nor any seafood.

2) Meat and its products and dairy products are not cooked together, nor consumed together.

1. Consequently, we have separate utensils for dairy and meat.
2. There is also a neutral category called Pareve which indicates that an item is neither meat nor dairy and consequently can be consumed in conjunction with either meat or dairy.
- 3) Because of the processing procedures of many products, we utilize them only when under appropriate production supervision.
- 4) I will go thru the product/ingredient list that you sent me and I will indicate those that can be used "off the shelf" and those that require supervision. (please see below)
- 5) I will attempt to purchase and ship to you kosher substitutes for Naomi's use.

Sabbath (Shabbos) Laws:

1. Our Shabbos begins with Sundown Friday and continues until 40 minutes after sundown Saturday. Some therefore have a custom to begin 20 minutes before Sundown on Friday to round it off to an even 25 Hr period.
2. During this time period, we refrain from 39 major categories of activities. Later this week, when I return home, I will fax to you a listing of these activities. If appropriate, perhaps Naomi can trade "duty-shifts" for a different day of the week and thereby minimize her profaning of the Shabbos.
3. With the ushering in of the Shabbos, Naomi may desire to kindle some candles. She may also desire to recite a Benediction over a cup of grape juice. (I hope to include some with the shipment.) She may also want to do similarly at the conclusion of Shabbos.

The following items from the food list may be used "off the shelf" without any special supervision:

flour, rice, oatmeal, lentils, cheerios (plain and honey nut), sun dried raisins, peanuts or other nuts that are roasted with NO oil added, brown sugar, Gatorade, milk, herbal teas, fresh fruit and vegetables, onions, garlic, USDA grade A butter.

I will do my best to try and obtain suitable kosher supplies for the other items. As we had discussed in our conversation, I will also send non-dairy sour cream substitute as well as non-meat vegetable burger (soy protein) that would be acceptable to mix with either dairy or meat.

Once again I want to thank you for your wonderful commitment to extend yourselves to accommodate our requests. **But I want to reiterate my comments in the second paragraph once again: it is of utmost importance that the observance of any religious laws and customs does not detract from the therapeutic process. These activities should not be allowed to "split" Naomi from the group discovery and recovery process.**

Sincerely,
Rabbi Kaganoff

Proposal for a "Jewish Rehab Facility"

From: kaganoff@juno.com>

To: t@yahoo.com

Date: Sun, 7 Aug 2005 06:14:24 -0400

Subject: Re: Jewish Aspen

Dear Dr. and Mrs. X,

In keeping with the exploratory nature of your inquiry, please keep in mind that my response is also in the same tone.

In a certain sense you have come to the right address. Since I started The Yatzkan Center from scratch, I will share with you from my experience of what I believe to be the most cost effective and efficient way to set up a "Jewish Aspen".

First a little background:

Yatzkan was designed for 70 beds - 35 boys, 35 girls in separate wings of a hospital floor.

By Sept 10, '01, 4 months after we opened, we had 18 boys and 6 girls - a number of them well established in recovery. The annual budget was \$3 million - so your suggested number is not just a drop in the bucket but a considerable amount. Because we were still "ramping up" to capacity and had not reached the appropriate provider/consumer ratio, that \$3 million figure would have stayed approximately the same until reaching our capacity.

On Sept 10 evening, we had a "soiree" for potential funders. 2 of the kids presented (from behind a screen, of course) and they "brought the house down" (I have tape recordings of their presentations, as well as recordings by 2 other kids in Los Angeles high schools a week later.)

After bensching, Charley Kushner, a magnate friend of the Jonas's approached me to tell me, "Rabbi Kaganoff, it will be easy to raise the funds to support Yatzkan's work".

Sept 11 dawned and Osama changed all that!

Reflecting on all that transpired in the 2 years, from the initial meeting with Jonas, Balter, Rabbi Dr. Twerski and myself, to the infamous Sept 11, I have the following comments/suggestions for a "Jewish Aspen".

1) Rather than our own freestanding facility, we should "piggyback" upon an organization such as Aspen Education Group. (Even though AEG is not the only organization providing these services, I have gleaned from Tom Croke and others that they are the "flagship" highest quality provider.) They already have the infrastructure, staffing and successful programming in place to help these kids therapeutically. We would need to coordinate with them the possibility of forming a separate "Orthodox Jewish group subdivision" where we would provide Kosher food, Jewish spiritual staff and programming. We would also have to figure out how to coordinate a progression of steps to reintroduce Shabbos and Yom Tov observance, in small steps so that it will not jeopardize these children's recovery. (Yet another reason, why we would need to have non-Jewish staff - albeit sensitized to Jewish values - to work with the kids while they are still in their Mechalel Shabbos mode.)

Last summer, I was visited by 2 sales reps of AEG (I had just referred 2 clients to their programs - SUWS of the Carolinas and AAA, Loa) and we initiated these conversations. I was asked to compose an initial letter of proposal to the CEO Elliot Sainer, which I did and forwarded to the reps for their review and passing up the chain of command. I do not know what ever happened to this letter. I will attach a copy of the letter.

2) In addition, we would want to set up a not-for-profit "Friends of Jewish Aspen". Let me explain:

When we opened Yatzkan, we experienced a problem, which Rabbi Twerski shared with me was a major problem in his personal career in Psychiatry.

The Jewish people are a people of Chessed. That's an advantage when they are giving. But it creates a tremendous problem when they require services. There seems to be an expectation that those that have the wherewithal to provide the services should do it 'gratis'!

There is a lack of understanding that the providers also need to pay their expenses - both institutionally and personally. So RDT couldn't go into private practice and become financially solvent as did most of his peers. Being probably the only Hasidic ultra-Orthodox Psychiatrist in the '50's, he would have been inundated by Chessed cases from around the globe. And he would not have been able to refuse, under pain of being maligned and blacklisted as uncaring and lacking in basic Jewish sensitivities. So he always needed to remain employed by a clinic or hospital, earned a mediocre salary and told all callers that he is an employee and they had to make appointments with the facility - which, of course in turn, informed the callers that there are fees for services etc.

We initially opened Yatzkan with a directive to ask for a financially solvent fee with a sliding scale policy. When the word got out that we had an asking fee, we got a "black eye" and Jonas was being maligned as "what type of a benefactor is he anyway?" We promptly changed course and began an open door policy, but the damage had been done and the situation went from bad to worse.

Hence my experience dictates that we piggyback onto an existing facility e.g. AEG, but we should have a non-for-profit "Friends of Jewish Aspen" that will 1) assess each individual case as to how much each family should be expected to contribute and 2) do the

necessary fundraising to provide the scholarships for the balance of the providers' fees.

3) A most necessary ingredient in all of this, is to get an organization such as MASK to commit that they will recommend and refer clients to this program. Last time, this could not be arranged and we subsequently had great difficulty getting clients. If AEG sees that they will have a steady source of clients (and income) from this "special needs" group, and it is demonstrated that with a minimum of effort and expense it could be arranged (which I initiated with AAA last summer in conjunction with Naomi's arrival), I think they would be willing to try a pilot program.

4) I believe that Parent/Clients of AEG are in the best position to be involved to broker this: 1) Having been satisfied customers of AEG (except for the lack of Yidishkeit component) you could both make the proposal to AEG and also act in return as their "marketers". 2) Parent/Clients would also hopefully be able to communicate in "Mama Loshon" to other suffering parents to help them make the decision to send their kids to the program. 3) And possibly they could influence the "managers" of the "Orthodox 'kids-at-risk' industry" that this is a program worthy of their consideration and support.

Once again, I want to reiterate that this is only "brainstorming", in keeping with the exploratory nature of your inquiry.

Sincerely,
Rabbi Kaganoff

Some Halachic and
Hashkafic Challenges
for Those in (Early) Recovery

Halachic and Hashkafic Challenges for Those in (Early) Recovery

Many, if not most, of those entering into recovery, either from abuse, trauma, and/or addictions find many Jewish rituals extremely daunting to engage in.

The underlying “triggers” and simmering anger are discussed elsewhere in this volume. (pgs 126, 224, 467)

The stress generated, even by just the anticipation of the expected participation, can be so great that it threatens their very recovery (and thereby becomes life-jeopardizing - Sakono).

In less extreme cases, these rituals remain considerable hurdles, sometime even overwhelming, to surmount in order to reconnect with the God of the Torah and their Jewish roots.

Three such areas are: 1) their guilt at being “at odds” with Hashem, 2) Pesach preparations and 3) Davening.

To this end, we are presenting guidelines that fully adhere to Halocho and yet simplify these matters. This will allow the recovering person a comfortable yet acceptable level of observance that will attract and not alienate them.

It is hoped that through sustained recovery and a fuller grasp of the meaningfulness of the Mitzvah, more of the genuine traditional ‘trappings’ can be slowly and gradually reintroduced.

Anger at Hashem

From: <kaganoff@juno.com>

To: ni@bezeqint.net

Date: Fri, 11 Sep 2009 12:40:41 -0400

Subject: Re: [Nefeshil] Anger at Hashem

Dear Mrs. Therapist,

I have refrained from responding because I am basically an "invited guest" on the Nefeshlist and for the most part the erudite membership generally provides more than adequate responses. However on this topic I believe there is a major authoritative component that is not being cited.

The Gemoro in Bobo Basra 16b, Omar Rovo from here we learn that "Ain Odom Nitpas b'Shaas Tzaaro". Rashi explains, "a person is not held responsible for that which he speaks harshly [against Hashem] as a result of his being subjected to pain and torment. This is also the interpretation of Rabenu Gershom (Meor HaGola). Albeit that Ramban (commentary to Chumash and Iyov) infers from the language of the Gemoro that after the crisis has passed he needs to atone for the inappropriate remarks, however the majority of commentators (and original sources in the Midrash) disagree with this position. The majority opinion (the Halocho) states that the expression of what otherwise would be considered as blasphemous, if it is expressed out of the pain of suffering, it is completely disregarded by Hashem. It just didn't happen. No atonement or apologies after the fact are necessary at all!

You are dealing with a woman who is in the throes of her pain and suffering. In this scenario, even Ramban agrees that at this point in time she is blameless and that is what Halachically (and therapeutically) should be conveyed to her. Anything said or done that would somehow make her feel guilty of her emotions would fall under the Halacha of Onoas Dvorim (The Torah prohibition of

verbally taunting or antagonizing another. as per the last Mishna in the 4th Perek of Bovo Metziah.)

The above Gemoro and discussion is the basis of the aphorism of the Berditchever Rebbi,
"You can be for God, or you can be against God; you just can't be without God!"

A great resource on this topic is Rabbi Dr. Twerski's "I'd Like to Call for Help, But I don't Know the Number" pg 104. He states, "Being angry at God is not at all blasphemous. etc etc. (If you cannot get a copy - indeed a worthwhile investment - I could possibly scan and attach the pages)

I am also attaching an article from the Jewish Observer (Monthly publication of Agudas Yisroel of America). p. 20 has a discussion about anger towards Hashem. Once again the point is made that at the time of distress; there is no liability or culpability accrued for these natural normal emotions.

Sincerely,
Rabbi Kaganoff

Pesach Preparations

[Concerning the Seder see page 36]

Cleaning for Pesach, according to strict Halocho is NOT the ritual of “Spring Cleaning”! Rather it is in preparation for the performance of the Mitzvah of Bedikas & Biur Chometz – the inspection for and removal of Chometz. (Ramo OC #433 end, quoting from the ‘Mordechai’)

It is self evident that we only need to prepare for that which the Mitzvah requires of us; not more add-ons. E.g. In preparation to perform the Mitzvah of Mezuzah, I need to acquire a Mezuzah. I do not need to acquire a couch, bedroom set, and/or dining room set to be properly prepared to perform the Mitzvah of Mezuzah! Jewish custom and mores notwithstanding!! (Devorim 13:1 Bal Tosif; 4:2 Lo Tosifu – prohibitions against adding onto the Mitzvos.)

Likewise, we only have to clean that which needs to be inspected!

The Halocho clearly lays out 3 distinct categories of locations; each with its own inspection requirements. (An itemized household list follows this brief review of the parameters.) As follows:

1) Only locations where there is a reasonable concern that Chometz was brought into them require inspection; hence, no preparatory cleaning is required for areas that do not have this concern. (Ramo OC 433:11)

[Definition of “*reasonable concern*”: If a member of your household - adult, child or pet - is wont to wander to another location or area during mealtime, snack time or food preparation time, then there is “*reasonable concern*” that they may have done so absentmindedly with Chometz in hand, and inadvertently left it behind.

If the household is fastidious insofar as 1) wandering is not allowed at all, 2) certain locations are “absolutely off-

limits” or 3) it is “far-fetched” to venture that Chometz made its way to this location, then these are not areas of “*reasonable concern*”!]

2) Even in areas that are under reasonable suspicion of Chometz contamination, we are only required to search for Chometz that is of a minimum size of a k’Zayis = the volume of 1 fluid ounce. (A small ‘shot’ glass or half of a big ‘shot’ glass.) The only exception is if there is a ‘visible significant crumb collection’ **within a utensil or piece of furniture.** Then the concern is that the collection could accrue to the k’Zayis. (Orach Chaim 442 MB #37 & Aruch HaShulchon 442: 27, 28)

Anything smaller than these minimum sizes is, in and of itself, null and void; and need not be reckoned with! (ibid)

Moreover, if I inspect as I clean, with intention to perform the cleaning and inspection simultaneously, I will have thereby rendered this category #2 location into a category #1 location; and as long as I safeguard this area from recontamination, I need do nothing more in this room. It is fully prepared for Pesach!

[Note: In order to qualify as a proper inspection, a high illumination flashlight should be used during the cleaning/inspection process.]

[Note: - one ‘undemanding’ area of the house should be left uninspected until the night before Pesach. The Brocho on the inspection, “Al Biur Chometz” can only be recited on this night. By leaving one area uninspected, we cover “all our bases” and by leaving till this night, an ‘undemanding’ area, we simplify our lives!]

3) The third category of location is the Pesach food preparation areas. This includes kitchen countertops, tabletops, sinks, cabinets above these areas and the refrigerator. (Once again it is self-

evident, that the kitchen floor is not included. We don't prepare food on the floor! The kitchen floor is a category #2 location.)

The concern in the food preparation area is that we don't want our Pesach food contaminated by Chometz "Crumbs".

The simple means of addressing the concern of category #3 areas is one of two (both are not necessary):

Either,

Render any "crumbs" inedible by soaking them with a detergent solution. (I.e. washing the surfaces with a detergent!) (MB 447:97 end)

OR

Cover these food preparation areas with a waterproof, sturdy covering. (Thick plastic sheeting, Styrofoam, Aluminum foil, etc).

- The areas beneath the covering now revert to category #2 locations.

Please do not forget the declaration of "Bitul Chometz"
("Nullification of Chometz")

[Note: Areas of category 2 or 3 that do not need to be accessed over Pesach, should just be cordoned off and sold/rented to a non-jew. This obviates any need for cleaning and/or inspection.]

Although there is a familiar custom of some, NOT to sell Chometz to a non-jew for over the Pesach-period, please be aware that indeed, it is only a custom, and moreover it is not widespread. Therefore, in keeping with the parameters of caring for Cholim as delineated above (pgs 83-90), it is inappropriate to cause undue distress to a Choleh by insisting on adherence to this custom.

Itemized Household List

Coats—those washed or dry-cleaned and not yet worn since, need not be checked;

- If one has the tendency of putting chometz in the pockets then:

Coats that were not washed: Check only pockets of coats that will be worn on Pesach. The others can just be left in the closet.

Throw out the vacuum cleaner bag. (It has a collection of small crumbs that accrue to a k'Zayis – MB 442:36; Sha'ar HaTziyun 442:60)

Bedrooms

If food is not brought into the room: See category #1

If food is brought into the room: (category #2)

Drawers— check thoroughly.

Closets—sweep, vacuum or check bottom

Beds— sweep, vacuum or check surface and underneath

Floors—vacuum, sweep/wash or check

Playroom (category #2)

Toys—wash or check those that will be used during Pesach; put away the others where they will be inaccessible over Pesach.

Games—check for Chometz those that will be used during Pesach; put others away where they will be inaccessible over Pesach.

Floors—vacuum, sweep/wash or check

Dining Room/Living Room (category #2)

Table—check. If dirty, clean or wash well

Chairs—check. If significant crumb collection, then clean/wash well.

Couch— check. If significant crumb collection, then vacuum well and, if appropriate, wash

Floors—vacuum or sweep/wash

Kitchen (categories #2 and #3)

Sink (including faucets) — clean.

If stainless steel, *kasher* or cover completely.

If NOT stainless steel, cover completely.

Floor—sweep and wash

Countertops and Backsplashes—wash well OR cover with waterproof, sturdy covering.

Microwave—sell; put away in rented/sold closet if possible

Toaster Oven—sell; put away in rented/sold closet if possible

Refrigerator & — wash, saturating crevices well,

Freezer

OR

“line”/cover with a waterproof, sturdy covering.

Oven—self-cleaning = self-kashering. (follow manufacturer’s maximum instructions)

If not self-cleaning, clean thoroughly with “caustic” (poisonous) oven cleaner (including the door). Repeat application on stubborn spots. When cleaning is completed, turn oven on “broil” or highest setting for 1 hour.

OR

Turn on broil or highest setting for 3-4 hours to incinerate any chometz residue on oven surfaces.

(OC 442:9, MB # 42)

Stove Top - Clean and cover stove top surface with foil.

Grates: replace, self-clean in oven (even at same time),

OR

clean thoroughly with “caustic” (poisonous) oven cleaner.

Repeat application on stubborn spots.

Knobs – replace, scrub well, or cover.

Oven hoods or the bottom of microwaves/cabinets over stoves –

Wash well OR cover with waterproof, sturdy covering

Cabinets, Pantry and Drawers:

— those that will not be used during Pesach - tape closed and sell/rent.

— Those that will be used during Pesach – Empty and wash thoroughly OR check and line with a waterproof, sturdy covering

Outsides of Cabinets BELOW food preparation areas –

check. If dirty, clean or wash well

Tefilla Notes And Charts

1) On the following 2 pages are “Priority Charts” concerning the parts of Tefilla – one for men and one for women. These are intended to guide a person who cannot Daven the whole Tefilla on how to choose what to say and what to skip.

Indeed some of the prioritization may be surprising at first glance. There are 2 main reasons for this: 1) these charts follow the classic Litvishe/Yeshivish hierarchy (sources upon request). I have also created charts for Minhag Sefardi Tahor and Chabad-Lubavitch. (They are available upon request.) 2) Other groups of Jews and charts often ‘mix and match’ drawing on all 3 of the above sources. (Sometimes under direction of rabbinic authority, sometimes not – obviously this is something that will require consultation with one’s personal Rov/Posek).

For my reasoning and sources please see the pages immediately following the charts.

2) Please see Chaye Odom 24:31 for an abbreviated version of Shmone Esrai (not הבינוני Havineinu) that is acceptable all year round. This has proven to be a very great boon for these “new” re-beginners. It allows for an expedient overcoming of the hurdle of reconnecting, while utilizing a traditional format.

PRIORITIES

if one arrives late to Shul or does not have enough time

Note: If davening **בציבור**, one should always try to begin עשרה שמונה with the **ציבור**

For Men:

Note: These "Skippings" are for occasional use only. Please consult your Rov/Posek if you are experiencing difficulties on a more consistent basis.

1	ברוך שאמר, אשרי, ישתבח (בשבת - נשמת - ואם אין מספיק זמן כמו בחול)
2	מזמור לתודה (ק)
3	הללו קל בקדשו (ק"ג)
4	הללו את ה' מן השמים (קמ"ח)
5	שאר הללויות (קמ"ו, קמ"ז, קמ"ט)
6	שירת הים (מ"ו ושע"ה עד הסוף)
7	ב"ה לעולם אמן ואמן
8	ויברך דויד (עד במים עזים)
9	הודו עד "והוא רחום" וידלג עד "והוא רחום"
10	שאר פסוקי דזמרה דחול
11	בשבת - למנצח, לדוד, ותפלה למשה
12	שאר מזמורי שבת

If while davening **דזמרה**, פסוקי דזמרה, more time becomes available, it is permitted to go back, even though this is out of the normal order

For men, in Shacharis, **generally** the order of all Birchos Shma & Shmone Esrai needs to be maintained, even at the expense of Tefilla B'Tzibur.

(However, Cholim, should consult whether this applies to them)

In Maariv, only the order of Birchos Shma needs to be maintained. Davening Shmone Esrai with the Tzibur has priority over placing Shmone Esrai after Birchos Shma. If one comes late, he should wait silently & Daven Shmone Esrai with the Tzibur & say Shma & its Brochos afterward.

(Cholim, should consult whether this applies to them)

PRIORITIES

if one arrives late to *Shul* or does not have enough time

Note: If davening עשרה, one should always try to begin ציבור
with the

For Women:

שמונה עשרה	1
ברכות התורה (לעסוק, והערב, אשר בחר בנו)	2
ברכות השחר (נטילת ידים, אלקי נצור, אשר נתן לשכוי עד "לעמו ישראל")	3
ברוך שאמר, אשרי, ישתבח (בשבת - נשמת - ואם אין מספיק זמן כמו בחול)	4
הלל מוסף בשבת, ביום טוב, ובראש חדש	5
בחנוכה	6
אמת ויציב עד גאל ישראל	7
פסוק ראשון דקריאת שמע	8
שאר פסוקי דזמרה כפי הסדר שלמעלה	9
הלל ביום טוב, אמירת תהלים, עלינו, אשרי למנצח ובא לציון	10
שאר ברכות קריאת שמע (יוצר אור עד יוצר המאורות, אהבה רבה)	11
שאר פסוקי שמע	12
הלל בראש חדש	12

(However, Cholim, should consult whether this applies to them)

If, while davening Birchos Shma and Pesukei d'Zimra, more time becomes available, it is permitted to go back, even though this is out of the normal order

Priorities Chart – reasoning, comments, sources and notes:

Cholim should consult whether this applies to them!!

Men's priority hierarchy

- 1) The placement of Mizmor LeSoda is based on Aruch Hashulchon (52:6)
- 2) **On Shabbos**, skipping Nishmas & saying Yishtabach only:
Even though Mishne Berura (53:5) & Biur Halacha 281 both concur with Chayei Adam; I opted for the opinion quoted in Shaarei Teshuva 281 & Kaf Hachayim 281:7 because 1) Mishne Berura in 281 on Ramo of Ain Machzirim says 'even Nishmas'; this is not consistent with assertion of Chaya Adam that it is "osur" to say Yishtabach without Nishmas. & 2) the din of saying "Pesukei d'Zimra" with its Brochos (even minimally) in its appropriate place as an introduction to Tefilla, would be negated in this scenario according to the Chaya Adam & Mishne Berura.
- 3) **For men:** Pesukei D'zimra Shelo K'sidran is a Plugtah between Igros Moshe and Mishne Berura; Ishei Yisroel brings other Poskim who agree with and expand upon the Shita of Igros Moshe.
- 4) Men must be Somech Geula LeTefila in Shacharis. And K'sidran of Shma and its Brochos and Shmone Esrai is more important than Tefilla B'Tzibur;

In Maariv, Somech Geula LeTefila is L'chatchila; but B'Dieved Shmone Esrai B'Tzibur has priority; However, K'sidran of the Birchos Shma is still more important and therefore is not altered for Shmone Esrai B'Tzibur. (The one exception is the last Brocho – Boruch Hashem etc. - which can be skipped for Shmone Esrai B'Tzibur.)

- 5) According to **Nusach Sefard**, the "Yehi Khovod" paragraph, Mizmor Shir L'Yom HaShabbos & Hashem Moloch have priority over the rest of the additional Mizmorei Shabbos because it is included between Boruch She'amar and Nishmas.

Differences in Minhag Sefardi Tahor and Chabad are due to the different Piskei Din relevant to these issues as mentioned above in the introduction.

Cholim should consult whether this applies to them!!

- 2) Concerning Birchos HaTorah, there is a Plugtah if women are Chayovos M'd'Oraisa; I have based my chart on the words from Rav Chaim Brisker, quoted in Halichos Bas Yisroel and in Chidushei HaGriz (Hilchos Brochos 11:17end; pg 10), based on the concept of the Gemoro "Shelo Bairchu BaTorah T'chila"
- 3) Concerning Birchos HaShachar: The Mishne Berura (70:2) concludes from the simple reading of the Shulchan Aruch (46:4) that women are Chayovos; the Aruch Hashulchan also concurs that they are obligated.
- 4) Concerning P'sukei d'Zimrah: The Mishne Berura (70:2) concludes from the words of Rabi Akiva Eiger that women are obligated. The Rav Shulchon Aruch's proof from the Magen Avrohom is inconclusive; The Aruch HaShulchan states that they are exempt but does not give his reasoning.
- 5) Concerning Musaf, there is a Plugtah in the Acharonim if women are Chayovos.
Hallel on Chanukah is likewise a Plugtah – see Kuntros of Rav Shmuel Felder.
- 6) Concerning Emes V'Yatziv: The Magen Avrohom states that women are obligated; The Mishne Berura (70:2) concludes in the name of a majority of Poskim that they are P'turos.
- 7) All agree that women are P'turos from Krias Shma. The Shulchon Aruch recommends that they recite the first Posuk for Kabolas Ol Malchus Shomayim. L'chorah this would be fulfilled thru saying Emes v'Yatziv, as well, whose recitation is obligatory according to Magen Avrohom.
- 9) Hallel on YomTov is a Mitzvo She'Hazman Gromo and women are certainly P'turos. However, it is commendable to participate in joining Klal Yisroel in thanksgiving and praise for the events commemorated by the Yom Tov.
Recitation of Tehillim and Oleinu is a Kiyum of Tefilla and Kabolas Ol. (Additionally Tehillim emphasizes Hashgocho Protis which is the quintessence of Kabolas Ol)
- 10) The reasoning why, in my opinion, the Brochos of Shma have priority over the Pesukim of Shma is that the Brochos have a Kiyum of Tefilla and additionally, Ahava Rabba has the Ma'aloh similar to Birchos HaTorah, mentioned above, and Yotzer Ohr is Kabolas Ol rejecting "Shtai Reshuyos". The Pesukim, however, are only a Kiyum of Krias Shma of which they are certainly Peturos. Even Schar V'Onesh of the Second Parsha is addressed in Ahava Rabba & Emes v'Yatziv.

Indeed # 8,9,10, by virtue of the fact that they are Kiyumim of Tefilla (of which women are chayovos), technically speaking, they should all precede even the first Posuk of Shma! However since the recitation of the first Posuk is not overly time consuming and it is recommended that women recite it, I have given it precedence.

12) Recitation of Hallel on Rosh Chodesh is merely a custom (Minhog)

13) Shelo K'sidran is permitted, B'dieved. (Mishne Berura 60:3). Therefore, if more time becomes available, it is permitted to go back.

Differences in Minhag Sefardi Tahor and Chabad are due to the different Piskei Din relevant to these issues as mentioned above in the introduction.

*In general, each **Chasidus** and its Poskim strike a balance, each according to its own Minhag, in a variety of different nuances, between the strictly Halachic Authorities & the Kabala of the Zohar, Ari z'l & other Mekubalim (represented in the 3 sets of charts). It is for this reason that it was difficult to create a chart or charts for each Chasidus. Consequently, each Chasidische Yid/Yidenne should consult with his/her Posek & modify a chart accordingly.*

Are the 12 Steps Kosher?

-----Original Message-----

From: kaganoff <kaganoff@juno.com>

To: co13@aol.com

Sent: Fri, Sep 4, 2009 12:58 pm

Subject: Fw: RE: the 12 step programs

Lichvod Rav Twerski, shlit'a

Are you able to comment and clarify on the correspondence and its conclusion?

The other Rabbi Kaganoff in the correspondence is my brother Yirmiyohu in Neve Yaakov, Yerusholoyim.

Thank you very much.

A Guten Shabbos,
Mechabdo u'Maaritzo,
Yehoshua Kaganoff

From: kaganoff [mailto:kaganoff@juno.com]
Sent: Wednesday, September 09, 2009 9:23 PM
To: ykaganoff@013.net;
Subject: Fw: Re: the 12 step programs

Rabbi Twerski called me back on Sunday 17 Elul (6 sept).

The content of the conversation is below.

Sincerely, Yehoshua Kaganoff

"I was never in contact with Rav Elyashiv shlita. It was an oversight on my part for leaving you with the impression that I had.

The essence of the 12 steps, as I pointed out in my book "Self Improvement? I'm Jewish", is identical with a program based on Mussar.

However, anyone who has already made up his mind will not be receptive to logical argument."

The idea, which someone told to Rav Elyashiv, that the 12-steps is Christian, stems from:

(1) The mistaken assumption that step 5 is the Catholic confession.
- The Gemoro (Sota 32b) clearly says to the contrary! And Reb Elimelech of Lizansk includes it as mandatory in his “Tzetel Koton”.

and

(2) The regular use of the Lord’s Prayer. - This is a very minor detail and not of essence to the program. Anyone who does not want to say it can substitute any Jewish Tefilla instead and is perfectly acceptable by program rules and custom. Moreover, it is stated clearly in the 12 Step literature that the founders were M'vatel their religions and specifically "Oso Ha'Ish". The Halocho is quite clear that when that occurs, even the "Getchka" itself becomes permitted for use- certainly a benign prayer that contains no objectionable content. [ed. Note – see pgs 150 for further elaboration]

Insofar as Internet pornography is concerned, I suggest referring to www.guardureyes.com.

Twerski

[ed. note - More on the “Kosherness” of 12-Step Recovery see Pgs 42-56]

WHAT IS SPIRITUALITY?

WHAT IS SPIRITUALITY?

The Edification of a Rabbi

A Rabbi's Complaint:

Rabbi Yehoshua Kaganoff
7939 Dorcas Street
Philadelphia, PA 19111
215.742.8421

29 Cheshvon, 5757
11 November, '96

Dear Rabbi Twerski,

I am writing to seek guidance from you. I believe the issues I will raise require a Psak from my Posek, but I believe that I should have your input before I ask the Shaaloh.

In keeping with your suggestion in connection with my pastoral relationship with alcoholics in my congregation, I have been attending JACS meetings once a week here in Philadelphia. Besides the education I receive from the experiences of the people in recovery who attend and share, I also contribute almost weekly a thought of Torah, usually on the Parsha (usually as a handout for later review). The focus and purpose of my Divrei Torah is to either impart some basic Judaism to these people who, for the most part, have no idea of what Yidishkeit is all about, or more importantly to show them how the 12 steps and spirituality is very much a part of traditional "old-fashioned" Torah thought and observance. All of this is done at the encouragement of the Rabbi who started the group.

(As an aside to the theme of this letter, but of equal importance is my expression of Hakoras Hatov to you. I personally have grown from the experience and I also am 'working the STEPS' as attempting recovery from addiction to the Yetzer Harah. Y'yasher

Kochachem for your manifold illuminating books and your personal help.)

The JACS meeting meets in the basement of a Conservative Temple which in and of itself does not disturb me. (There are Piskei Halacha concerning churches and other functions in Conservative and Reform Temples and this is not worse). However because of my input and guidance, many in attendance begin feeling an affinity for Judaism etc. and have begun attending services at this Temple. The Rabbi of the Temple is the one who started this JACS group and also attends in a similar capacity - just that Judaism in his perspective is presented as humanistic, social justice etc.

This leads to my first question. Am I not, de facto, assisting these people from one self-deception into another? Spirituality is defined as choosing to follow Hashem's will. To deceive oneself as to the nature of Hashem's will is again an addiction - a spiritual addiction - which is even more insidious than a hedonistic addiction. Since the basis of all spirituality and recovery is absolute honesty, my gut reaction is to speak out - gently, of course - and reveal that God's will for Jews is very clearly enunciated in the Oral and Written Torahs. To posit that they are not the Word of God is really another form of denial as can easily be proven by attendance to a Discovery Seminar of Aish Hatorah etc. or reading any number of books like Uri Zohar's "My Friends We've Been Robbed".

Especially bothersome to me, is the knowledge that no matter how hard these people strive for spirituality; their Jewish soul will not be quieted of its yearning until it does receive the spiritual nourishment that Mitzvos and Torah provide. I am not being honest with them unless I share with them the truth.

On the other hand, I am reluctant to tell them for fear of losing them. They are struggling to stay sober. Often times this very struggle alone is a daily overwhelming fight. Will it be counterproductive to reveal the whole truth? The question itself is

frightening because if not now, then when? And if not, then I am accomplice to a deception that is blasphemous negative spirituality!

The second issue is in regard to the JACS retreat.

I went to the recent JACS retreat. It really brought to the fore the above turmoil that had been percolating in my head.

For Elisheva it was a wonderful experience. I also learned from a number of the meetings and personal sessions that I had with some of the attendees. I also feel that I was able to help some of the people with information and counseling.

Elisheva came back raving about the spirituality. I personally did not feel the experience spiritual at all. (Of course, I didn't tell her that!)

The following were particularly distressing to me:

Women singing loudly with men present and women dancing in close proximity and in public view of men without a Mechitza. Both of these were at the Shabbos meals and at the Havdolo ceremony. Also, men and women (not husband and wife) embracing in front of the entire audience on the public stage, are to me not Kosher spiritual experiences at all.

I was perturbed by the official policy of JACS that there is "no correct way to worship". Unless I am from another planet we know that this is not true.

Granted the source of my difficulties is my knowledge of Halacha and Hashkafa, but are we not exhibiting Codependent behavior by our tacit consent to this statement and these behaviors? Please refer to the accompanying short essay that expresses succinctly what is in my heart. It is by Shimon Apisdorf.

Above all I was upset that the spirituality of Mitzvah performance and Torah study were not further explored at the Orthodox level for the Orthodox and for the non-religious at their level.

The Orthodox Davening was, pardon me, very uninspiring. Singing was at times spirited but what about the Words! What about the sense of conversing with Hashem and being in His Presence? I am aware that this may seem as an unfair demand. After all what Shul in America really possesses this. But then again who in American Jewry really understands spirituality. But we in the program know and understand differently and therefore do promote and seek spirituality.

It is my opinion that at a JACS Retreat, Orthodox observances should not be business-as-usual but every effort should be expended to demonstrate and teach how the Mitzvos and Torah study can be spiritual in their Halachic context.

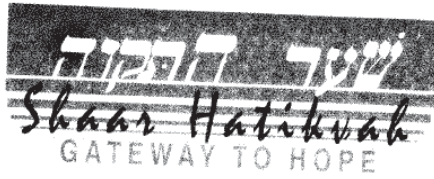
The davening should be uplifting. Those who understand Shabbos in its traditional context should be allowed to lead the Zemiros and other Mitzvah performances. Maybe your brother, Rav Michel or someone of similar qualifications (Halacha, Avodah, Kiruv) could be enlisted to coordinate this endeavor. I certainly will give any assistance that is deemed appropriate.

Again the Shaaloh that I will place in front of the Posek will be, "should I continue to participate in these functions as they presently exist?" As I mentioned earlier, I would very much appreciate your input on these matters before I ask the Shaaloh. Also, if you are aware of a Posek who understands the world of recovery, I feel it would be most appropriate to ask him the Shaaloh. I generally ask my Shaalos to Rav Dovid Cohen of Brooklyn, who has experience and sensitivity in Kiruv, mental health, and Avodah.

As always, I am very grateful for your straightforward, constructive counsel and guidance.

Respectfully,
Yehoshua Kaganoff

Rabbi Twerski's response begins on the next page:



ABRAHAM J. TWERSKI, M.D.
PRESIDENT

MICHAEL PASTERNAK
EXECUTIVE DIRECTOR

3rd night of Chanuka, 5757

Rabbi Yehoshua Kaganoff
7939 Dorcas Street
Philadelphia, PA 19111

Dear Rabbi Kaganoff, רבני:

Believe it or not, this is the first opportunity I have to respond to your letter of 29 Cheshvon. After returning from Israel and South Africa, and struggling with a 7 hour jet lag and catching up with a huge backlog, I have been twice to New York, and also to Los Angeles, San Francisco, Atlanta, Detroit, and Boston. If it were not for Chanuka, I'd probably be somewhere else today.

This frenetic running around is due to my seeking support for a drug treatment project I have started in Israel, and also to call attention to my recently published book on spouse abuse in the Jewish community. If you think there was denial about alcoholism or drugs, it pales in comparison to the DENIAL about spouse abuse. Our brethren rabbis wish to continue to ignore it. I contend that they are in violation of a לא תוכל להתעלם, דאורייתא.

Now to your letter. It is ironic that the problem exists because the group meets in a conservative temple Is this perhaps because the orthodox shul would not welcome them?

I see no problem with your stating what you believe to be G-d' s

will. The steps leave it open as "G-d as I understand Him," and you certainly have the right to clarify what orthodoxy explains as G-d's will. I do not believe it will be counterproductive. You are not condemning anyone, merely stating a position. They can accept it or reject it as they wish.

This raises another issue. I believe we have an excellent entre to people in recovery. At one retreat, there was some criticism about orthodoxy's recalcitrance. I told the group this story:

A number of years ago, because of the lack of awareness of AA by physicians, several of us decided to try and educate doctors. We made a documentary about AA., by filming excerpts of talks by various members, showing who comprises AA--lawyers, executives, doctors, nurses, housewives. judges, laborers - a cross section of the community. To preserve anonymity we bleeped out all names. We showed this film to medical groups, giving a "before and after" questionnaire, which demonstrated that their attitude about AA was definitely changed for the better by this film.

We then received a call from World Headquarters that this was in violation of the tradition preserving anonymity in the media. The fact that we bleeped out the names did not help. We were told not to use it again. The four of us who made this excellent film had invested \$4000 of our own money. Out of respect for the tradition, this film was never shown again. (AA subsequently made a similar film, using actors).

I told the group that we accepted this painful decision out of respect for the AA traditions. We considered AA too valuable to be tampered with, even if we did not agree with the ruling opinion. I can ask at least that much for Jewish tradition. There was not a single dissenting voice.

With all the people I have helped in recovery, I have never imposed my opinion about Jewish observance. Why? Because the

inordinate success of AA is based on attraction rather than promotion. If you like what you see, you can come and get it.

While I am supportive of people who do *kiruv*, I have not been assertive in this respect. If my observance of Torah is not adequate to attract them, then I must work on myself.

There is a story about the Baal Shem Tov who once observed someone violating Shaabos. The Baal Shem Tov taught that the world is a mirror, and since we are generally blind to our own defects, Hashem shows them to us in others. The defects we see in others are our own. He therefore wept and did a thorough "inventory" to see where he had violated Shabbos.

It disturbs me greatly to see people shouting "Shabbos" at drivers. The Baal Shem too shouted "Shabbos", but at himself rather than at others.

Just imagine. Shabbos is supposed to be מעין עולם הבא. "ויכולו" means that when Shabbos arrives, one puts the worries of the work week totally aside. The work week has been closed and completed. Shabbos is a spiritual experience where man and G-d are united as bride and groom. If we glowed with the joy of Shabbos and radiated the bliss of עולם הבא, wouldn't people be running after us to learn our secret?) If those who see me are not observant of Shabbos, I need to improve myself rather than chastise them.

Here, too, there is a valuable lesson from the program. Abstinence is not sobriety. Someone who has not had a drink for years but has not made any characterologic changes is a "dry drunk." Families will tell you that it is easier to live with an active drinker than with a dry drunk.

Transgressing a negative prohibition of Torah is an עבירה. Failure to perform a required mitzva is also an עבירה. When we avoid all

the לאווין and fulfil all the עשה's, we are essentially abstaining from עבירות. Unless we make the requisite improvement in *midos* we are the equivalent of a "dry drunk."

There are many fine observant people who have exemplary *midos*. Unfortunately, we cannot deny that there are more than a few people who observe glatt kosher and are dressed in the *most frum* garb, but who are sorely lacking in *midos*. At the retreats, much of the anger is directed at parents or others who were very rigid and restrictive in their demands, but their *midos* did not keep pace with their ritual observance.

I was the first orthodox rabbi to appear at a JACS retreat, and my initial appearance almost caused an upheaval because of the bitterness to orthodoxy. Fortunately, together with a few other well chosen rabbis we were able to achieve a change of attitude. One time an orthodox rabbi came who did not obey the instructions to remain silent at his first retreat and just listen. He gave a sermon according to rabbinics 101 which went over like a lead balloon.

Davening should be spiritual. Just how spiritual is the davening in the average shul? I have davened in any number of shuls and shtiihlach, and they rush through the davening at 100 mph. If, God forbid, the baal-tefillah is a bit slower and the davening takes 35 minutes instead of the 30, it is simply intolerable.

But aren't we those who preach emunah and bitachon? We say that every person must do some hishtadlus, but that it is not the degree of hishtadlus that will determine his earnings. Then why the frenetic pace? Why rush out of shul after 30 minutes to spend nine hours in the business or office? If we do not practice what we espouse, how can we expect others to respect our ways? I am not referring to others, but to myself.

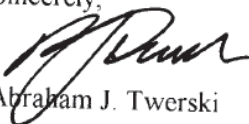
I believe we can get the message across to people in recovery that the easy way is rarely the true way. All their lives they have been

looking for the easy way, and when they hit rock-bottom they realized it doesn't work. What are all the changes in Judaism if not looking for an easy way? I think we have an opening here to argue well for full Torah observance, unless of course, those who claim to be totally Torah observant are also looking for easy ways. I suspect this may be true, in which case we have no argument.

There is certainly much in JACS that can be improved, and I think that with patience we can do it. I don't know that there is a posek who can really address this. Sorry to say, some of them are the equivalent of "dry drunks," meticulously observant and very knowledgeable, but thoroughly unaware of what feelings are all about, and how people can be paralyzed by emotions. Some may be totally alienated from their own feelings.

Love to hear from you.

Sincerely,



Abraham J. Twerski

On Mon, 6 Jun 2005 12:11:57 -0700 (PDT) >

Parent of a client, (with whom I had shared excerpts of Rabbi Twerski's above letter), writes:

Dear Rabbi Kaganoff

I didn't completely understand the Twersky letter excerpt.
Please explain further

Have a nice day.C. X.

I acquiesced to the request.

Please see pg 130 for the explanation.

Sincerely,

Rabbi Kaganoff

The previous correspondence (pgs 118-127) was excerpted and faxed to Rav Dovid Cohen, Shli'ta for Psak and guidance. His response is on the next page.

16 Jan, '97
8 Shvat 5757

Phone conversation with Rav Dovid Cohen, Shlit'a.

In response to Fax of 13 Jan, Rav Cohen said, “

- 1- “Wanted to call but overwhelmed with time constraints.
- 2- By all means! Be Mamshich! (Continue). You're doing Meshunadikah (extraordinary) things
- 3- The Kiruv and Kiddush Hashem far outweigh your discomfort. (The hesitation is Bottel (negated) compared to the good.)
- 4- The fact that you're uncomfortable is good. It is a good Mehalech (approach)– Be uncomfortable and Be Mekarev & Mekadesh Hashem.
- 5- I am Mekanah (jealous of) your big piece of Leviyoson (reward in world-to-come)
- 6- I want to be Meoded (encourage & motivate) you as much as possible.”

12 June, '05, Erev Shevuos
Dear Mr. and Mrs. X,

In response to your request, I will explain (give a shiur upon!?) Rabbi Twerski's letter [Pg 123-127 in this volume] (the original excerpted text is in italics and smaller font, my comments in regular and larger font):

3rd night of Chanukah

Dear Rabbi Kaganoff,

".....Here, too, there is a valuable lesson from the program. Abstinence is not sobriety. Someone who has not had a drink for years but has not made any characterologic changes is a "dry drunk." Families will tell you that it is easier to live with an active drinker than with a dry drunk"

In this Paragraph, RT is laying down a vital program principle. Alcoholism (addictions) has 2 parts: the alcohol (abused substance) and the "ism". It's the "ism" that's at the root and base of the alcoholic's (addict's) problems. As the Big Book and the 12 & 12 book describe at length, it is the characterological changes that are what recovery is all about, not just abstaining. Getting rid of the substances without the characterological changes creates much more difficult interpersonal relationships rather than reconciling them.

"Transgressing a negative prohibition of Torah is an "Aveira". Failure to perform a required mitzva is also an "Aveira". When we avoid all the "Lavin" and fulfill all the ""Asseis", we are essentially abstaining from "Aveiros". Unless we make the requisite improvement in midos, we are the equivalent of a "dry drunk.""

Here RT, is alluding to a very important and basic premise in Torah-observant Judaism. Throughout the ages (Vilna Gaon in Even Shleima 1:1, Ramban on Devorim 22:6, Rambam in Mishne

Torah very end of Korbonos:Temura and Teshuva 7:3, just to cite a few sources) it has been emphasized that G-d's purpose in providing us with the Mitzvos is not intended to be dry mechanical activities. They are intended to encourage, cultivate and induce us to make requisite characterological changes. The activity of the Mitzva or the desistence from a prohibition are supposed to be accompanied by a psychoemotional component that is supposed to touch our inner being and refine it. The goal is that a contact with a Torah observant Jew should inspire the other person to remark, "What a refined, cultured and sensitive person (s)he is! (S)He is a wonderful Human Being." (I can send you the original resource materials by PDF file, upon which RT is premising his remarks.)

In his final sentence, he points out that (s)he who performs the Mitzvos but does not engage in the characterological improvement remains the equivalent of a "dry drunk"

"There are many fine observant people who have exemplary midos. Unfortunately, we cannot deny that there are more than a few people who observe glatt kosher and are dressed in the most frum garb, but who are sorely lacking in midos. At the [JACS] retreats, much of the anger is directed at parents or others who were very rigid and restrictive in their demands, but their midos did not keep pace with their ritual observance."

In this Paragraph, RT decries the mottled state of affairs that we find in present day Orthodox world. Although the previous stated overarching goals of Mitzva performance is recognizable in many Torah Observant persons, nevertheless regretfully, being totally honest with ourselves, we must concede that there is a significant portion of Torah observant persons who have completely "missed the point" about the overarching goals. They subsequently perform the Mitzvos (and sometimes even with great fervor and punctiliousness) in conjunction with very reprehensible Character traits ("Midos"). (Please see Chazon Ish Emuna uBitachon C. 4 for great elaboration on this point).

RT shared with me in this letter the empirical observation that much of the anger and bitterness towards religious observance that is to be found amongst recovering addicts (the "ism" of their alcoholism) is a reaction to the dominance in their earlier lives of people of the second type described above.

"I was the first orthodox rabbi to appear at a JACS retreat, and my initial appearance almost caused an upheaval because of the bitterness to orthodoxy. Fortunately, together with a few other well chosen rabbis we were able to achieve a change of attitude. One time an orthodox rabbi came, who did not obey the instructions to remain silent at his first retreat and just listen. He gave a sermon according to rabbinics 101 which went over like a lead balloon."

Here RT shares from his personal experience, how he "Knows" that the empirical observation stated earlier, is indeed a fact and should be heeded absolutely, if someone wants to attempt to influence the people in recovery to reconsider their opinion and attitude of their native religion and its adherents. Since the Sine Qua Non of recovery is Rigorous Honesty (Big Book Chap. 5), if we ignore this warning, then they "see right through" us and our facade and they consider us nothing but a sham!

"Davening should be spiritual. Just how spiritual is the davening in the average shul? I have davened in any number of shuls and shtiblach, and they rush through the davening at 100 mph. If, G-d forbid, the baal-tefillah is a bit slower and the davening takes 35 minutes instead of the 30, it is simply intolerable.

"But aren't we those who preach emunah and bitachon? We say that every person must do some hishtadlus, but that it is not the degree of his hishtadlus that will determine his earnings. Then why the frenetic pace? Why rush out of shul after 30 minutes to spend nine hours in the business or office? If we do not practice what we espouse, how can we expect others to respect OUR ways? I am not referring to others, but to myself."

Here, in these 2 paragraphs, RT gives a concrete example of what he has stated as only theory till now. An example that 1) is almost

universal in the Orthodox world and can only be finessed by the use of "denial" and 2) is a commonly heard gripe from people in recovery. If we preach the belief in a very personal G-d, then why is it that our prayers aren't an experience in communication? Why is it that they feel more connected in prayer (the "Serenity Prayer" or the "Lord's Prayer" with their higher power and with spirituality in rooms of recovery with people in recovery? (*"If we do not practice what we espouse, how can we expect others to respect OUR ways?"*))

In the last sentence (*I am not referring to others, but to myself.*), in the tradition of Chasidic Rebbes, upon realizing that perhaps one has spoken too harshly, albeit truthfully, in judgement of others and indeed the matter requires proper airing for reassessment and improvement, one refocuses the criticism on oneself so as not to alienate the audience.

"I believe we can get the message across to people in recovery that the easy way is rarely the true way. All their lives they have been looking for the easy way, and when they hit rock-bottom they realized it doesn't work. What are all the changes in Judaism if not looking for an easy way? I think we have an opening here to argue well for full Torah observance, unless of course, those who claim to be totally Torah observant are also looking for easy ways. I suspect this may be true, in which case we have no argument....."

Here RT makes 2 very profound conclusions. There is only one way to influence the community in recovery. We, the Torah Observant ourselves, need to "walk the walk". Then, when we "talk to talk", it is perceived and received as something sincere, honest and from the heart. It can then penetrate the hearts of the others who are in recovery. If however, we only "talk the talk" but our actions don't match, then we have no avenue to bridge the gap. (RT alerts us that his observations and experience seem to indicate that the latter is sadly the case. A clarion call to anyone, who wants to address the problem, that he first needs to straighten up his own

act, before he embarks.)

".....Sorry to say, some of them [Rabbis, Rebbes, Teachers] are the equivalent of "dry drunks," meticulously observant and very knowledgeable, but thoroughly unaware of what feelings are all about, and how people can be paralyzed by emotions. Some may be totally alienated from their own feelings."

*Sincerely,
Abraham J. Twerski*

In this final paragraph, RT alerts me to the fact, that in the cadre of people from whom we are supposed to seek guidance, there is unfortunately, a great paucity of competency in this area. Consequently, be on the alert when seeking guidance, that this incomplete erudition and comprehension may lead to some very ill-advised suggestions and responses. This only further magnifies the sense of distance, alienation and isolation of the people in recovery from their community of origin. These phenomena can be attested to by both the people in recovery and Rabbis etc. who have troubled themselves to "Walk the Walk" and not just "Talk the Talk".

I hope this has been of help. As I have said, I believe it is critical for us to recognize and integrate what Rabbi Twerski has revealed to us here in order to facilitate Yocheved's recovery and return!

*Sincerely,
Rabbi Kaganoff*

ANIMALS AND ANGELS

SPIRITUALITY IN RECOVERY

Abraham J. Twerski, M.D.

HAZELDEN

About the pamphlet:

Must we be spiritual to recover from addiction? Where does spirituality exist? How do we get there? Do we have to be religious in order to be spiritual? This pamphlet answers these and many other questions in a reassuring manner. *Animals and Angels* will be invaluable to anyone new to recovery from an addiction or a compulsion.

About the author:

Abraham Twerski is founder and medical director of Gateway Rehabilitation Center in Pittsburgh, Pennsylvania.

Dr. Twerski is a psychiatrist and has served as rabbi to a congregation in Milwaukee. He is the author of *It Happens to Doctors, Too; Self Discovery in Recovery*; and *Addictive Thinking: Why Do We Lie to Ourselves? Why Do Others Believe Us?* - all published by Hazelden Educational Materials.

Creating the Addict

Like many other diseases, alcoholism and other chemical dependencies have several contributing factors. These are:

- Genetic
- Physiological
- Social
- Psychological
- Spiritual

The combination of these factors results in the disease of addiction, much as the ingredients in a recipe result in a cake. No single ingredient or even a few ingredients together are enough to make the cake. All must be present in the proper proportions, combined, and processed by baking to achieve the finished product. In the same way, a combination of factors causes addictive disease.

Obviously, nothing can be done about our genetics. By the time we have the addiction, our choice of parents is long past. And the physiological causes of addiction aren't yet fully understood by researchers. Those factors which are within our power to address in recovery are the social and psychological sides of ourselves, as well as our spirituality.

The spiritual factor is the one we will explore. As a topic in recovery from addiction, spirituality receives a lot of attention. That is because it is essential for every human being to have his or her spiritual needs met.

Moving Toward Spirituality: Working Steps One and Two

Sometimes people think of spirituality as religion. Consequently, those who have no specific religion may think they are not spiritual and can't accept the spiritual ideas of a Twelve Step program.

Occasionally I meet someone who says: "Alcoholics Anonymous is not for me. I've been to several meetings, and the program is centered around God. I happen to be an atheist. Since I don't believe in God, I can't join a program that is dependent on a belief in God."

My response is: "You're mistaken. It isn't that you don't believe there is a God. You *do* - the trouble is, you think *you* are God."

My suggestion to that person is to begin the first two of the Twelve Steps' and not worry about involving God, since God isn't even mentioned until the Third Step:

3. Made a decision to turn our will and our lives 'over to the care of God *as we understood Him*.

Accepting the first two Steps represents a surrender of the delusion of being all-powerful.

1. We admitted we were powerless over alcohol - that our lives had become unmanageable.
2. Came to believe that a Power greater than ourselves could restore us to sanity.

Only after people relinquish the notion of their own omnipotence are they even capable of reflecting on whether or not there might be a God.

[The complete Twelve Steps of Alcoholics Anonymous appear at the back of this pamphlet. Pg 148 of this compendium]

What Spirituality Embodies: It's What Separates Us from Animals

Yet, spirituality is not the same as religion. And it is possible for a person who doesn't believe in God to be spiritual. So obviously, we must learn what spirituality is.

Human beings have the ability not only to resist biological drives,

but to freely make choices that reflect moral values. This ability comes from the human spirit within. I have no idea whether this spirit is located in the heart, the brain, or elsewhere. I do know that every human has *spirit*, and when he or she exercises the individuality of this spirit, this person is *spiritual*. One person may believe that this ability was given by God; another person who doesn't believe in God may say this ability evolved with the evolution of humankind. For the purposes of definition, it makes no difference. That humans have this capacity is undeniable, and making a choice based on personal values is *spirituality*.

The person who exercises this capacity to make a free moral choice may not attend a church or synagogue, may not choose to pray, may not perform any religious rituals, and may not believe in God. Yet, he or she is capable of being spiritual.

Spirituality is freedom of personal moral choice. Since this freedom is a feature of being human, it also defines humanity. *Spirituality, freedom, humanity*. This is what makes each of us unique.

A baby must grow, not only physically, but must also develop a mature character over time. Failure to develop character would result in an adult who is only a large baby. Although this occasionally happens, it was not meant to be. Character development in a person is not an automatic change. While a young person absorbs ideas and learns from parents, teachers, and friends, the ultimate personality is up to the person. He or she is not the helpless, automatic product of genes plus environment. A human being bears a responsibility for making good choices. In this way, humans are different from animals.

Only Humans Develop Diseases of Excess

There is yet another difference. Though many human illnesses can also be found in animals, addictions and compulsions do not develop in animals living in their natural habitat.

Animals don't become obese unless they are force fed. They don't binge on food, induce vomiting, and binge all over again. This behavior is specific to humans. Animals, too, have a sexual urge, and they mate in response to it. But they don't become preoccupied with sex. When their urge is gratified, they are sexually inactive until the mating instinct returns. How different from humans!

An analogy may help us understand diseases of excess. In order to have a well-functioning body, we each require certain vitamins, the most familiar being vitamins A, B, C, and D. Since the human body can't manufacture these substances, they must be obtained from outside sources.

Lack of specific vitamins will result in vitamin-deficiency diseases. For example, lack of vitamin C results in scurvy, a disease that was fatal to sailors long ago. Away from land for months, they were deprived of fresh fruit or other natural sources of vitamin C.

The *only* way to overcome scurvy is to have vitamin C. Nothing else will do. What if the person with scurvy can't get vitamin C, but tries to compensate by taking an extra-large dose of vitamin A? Nothing will change. In fact, even massive doses of all other vitamins combined - A, B complex, and D - will do nothing to cure scurvy. Taking excessive amounts of other vitamins won't compensate for the lack of a specific vitamin. We must have the substance we specifically lack.

There are certain objects or actions that will satisfy other specific biological needs. The response for hunger is food; for thirst, water; for the sex instinct, mating; and for exhaustion, sleep.

Although we can't fulfill a drive with an inappropriate object or action for long, it is possible to get a brief respite. For example, if I am hungry and lack food, I may be able to fall asleep and be spared the feeling of hunger until I awaken. Even a drink of water

may give a short relief from hunger. But relieving a specific drive with the wrong thing doesn't last long.

Humans and animals share some biological drives, such as hunger, thirst, the sex urge, and exhaustion. The animal eats when hungry, drinks when thirsty, mates when in heat, and sleeps when exhausted. When the essential need is satisfied, the animal stops.

But We Need Something More

Humans differ from animals in that, beyond satisfying biological drives, we need spirituality. Though the other drives have easily identifiable requirements in order to be satisfied, it's not readily apparent what satisfies the need for spirituality. It is intangible and abstract.

When spiritual needs aren't gratified, people feel vaguely discontented, just as when hunger and thirst are unsatisfied. People know precisely what to do to overcome hunger and thirst. But in the case of spirituality, this is not always true. If someone is discontented because he or she lacks spirituality, it may not be apparent how to ease the discomfort.

Lacking knowledge of spirituality, people use things that formerly relieved distress: food, a sexual relationship, or perhaps more money. Or they may anesthetize themselves with alcohol or other drugs. All provide temporary relief, but the spiritual need is not met, and the discontent will return and become consistently more intense. The person then goes for more food or sex or a chemical or money or whatever relieved the distress in the past. This is how diseases of excess develop.

Different Ways of Reaching the Same Destination

Just what is this spirituality we require and without which we are discontented? And how do we arrive at it? While I developed my idea of spirituality through my religious studies, it doesn't require a religious belief. To understand the various ways of developing

spirituality, consider this:

- I might reach Chicago by flying in from Pittsburgh
- Another person might get to Chicago by driving from St. Louis
- A third person might take the train from Los Angeles
- Another person might hike in from Minneapolis

Regardless of the direction we come from or the means of transportation, we all end up in the same place.

Animals, Angels, and Humans

My thoughts of spirituality were stimulated by some passages from the Bible. I read the beautiful account of creation in Genesis, where we are told (Gen. 1:3,9, 14,20.) how God created the world and everything in it. "And God said, Let there be light: and there was light. ... And God said, Let the waters under heaven be gathered together unto one place, and let the dry *land* appear. . . . And God said, Let there be lights in the firmament of the heaven to divide the day from night. . . . And God said, Let the waters bring forth abundantly the moving creature that hath life " and so on: God alone creates everything until the last day of Creation, when God says, "Let us make man "

Us? Who is this us? I wondered. Whose help was God enlisting? How come God didn't seek help in creating the entire vast universe, billions of light years in expanse? How come God did not say, "Let *us* make mountains, or oceans, or whales, or mammoths"? Why *us* only in regard to creation of man?

This set me to thinking. *What is so unique about humanity that even God sought help in this creation?*

I began exploring the nature of humans. I believe that humankind is only one of three types of conscious life, the other two being animals and angels (if you believe the religious idea that angels exist). How do these differ from one another. and what is it that

defines humans?

Animals and Angels: Opposites, but Similar

Angels and animals are clearly different from each other. In fact, they are polar opposites. Angels are said to be pure spirit, having no physical substance and no tangible body. Animals are the opposite. being totally substance: body without spirit.

Yet these two opposites share some things in common. First, neither angels nor animals grow in character. I assume that angels don't grow at all and remain whatever they were when created. While animals do grow, their growth is restricted to the body; they don't grow in character. Little elephants become big elephants. and small alligators become big alligators.

Some animals do undergo a marked physical change, such as the tadpole that becomes a frog, or the caterpillar that becomes a colorful butterfly. But these are automatic transformations, programmed into the animal's genes. The animal does nothing to make these changes happen. In fact, the animal is powerless to stop them.

Do you think that a caterpillar ever, while crawling around on the ground, looked up and, seeing a beautiful butterfly fluttering high in the air, said, "That's my cousin, George. You've got to give it to him, he certainly looks beautiful with those richly colored wings. But I don't want any part of that. -I know myself too well. If I get up there and try to fly, I'll get airsick. No siree! No wings for me. I'm not going into any cocoon, and I'm not sprouting any wings. I am keeping my shape and staying right here on the ground where I feel secure."

We all know this will never happen. Caterpillars don't become butterflies by any voluntary effort. It all happens automatically.

At a particular stage in its existence, the caterpillar spins a cocoon and emerges as a butterfly because it was programmed to do so.

So even those animals that do undergo change don't participate voluntarily in causing that change.

***Angels and Animals
(and Sometimes Humans) Have No Choice***

I believe that animals and angels share yet another similarity: neither are free beings.

Angels are not free; they are emissaries of God and carry out God's dictates.

Nor are animals free. Animals are dominated by internal drives. If an animal is hungry, it *must* look for food. If it is thirsty, it *must* search for water. If it has a sexual urge, it *must* look for a mate. No animal ever thought, *I am indeed very hungry, but I'm going to fast today*. Nor has any animal ever decided to resist a sexual urge and chose to be celibate. Animals are not able to choose in this sense. They are driven by biological drives and are compelled in their behavior.

Isn't it possible for an animal to resist an urge? Yes, but only when gratification would result in pain and suffering. Assume that a coyote that hasn't eaten for a long time comes across a carcass in the possession of a huge tiger. The coyote craves the food but will stay away from the carcass, not because of any moral choice, but because she knows the tiger will kill her. She denies herself gratification of the hunger drive only out of fear of death.

Humans, too, may deny an impulse or urge out of fear of punishment. The person who doesn't steal another's money or possessions may do so only because of fear of getting caught and punished. Whether the punishment is imprisonment, a financial penalty, death, lashing, or social disapproval, it's all the same. To refrain from gratifying an urge only out of fear of punishment is not only a human trait. Animals, too, behave this way. Such restraint is not a free choice; it is abstinence caused by a drive to avoid suffering, which overrides the biological urge to perform the particular act.

But Humans Have the Essence of Spirit: Free Choice

Free choice occurs only when there is no outside force causing a person to either perform or refrain from an action. For example, a person considers an extramarital relationship and is certain that there is no possibility of being detected or suffering any punishment. If this person decides not to have the extramarital relationship based on a belief that it is morally wrong, he or she has made a moral free choice. This is a free choice in its truest sense, and it is uniquely human.

If this human being has the ability to resist biological drives and to make free moral choices, what is it that gives the person this capacity? Whatever it is, the capacity exists. I call the capacity *spirit*.

We Can Now Understand Why We Despise Slavery

Slavery is not only cruel - it is dehumanizing. Throughout history there have been various kinds of slavery, some more confining than others. I believe there is no slavery so totally confining as addiction. A human being becomes totally dominated by addiction and loses the choice to use or abstain.

One recovering addict told me: "When I was into my addiction, I had only one thought on my mind: *Where am I going to get cocaine?* When I woke up in the morning, I didn't think of my job, my parents, my wife, or even my child, all whom I loved dearly. From the moment I opened my eyes, I was possessed by the thought, *Where can I get cocaine today?*"

Whether the addiction is to cocaine, alcohol, heroin, Valium, nicotine, or to any other drug, or for that matter, to eating or gambling ... it is all the same. Addiction, by definition, is losing free choice over behavior and being enslaved by the chemical or other compulsion. The addict loses the ability to make choices from the spirit.

At an AA meeting, we are likely to hear a recovering person say: "So far today I haven't taken a drink. If I do drink. today, it's because I choose to do so. When I was in my active addiction, I had no choice."

People regain the dignity of humanity when they exercise the capacity of the spirit and escape from the slavery of addiction.

The Essence of Being Human: Progress, Not Perfection

We can now understand why the phrase in Genesis reads, "And God said, Let us make man ... " Who was God talking to?

Why, to humanity itself!

God must have been saying: "Look here. I have created thousands of angels and thousands of animals. All of these were created complete. They do not have to *become* anything other than what I created. Now I want to create a different type of being. Of course, I could create you in a state of perfection just as I created all other living things in their perfection, but that is not what I want. If I create you perfect, you will be either another angel or another animal, and I have enough of those already.

So, let *US* make man, you and I together.

I will give you the potential, and you develop it. I will give you a spirit, and you use it to *become* spiritual, to *become* the being that you are capable of becoming. I can make perfect beings by Myself, but I need your participation to make a human being. So let *US* make man."

Working On - Not Achieving - Spirituality

You may never arrive at a belief in God. But anyone can say, "I don't want to be a slave to my impulses like an animal. I can choose to live enslaved to my drives, to be at the mercy of my addiction, or I can choose to live by my capacity for spirit. I can be *spiritual*."

It is important to understand that spirituality is a process - not a goal. We can never say, "I have achieved spirituality," but rather, "I am working on my spirituality." In fact, we have our spirituality only as long as we continue to work at it. Once we feel we've already achieved it, we are probably on our way to losing it.

Our spirituality, which we've defined as attaining mastery over ourselves, can only begin when we realize and acknowledge how powerless we really are. Of course, this is one important step in recovery from addiction.

Winning Freedom

Spiritual growth does not always come easily. It might be likened to the way a lobster grows physically.

It had never occurred to me to wonder how lobsters can grow until I read an article that described the process. When a lobster feels oppressed by its rigid, unyielding shell, it retreats to an underwater crevice, sheds the shell, and grows a new one. When it grows to the point that the new shell is too restrictive, the lobster repeats the process and does so until it reaches its maximum size.

During the phase between shedding the shell and producing a new one, the lobster is without protection. A strong current of water could smash it against a rock, or it could be eaten by a predatory fish. In other words, in order to grow, the lobster must risk its very life.

In recovery, we are fortunate that we do not have to place our life in jeopardy in order to grow. It is quite the opposite. If we don't shed the confining shell of our addiction, we may not survive. And, when we do win release, it is the beginning of our spiritual growth - the end of being rigid and inflexible to growth enhancing ideas.

Our spirituality can supply the needs that define us as being unique creations, different from both animals and angels, and, most

significantly, human beings with freedom of moral choice.

The Following is from “Self-Improvement? I’m Jewish!”

(pg 40)

Also by Rabbi Twerski

As set forth by Luzatto and other ethicists, the goal of the Jew is attainment of spirituality. As I pointed out in my book *I'd Like to Call For Help, But I Don't Know the Number* (Pharos Books, 1991). spirituality is comprised of all those features that are uniquely human; i.e. that distinguish man from other forms of life.

These are: (1) greater intellect; (2) the capacity to learn from the history of the past; (3) the capacity to think about the purpose of life; (4) the capacity to think of self-improvement; (5) the capacity to make salutary changes in oneself; (6) the capacity to think about future consequences of one's actions; (7) the capacity to delay gratification; and (8) the capacity to make truly free moral decisions. These eight features constitute *generic* spirituality. For the Torah-observant person, the purpose of life is dictated by the Torah, as explained in the writings of Luzatto, other ethicists, and the Chassidic masters, and consists of achieving a oneness with God (*Deuteronomy* 11 : 22).

The need for a spiritual guide cannot be overemphasized. Rabbi Yisroel of Salant states that the most difficult disposition to overcome is one which a person erroneously assumes to be the Divine will. Other personal desires can more easily be set aside, but if someone erroneously believes that what he is doing is for the greater glory of G-d, this conviction is most difficult to thwart. Virtually every work on ethics addresses the need for *cheshbon hanenesh*, a thorough personal inventory.....

THE TWELVE STEPS OF ALCOHOLICS ANONYMOUS

1. We admitted we were powerless over alcohol- that our lives had become unmanageable.
2. Came to believe that a Power greater than ourselves could restore us to sanity.
3. Made a decision to turn our will and our lives over to the care of God *as we understood Him*.
4. Made a searching and fearless moral inventory of ourselves.
5. Admitted to God, to ourselves, and to another human being the exact nature of our wrongs.
6. Were entirely ready to have God remove all these defects of character.
7. Humbly asked Him to remove our shortcomings.
8. Made a list of all persons we had harmed, and became willing to make amends to them all.
9. Made direct amends to such people wherever possible, except when to do so would injure them or others.
10. Continued to take personal inventory and when we were wrong promptly admitted it.
11. Sought through prayer and meditation to improve our conscious contact with God *as we understood Him*, praying only for knowledge of His will for us and the power to carry that out.
12. Having had a spiritual awakening as the result of these steps, we tried to carry this message to alcoholics, and to practice these principles in all our affairs.

- The Twelve Steps are taken from *Alcoholics Anonymous*. 3rd ed., published by A.A. World Services, Inc., New York, N.Y. • 59-60. Reprinted with permission.

Prayer at
12-Step Recovery
Meetings

Prayer at AA Meetings – an Addict’s Perspective

I was the rabbi who posed the question to Rabbi X on the problem of a Jew praying with the group at meetings of Alcoholics Anonymous (spring ‘87). Usually, one of two prayers is recited: 1) The Serenity Prayer or 2) The Lord’s Prayer. (ed. Note - texts attached pg 153)

The response of Rabbi X was that the profound Christian associations of the Lord’s Prayer- particularly because it is ascribed to the founder of that faith (even though its contents have nothing Christological) - “make its use unacceptable to Jews. It would, therefore, be wrong for Jews to recite it even in a non-religious setting, such as Alcoholics Anonymous.” He was much less certain and very undecided in regards to the Serenity Prayer.

Rabbi X then advised: “As it is recited at the conclusion of the meeting, there is really no reason to participate. One can stand in silence, and I am sure this would be respected and understood.”

Of course, it would be respected and understood by members of the group. Members of AA are accepting people. The credo of AA and all 12 step programs is to be areligious. The “God of each particular individual’s understanding” is one of the bedrock foundations of the fellowship. Attempting to influence anybody’s personal understanding of God or religious observances is totally out of the pale and severely censured.

That was not the issue for me then. My concern was my own feeling of guilt during my early days in the program of Alcoholics Anonymous. Meetings were usually in church basements. That was strange for me and left me feeling uncomfortable. Then, when the meetings concluded with the group’s holding hands and reciting The Lord’s Prayer, I just knew that I did not belong there. But I was wrong! Very wrong!!

What I have discovered, much to my surprise, is that not only has participation not caused a dilution of my Judaism as I had first feared, but much to the contrary, as strange as this may seem, (and this is an absolute truth that is experienced by most), my involvement in recovery has led me to a much more profound relationship with and meticulous observance of my Judaism/Yidishkeit

Now that I have been in the program of recovery a few years, I doubt whether I would even ask the question. It is obvious to me and others in recovery that complete commitment without reservation to the program of Alcoholics Anonymous is vitally necessary for us to stay healthy, clean and sober. So, I recite that prayer at the conclusion (whichever one of the two happens to be chosen by the group at that particular meeting) so as not to separate myself from the group. It is helpful and necessary for my own program of recovery.

One could easily point out Jewish parallels to The Lord's Prayer in older Jewish sources. Analogies to the *Kaddish* and to benedictions in the *Shemoneh Esreh* are obvious. So why did I even ask the question in the first place? I should have heeded the Yiddish aphorism, "*Venn Mann Frekt, Es Iss Schoen Traif* – When one [has to] ask, it is already not kosher." Also, whenever one honestly asks a question, one should be prepared for a possible negative answer. So why did I even ask the question? It was, I believe, an expression of my own denial and my personal resistance to recovery.

One of the primary symptoms of alcoholism is denial. This is a disease that tells the alcoholic that he/she does not have it. Our Jewish folk tradition plays into this denial. After all, is not "*Shikker is a goy* – The drunkard is a Gentile?" And do we Jews not learn to drink only on sacred occasions, so we learn discipline in the use of alcohol? Immanuel Kant wrote in 1798 that Jews do not get drunk because they "are exposed through their eccentricity

and alleged chosenness to relax in their self-control.” We came to believe these myths. So, though denial afflicts all alcoholics, it afflicts us with a particular insidiousness.

Rabbi X gave his answer based on his best judgment and scholarship. This is to be respected. But in honesty, it was not really my concern then. I really was seeking an excuse not to go to meetings. But Rabbi X could not have known this. My personal experience since then in the AA’s Twelve-Step Program is to enter fully and without intellectual reservations. Hence, I say The Lord’s Prayer and I am comfortable doing so. The support of the group has been so necessary for me that I will not place now any obstacles in the way of my full participation. This is a matter of trust. Others may prefer to stand silently. I do not. I know very well that this is necessary for my own recovery.

Alcoholism is a disease that could be fatal for me. It is *pikuach nefesh*. Like medicine that comes from *traife* sources, I am permitted to use it to preserve my life.

Now that I have been in the AA program for several years, I am comfortable with this solution. But early on, I felt fragile and such a responsum was not helpful. So I urge Jews and others who are entering these proven self-help programs for their own recovery to suspend criticism until they have tried the program for a while.

Denial and early resistance to recovery afflicts all alcoholics. But we Jews seem to come by it with a vengeance. Whatever the cause of alcoholism, I have learned that it is “an equal-opportunity disease.”

This responsum may have been based on sound *Halachic* scholarship. But I hope that Rabbi X will reconsider it in the light of what may be more vitally necessary to the recovering alcoholic who is Jewish.

Peloni Almoni

The Serenity Prayer:

God,

Please Grant me:

- The Serenity to Accept the Things I Cannot Change;
 - The Courage to Change the Things I Can;
 - And the Wisdom to Know the Difference.
-

The lord's Prayer:

Our Father, who art in heaven, hallowed be thy name.

Thy kingdom come, Thy will be done

on earth, as it is in heaven.

Give us this day our daily bread.

And forgive us our wrongs

as we forgive those who have wronged us.

And lead us not into temptation, but deliver us from evil; For

Thine is

the kingdom, and the power, and the glory, forever,

amen.

----- Forwarded Message -----

From: "B40AI82@aol.com" <B40AI82@aol.com>

To: b40ai82@aol.com

Sent: Thu, December 8, 2011 3:25:38 PM

Subject: Judaism and the Lord's Prayer AA Grapevine 1997

Judaism and the Lord's Prayer

AA Grapevine, January 1997

As a Jewish member of Alcoholics Anonymous, I've been concerned about the fact that so many meetings end in the Lord's Prayer. While I was willing to go to any lengths to get--and stay--sober, I was worried about reciting a prayer that might in some way compromise my Jewish identity.

So I talked with my rabbi, who is knowledgeable not just about Jewish affairs but also about the Twelve Steps. He is Orthodox and the leader of an extremely large Jewish congregation. He does a lot of work visiting treatment centers, and he knows a lot about AA. Probably more than I do.

He explained to me that there is nothing in the Lord's Prayer--or in all of the Twelve Steps, for that matter--that in any way contradicts anything in traditional Judaism. He pointed out that many of the phrases in the Lord's Prayer actually come from Jewish prayers in use two thousand years ago and still current today. While the Lord's Prayer is used primarily by Christians, its origins are firmly rooted in the Jewish prayer book.

Now, I'm no scholar (although I've written a few books about Judaism), and I can't locate all of the phrases in Jewish liturgy off the top of my head, but I know a few, and perhaps these will give some sense of how the Lord's Prayer was assembled.

“Our Father who art in heaven” = Avinu ShebaShamiyim
That Hebrew phrase, Avinu ShebaShamiyim, has been used for millenia to start prayers. The most recent use came in the Prayer for the State of Israel, composed after the founding of Israel in 1948.

“Hallowed be Thy name” = Yiskadal v'Yiskadash Sh'may Rabbo
This Aramaic formulation is extremely familiar to Jews as the first line of the Kaddish - the Mourner's Prayer and also the prayer that separates sections of the Orthodox prayer service.

“Thy kingdom come, thy will be done, on earth as it is in heaven” = ba'shamayim me'ma'al u'va' aretz mitachas.
This line from the "Aleinu" prayer, said at the conclusion of each prayer service and in the important Mussaf service on Rosh HaShana (The Jewish New Year) and on Yom Kippur, (the Jewish Day of Atonement), translates as "in the heavens above and on the earth below."

“Give us this day our daily bread” = Hu Nosain Lechem l'Chol Basar.
This comes from the first paragraph of the Jewish Grace After Meals. The meaning is that God gives bread to all beings.

“And forgive us our trespasses” = She'tislach Lanu al Col Chatosainu
"Forgive us for all of our sins" reads this line, repeated many times in the
Yom Kippur prayers.

“For Thine is the kingdom and the power and the glory” = L'cha,
Adoshem, haGedula, v'HaGevura, v'haTiferes etc.

The Jewish phrase translates as "the greatness and the power and the
glory." This is a line recited in a Sabbath morning prayer just prior to the
reading of the Torah in the synagogue.

Forever and ever = L'dor va'dor

Literally, this means "from generation to generation."

Amen = Amen

Amen is actually a Hebrew word from the verb "to believe." In a prayer
or a room--or in a Jewish court of law--to answer "Amen" after a
statement is to say, "I believe this."

So you see that as a believing Jew, when I'm saying the Lord's Prayer,
I'm saying a compilation of excerpts of prayers that are a part of the
traditional Jewish prayer book.

I hope that this makes things more comfortable for other Jews.

RABBI YEHOASHUA KAGANOFF

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ג' פ' צא ר"ח שבט תשס"ח

לכבוד מורי ורבי הרב הגאון ר"ד קאהן שליט"א

אחדשוכט"ם בכל הכבוד הראוי הגוי בזה להציע לפני כתר"ה כמה דברים על ענין
התפילה ביחד בסוף 12-step meetings שמדברנו עליו לפני שבועיים, וכדלקמיה:

1) מלורף:

- העתק מכתב שקבלתי לפני הרבה שנים מא' שהולך ומתרחף ע"י
12-step recovery

- העתק מ "AA "Traditions" (By-Laws)

- העתק ציוריו דברים מאת ר' ד' טווערסקי על 12-Steps of AA

2) בצקשת סליחה ומחילה מכתר"ה, לא הצנתי קפידת כתר"ה על התפילה ביחד שכל א'
מכוון איש לאלקיו (להבדיל אלף הבדלות).

הלא זה לפחות לא גרוע מי"ד קמ"ז ס"ד צרמ"א ע"פ הגהת ט"ז ש"ך וגר"א.
ולכאורה י"ד עדיפא דהא שמה בצרכתי אני גורם לעכו"ם לחשוב על טפלא שלו משא"כ
כאן הם עושים מה שהם עושים בין כך ובין כך, ואני רק באותו שעה מתפלל ג"כ כדבעי,
וכל העומדים שם מצינים שאני מתפלל לאלוקי ישראל כדמבואר בהתקנות הג"ל.

והודות רבות על הזדקקות כתר"ה בגדון זה.

תלמידו מכבדו ומטריאו

פינחס יהושע הכהן

Rav Cohen's responses to my previous letter:

בית מדרש גבול יעבז
ברוקלין, ניו יורק

דוד קאהן

30
כ"ג י"ב שנת ה'תש"ל
החלף את המכתב שכתבתי לך על ידי שליח שלי
אני מקווה שאתה יודע
ואם יש לך שאלות או תוספות
אני מוכן לסייע.
בטוב
דוד קאהן

בית מדרש גבול יעבז
ברוקלין, ניו יורק

דוד קאהן

30
כ"ג י"ב שנת ה'תש"ל
אחרי שראיתי את המכתב שלך
החלטתי לכתוב לך - וזאת
הסיבה לכך. ראיתי שאתה
מחפש תשובה לשאלתך
היא: האם יש צורך ב...
התשובה היא: כן, יש צורך
ב... (אם אתה רוצה להרחיב
על זה, אנא כתוב לי).
אני מקווה שזה יעזור לך.
בטוב
דוד קאהן

My return response follows:

RABBI YEHOShUA KAGANOFF

105 Meade Ave.
Passaic, NJ 07055
973.614.8446
kaganoff@juno.com

עש"ק פ' בשלח שבת שירה, י"א שבט תשס"ח

לכבוד מורי ורבי הרב הגאון ר"ד קאהן שליט"א

אחדשוכט"ס בכל הכבוד הראוי

לנכון היה עלי לכתוב כמה דפים של התנללות וצקשת מחילה וסליחה מאת כתר"ה על הדברים שלקמנ שמי אני שאצוא לפלפל ולהקשות ולענות על דברי המלך, מן החרש והמסגר שצימיו.

אבל מה אעשה שידוע לי שר"ד נוגע לפיקוח נפש ולרפואתם למאות ולאלפים של אחינו צ"י (ובאמת ניתן להאמר שאף נוגע לרצבות ואפילו אולי לרובא של עם סגולה שעובר עליהם עד היום ההרפתקאות הגפשויות של חרצן האחרון וכן הלרות של יום שזארלנו הקדושה ה' ירחם על כולנו צמורה, אלא שכתר"ה יחשדני למגזם, אבל תיתי לי שבאמת (לפ"ד שכן הוא)

אבל אקצר איך שביכולתי שחוששני לבלוי ולציטול זמן כתר"ה בכדי

1) בדברי אג"מ א"ה ח"ב ס' כ"ה שכתב, „שלא נחשדו ישראל על ע"ז" לכאורה הצ"ע שהקשה כתר"ה על דבריו מע"ז י"ג (עיר שיש בה אליל אין הולכין לשם וכו') מיוסד על פירוש הסוגיא אליבא דרש"י ורשב"א וכמוצא צעור י"ד ריש סימן קמ"ע דעמא דמילתא משום חשדא שיחשדוהו הולך שם לעבוד ע"ז.

אבל אח"כ מציא עור פירושו ושיעתו של רבינו יונה שטעמא דמילתא "שלא יהא נראה כא' מהס הולך שם לסחורה ולכבוד אליל וכו' אבל וכו' ואין הולכים שם משאר מקומות לא מזינו שיהא אסור לילך לשם משום חשדא" עכ"ל. לפי רבינו יונה טעמא דסוגיא הוא או משום חקות הגוים או משום מראית עין ומסיק שם העור שכן מסקנת א"א הרא"ש וכן הכרעת לשון הש"ע קמ"ע סע' א' כלשון רבינו יונה ודלא כפרש"י ונלפע"ד דזהו שכתב הבעל אגרות משה, „שישראל לא חשידי" היינו להכרעת הש"ע צפ' הסוגיא

2) כוונתי במכתב הקודם היתה שמדברי ע"ז ש"ך וגר"א שצסוף ס' קמ"ז מתבאר שלומר לשון „אלקים יהיה צעזק" צסם אלקים סתמא (ולא אלהיך) מותר לכ"ע. אף שידוע לנו שהגוי צסלו אע"פ שאין להבדיל צדידן. וזה עולה צקה א' עם דברי הגרמ"פ ז"וק"ל שלהתפלל צנוסח א' שעשו זה צעלמס אין איסור מדינא וכו'

3) אבל על דברי האג"מ שם,, אבל אם נוסח התפילה חזרו כוונתם שאף שאין זה שום רמז ניכר לאמונתם, אין ישראל לאומרה אף בעלמנו וכ"ש שלא עם הנכרי משום דממילא היו נוסח זה לאמונתם, אם לא כשיוסיף ישראל אלקי ישראל וכדומה שיהיה ניכר דבריו שהוא להשי"ת לבדו. וכיון שאסור מסתבר שהוא תועבה ולא ילא בזה אפילו תפילה דאורייתא וכי"

אבל לא ביאר טעם היסורו. ויש לחקור בעטמא דמילתא:
לכאורה פשוט ביותר שהוא משום,, לא תעשה כן לה' אלקיך" (דברים י"ג, ל"א ע"פ הרמב"ן)

אז י"ל משום מראית עין כנחפזו מעות לפני ע"ז וכו' כ"ד ס' ק"ג
אז י"ל משום שדומה למוקצה שאסור להקריב לגבי מזבח
אז י"ל כעין מלצה, ופריסת ידים בתפילה לפי שו"ת צאר שבע שמוצא צרע"א א"ח ס' פ"ט

ונלפע"ד שאין אף צא' מכל אלו העממים אצוריייהו דע"ז שעליו חייב למסור נפשו
שצמראית עין פסק רמ"א י"ד ס' ק"ג סע' ג' כר"ן ור"א ש
-ופריסת ידים וכיו"צ רק מנהג ומצואר צרמ"א וגר"א י"ד קל"ה ס"ק כ"ב"א דיהרג ואל
יעזור הוא אפילו בלאו גרידא דג' עצירות אבל לא באיסור דרבנן (וכ"ש מנהג)
-וע"ע צרמ"א י"ד ס' ק"ג סע' צ' דלומר מלתא דמשמע לתרי אנפי במקום סגנה אפילו
בשעת השמד מותר

איך שיהיה נראה שאין דברי הגרמ"פ זלוק"ל אלו מוגע לנ"ד:
שהרי ה"ל **lord's prayer** אינו צגדר זה שאע"פ שחוצר ע"י כוונתם מ"מ הם אמרו
צייסודו (כן הוא צהדיא ב**bible's** שלהם צ' פעמים) שכן הורה יש"י לתלמידיו שיתפללו
בנוסח זה תפילה ל,, אצינו שצשמייס" ור"כ אף להם הכוונה לשמים (ומה שהמונייהם אולי
מתכוונים אחרת, אין עכ"ס צח"ל יודעים צטיצ ע"ז)

ואף על ה"ל **serenity prayer** אין לחשוש דאף שחוצר ע"י גלח ומסתמא כוונתו היתה
לשיתוף שלהם מ"מ צא גוי חצירו וכצר הוליאזו וציעלו. שהרי מייסדי AA כולם היו גויס
וכולם היו מתנגדים תקיפים ל"Organized Religion" ומ"מ האמינו צצורא עולם המשגיה
על צציותיו (כמו שהיו הרצה ממיסדי ארלות הצרית). ואחרי כל מצירותם והתנגדותם נגד
"Organized Religion" הם העצירו והכניסו לתוך ספרם הראשי ה"ל **Serenity prayer**

וממילא צנוגע להשתמש בצאלו ה"תפילות" לקיום מצוה לכתחילה תלוי צאשלי רצצבי (שער
האיון א"ח תקפ"ו אות כ"ז) אבל לרפואתו של חולה מי ימנעו ויפריעוהו וכ"ש צפיקוח
נפש.

4) על הפסוקים צספר וינה פירש מהר"י קרא "ויונה שידע בעלמנו שטעא אל אלקיו ידע
שלא יקבל הקצ"ה את תפילתו, לכך הוא ירד צצרכתי הספינה ושכצ וגרדס.
וצפדר"א יש "שיונה צצרת נפשו גרדס וישן לו. וציאר רד"ל כמו שכתוב צצליהו וישאל את
נפשו למות

וזרצנו בחיי ככד הקמח (כפורים א') הביא "ויונה לא עשה כן אלא הלדיק עליו את הדין
והיה צועח צהקצ"ה שיזילהו כשם שהוא מזיל את הלדיקים וכו'"

ועוד אצקש מחילה וסליחה מכתר"ה על הרימי ראשי להעיז פני לענות פני המלך אבל
לרכי עמינו דחפוני. ואתו הסליחה.

והודות רבות על הזדקקות כתר"ה צנדון זה.

תלמידו מכבדו ומטריאו

פינחס יהושע הכהן

KNEELING

Dear Rabbi,

I am having some difficulty proceeding in my recovery. My sponsor (not Jewish) is telling me that I should get on my knees (literally) and ask God to help me. I know that my mother always told me, "We Jews don't get on our knees, certainly not to Daven (pray) that way; that's what the Goyim do!!" I know that she would "turn over in her grave"; if she knew that I would consider Davening on my knees.

So Rabbi, What's the "real deal"? What does the Torah (Halacha) really say about this? Can I Daven on my knees? Etc. Is what my mother taught me another one of those Bubba Ma'aseh's; or is there some substance to it and if so, can you offer me a substitute for my sponsor and my recovery?

As always, thanks for your help.

Charna B.

Dear Mrs. B.

The great Halachic authority, Rav Yaakov Hagiz (early 1600's), in his famous work "Halachos Ketanos" poses this exact question. His answer is surprising so below I will insert the exact text and free translation. He, in essence, encourages it! Only, 1-community leaders, 2-when praying on behalf of the community 3-in PUBLIC, should refrain from doing so.

Below find the exact text and here is a free translation: "Indeed the more humility demonstrated during Tefilla, the better; and therefore it is very commendable to Daven on one's knees. However, a word of caution to community leaders! Just as we find that other intense demonstrations of devotion such as Kida (bringing the head to the floor from a standing position) and Hishtachavoyo (Full prostration) should not be practiced by community leaders when Davening for the community in public,

unless they are certain that Hashem will respond to them affirmatively, as experienced by Yehoshua ben Nun; so too this restriction would apply to Davening while kneeling as well.”

צ"ד) שאלה אם מותר להתפלל בצרכיה: תשובה כל
כמה דכ"ף איניש בתפילה עפי מעלי אלף
דמטעם דאין אדם רשאי ליפול על פניו אלא כ מוכט
לו שיענה כיהושע (תענית י"ד) מטעם זה אין להחיר
הצרכיה. ואין לומר דהכורע על צרכיו אין קרוי עומד
דהא כיון דרוב גופו צעמידה יש להחשיבו עומד אם
נופץ ארכובותיו בארץ ושאר כל הגוף עומד והא דעמוד
על רגליך כל הרגל עד הארכובה נקרא רגל דהא ביבמה
כתיב וחללה נעלו מעל רגלו ותנן (יבמות ק"ה) מן
הארכובה ולמטה חלינתה כשרה והא דאמרו [באהע"ז
סי' קס"ט ע"י ר"ב] ביבמה שלא תהא יושבת על צרכיה
היינו שהצרכים בארץ והיא סומכת גופה ויושבת עליהן
ודוק. וכן בשלמה הוא אומר ויקם מכרוע על צרכיו
וקרי ליה תפילה [ע"י שמש לדקה או"ח סי' כ"ד]:

This Halachic position is vigorously corroborated by yet another Halachic authority, the Shemesh Tzedoko of the late 1600's (referenced in inset above and reproduced in inset below). This latter Rav and Posek actually records the objections that he had raised and that were refuted by the recognized Halachic authorities of his time.

מעשה הכפרות בעוה"ך וסיים מי שדעתו רחבה מדעתי יתרוך דברי הנאמר ויטל
 ברכה יולא חנע המכהג ולא לנלג עליו ואם נתכטלה הכריעה על הכרכים בטעת
 התפלה כבוד הרב הגל בחקומו מוכח לא מטום אל חלכו וגו' נגעו בה לנבלה
 אלל או מפני שהיה גורה טאין רוב הכבוד יכול לעמוד בה לטרחח להו מילתא
 טובח או מהטעם עמיו דאין אדם רנחי ליפול על פניו אלא מוכטח לו טיענה
 כיהוטי וכמו שהטיב הרב כהל לקט כסי ג' ד' וחי לאו הלי טעמח לל היינו
 חוסכו לחוקות העמים רחיה לדבר טכטנת תס' ח עורני עומד לפני ה' לטרת
 בק'ק פאדווה אגר בו נהנו הא'כנוים חיוי קדם טט' כחורת תפלות יוה"ך
 כסמניע להתודות ולומר העל"ח כל לו דרך ימין הכיתה ומחויי את פניו ללפון
 וכורט על ברכיו ומתודה ואח"כ חוור לחקומו • ומטום מעשה שהיה טבעו'ה לריב
 ומנה גמו בטנה היחי והכו זה אל זה באגרוף רטע • מוח'רר יחכ'ם ול בקעה
 חנח וגדרה ואון וחקר ומקן כחאו והלחה כל הקהל יתודה בכריעה עם הס'ס
 ככל הד' תפלות והיה רע עלי המעשה הזה מטום ובחוקותיהם לא תלכו והמתקתי
 סודי עם מהר'ט ניפה ול בוניטו'ה ומוה'רר מרדכי באתן בויוונה והסובני
 חאין טום חסס' איסור בדבר דנהר'ה נהר'ה ופטייה • וכמה שהעידו בטס ת'ו

So Mrs. B., it seems quite definite that your mother's directions, albeit well-meaning, were, nevertheless, since it is concerning, 1) a "private citizen" 2) asking for one's self, and 3) in private; were overzealous and inaccurate; Or as you put it, another Bubba Ma'aseh! So by all means, if your sponsor is directing you, for the benefit of your continued recovery, to exercise greater humility and beg Hashem literally "on your knees", then do so! I know many in recovery whom experienced wonderful epiphanies, when so doing.

May you also be Zocheh!

Sincerely,
 Rabbi Kaganoff

**12-Step Recovery and the
Mental Health Professions -**

**A Translation and
Interpretation
of the Differences in
Semantics/Terminology**

Making Meaning of Alcoholics Anonymous for Social Workers: Myths, Metaphors, and Realities

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Alcoholics Anonymous (AA), the increasingly popular mutual-help program for alcoholics, is often criticized for being just another substitute addiction, emphasizing "powerlessness" to already disenfranchised groups, being a religion or cult, adhering to a medical model of disease instead of a strengths perspective, and other such areas of concern to social workers. Many of these interpretations are based on viewing AA as an alternative treatment model or a rational service delivery model. This article addresses common critiques of AA by offering a way of understanding it as a "normative narrative community," where identity transformation takes place through the use of metaphor and storytelling. The article suggests alternative meanings of key metaphors, such as "powerlessness," describes areas of program strength and potential barriers for social workers, and reviews current research on AA effectiveness.

Key words: Alcoholics Anonymous; mutual-help groups; narrative communities; referrals; self-help groups

The meaning of the term "Alcoholics Anonymous" (AA) varies, depending on how one sees oneself in relation to this increasingly popular mutual-help program for alcoholics. (The word "alcoholic" is used in this article to refer to someone dependent on alcohol, consistent with its use in the AA program.) Social workers have variously described AA as "a set of principles developed by alcohol-dependent men" (Nelson-Zlupko, Kauffman, & Dore, 1995), "a very successful model 'for self-help groups'" (Berkman, 1989, p. 63), and disempowering to women (Rhodes & Johnson, 1994).

Some feminists (Kasl, 1992) have dismissed it as another white, middle-class male organization that enjoins women to depend on "having a High Power, which is usually described as an all-powerful male God" (p. 150) and to follow one specific journey to recovery "as defined by privileged males" (p. 147). For other feminists, the meaning of AA is quite different; Covington (1994) saw it as a "model for mutual-help programs" within which "women can find the most powerful resources for healing" (p. 4). Some researchers have concluded that "without question AA involvement has been associated with vast numbers of alcohol-dependent individuals becoming abstinent for long periods of time" (Emrick, 1987, p. 421), although others have questioned whether it is even possible to assess the effectiveness of this organization in any kind of scientific manner ("Treatment of Alcoholism," 1996). Perhaps the greatest meaning of AA, from the vantage point of the individual sober member, is that "through its program he (she) attained sobriety" (Kurtz, 1979, p. 157).

Social workers may need more information about Alcoholics Anonymous to determine their own meanings and interpretations of the controversies surrounding this program. Although related disciplines have published many articles to inform their members about AA and about ways to use this organization to benefit their clients, a review of the literature reveals little recent information on this topic in social work journals. Sometimes the information that is offered is too limited, such as the statement in the recent *NASW News* article (Landers, 1996) that "the traditional Alcoholics Anonymous program, well-known as an effective recovery program for men, does not work as well for women, according to experts in the treatment field" (p. 3). This statement, which implies that AA is not very effective for women, does not identify the "experts" and does not take into account the steadily increasing membership of women in AA. In 1992, women under 30 constituted an estimated 43 percent of AA members, and women of all ages constituted an estimated 35 percent of members, compared with 30 percent in 1983 and 22 percent in 1968 (AA World Services, 1993).

This article addresses concerns about women and other criticisms social workers may have of AA by reframing the meaning of AA from an alternative treatment or service delivery model to an understanding of AA based on metaphor, using Rappaport's (1993) concept of "normative narrative communities" (p. 239). The article describes areas of program strength and potential barriers for social workers (and consequently for their clients) and reviews the research findings on the efficacy of this program.

We chose to focus on Alcoholics Anonymous for two reasons. First, it is the prototype for other mutual help groups that have adopted the 12 Steps and Traditions. And second, it offers help for the least exotic and most prevalent (except nicotine) -but very damaging- addiction. We draw from a variety of professional and personal experiences, including work with paraprofessional helpers, refugee women, disenfranchised people, and addicted individuals, and from years of sitting in many hundreds of AA meetings, as well as from an increasing body of literature dedicated to a deeper understanding of Alcoholics Anonymous. It should be understood that the authors do not and cannot

speak for AA (AA literature on various topics can be obtained by writing to Alcoholics Anonymous, Box 459, Grand Central Station, New York. NY 10163).

Thumbnail Sketch of Alcoholics Anonymous

Alcoholics Anonymous is an approach to recovery from alcoholism developed by and for alcoholics around 1935, at a time when alcoholism was considered hopeless by the medical profession and a moral failing by almost everyone. Bill Wilson and Dr. Bob Smith, both late-stage alcoholics and desperate for an alternative, joined to create anonymous support meetings that borrowed principles from the Oxford Group (a nondenominational Christian movement) and created other principles important to the recovery from alcoholism as they experienced it. Their ideas were eventually written in a book so thick and bulky that the original volume of *Alcoholics Anonymous* (AA World Services, 1939) was called "the Big Book." a title affectionately, and perhaps metaphorically, used by AA members ever since, even though after several revisions it is now a regular-sized book (Kurtz, 1979).

At the heart of the AA program are the following 12 principles "suggested" for recovery, called the 12 Steps of Alcoholics Anonymous:

1. We admitted we were powerless over alcohol - that our lives had become unmanageable.
2. Came to believe that a Power greater than ourselves could restore us to sanity.
3. Made a decision to turn our will and our lives over to the care of God *as we understood Him*.
4. Made a searching and fearless moral inventory of ourselves.
5. Admitted to God, to ourselves and to another human being, the exact nature of our wrongs.
6. Were entirely ready to have God remove all these defects of character.
7. Humbly asked Him to remove our shortcomings.
8. Made a list of all persons we had harmed, and became willing to make amends to them all.
9. Made direct amends to such people wherever possible, except when to do so would injure them or others.
10. Continued to take personal inventory and, when we were wrong, promptly admitted it.
11. Sought through prayer-and meditation to improve our conscious contact with God, as we understood Him, praying only for knowledge of His will for us and the power to carry that out.
12. Having had a spiritual awakening as the result of these steps, we tried to carry this message to alcoholics, and to practice these principles in all our affairs. (AA World Services, 1976, pp. 59-60)

These are specific individual actions, spiritual in nature, and "guides to progress, not

perfection" (AA World Services, 1976, p. 60). They were painstakingly designed by fellow alcoholics to help a person obtain sobriety and make the spiritual transformation necessary to create a sober life worth living. For the developing AA groups to survive and function effectively, a set of principles called the 12 Traditions evolved to set forth a working philosophy for this mutual help community. The foreword to the second edition of *Alcoholics Anonymous* (AA World Services, 1955) explained the 12 Traditions as they apply to community:

No alcoholic man or woman could be excluded from our Society Our leaders might serve but never govern Each group was to be autonomous and there was to be no professional class of therapy There were to be no fees or dues There was to be the least possible organization, even in our service centers Our public relations were to be based upon attraction rather than promotion. . . . All members ought to be anonymous at the level of press, radio, TV and films ... and in no circumstances should we give endorsements. make alliances. or enter public controversies, (p. vii)

These 12 guidelines for a "nonorganization," although not so familiar as the 12 Steps, have facilitated the creation and stability of more than 87,000 groups with more than 1.5 million members throughout the world at last count (AA World Services, 1993). The program is recognized by many professionals as one of the most effective and user-friendly resources for helping alcoholics (Riordin & Walsh, 1994).

Attributes of the program important to many social workers include the lack of dues or fees, its availability in small towns, and the fact that in medium to large cities the program usually offers an array of options for a variety of groups (such as women, veterans, elders, Native Americans, Hispanics, gay men, lesbians, newcomers, and even a group for Grateful "Deadheads" called the "Wharf Rats" [Epstein & Sardiello, 1990 J). Also, transportation for house-bound people or out-of-town visitors is frequently arranged through voluntary help from members who are "on-call" for such circumstances.

Realities of the Research Knowledge Base

In spite of methodological problems aggravated by the anonymous, voluntary, self-selection of AA membership, there is evidence to indicate that AA is a very useful approach for alcoholics who are trying to stop drinking. Emrick's(1987) review of surveys and outcome evaluations of AA alone or AA as an adjunct to professional treatment indicated that 40 percent to 50 percent of alcoholics who maintain longterm, active membership in AA have several years of total abstinence while involved; 60 percent to 68 percent improve, drinking less or not at all during AA participation. A meta-analysis by Emrick, Tonigan, Montgomery, and Little (1993) of 107 previously published studies found that greater AA involvement could modestly predict reduced alcohol consumption.

Involvement or active participation in AA processes (such as "working the 12

Steps"), rather than just attendance at AA meetings, was related to positive outcomes in these findings and supported in other studies (Montgomery, Miller, & Tonigan, 1995; Snow, Prochaska, & Rossi, 1994).

Recent findings also suggest that length of AA attendance is correlated with months of abstinence (McBride, 1991). Combined with formal treatment programs, attendance at AA was found to be the only significant predictor of length of sobriety in a 10-year follow-up study of male and female patients, suggesting successful outcomes for people involved with both (Cross, Morgan, Mooney, Martin, & Rapter, 1990). Other studies support the idea that AA is beneficial as an adjunct to formal treatment and when used as a form of after care (Alford, Koehler, & Leonard, 1991; Walsh et al., 1991).

These positive findings do not satisfy the skeptics. Major criticisms include the large percentage of alcoholics who drop out of AA (according to AA's own survey, 50 percent after three months) (Chappel, 1993; Galaif & Sussman, 1995); contradictory studies indicating that AA works no better than other approaches, including no treatment (Miller & Hester, 1986, Peele, 1992); and findings that indicate no significant relationship between AA attendance and outcomes (McLatchie & Lomp, 1988; Miller, Leckman, Delaney, & Tinkcorn, 1992). In addition, methodological problems endemic to research on AA lead some researchers to dismiss such attempts as mere exercises in speculation ("Treatment," 1996). For example, despite years of research, no definitive picture has emerged of the personal characteristics that can predict a positive or negative outcome with AA (Tonigan & Hiller-Sturmhofel, 1994).

In the meantime, there is adequate (although not perfect) evidence to suggest that many alcoholics who become involved in AA find something they can use to improve their lives on a long-term basis (Chappel, 1993) and, consequently, that social work professionals and their clients can benefit from more knowledge of this potentially valuable resource. Emrick (1987), after his extensive review of the findings from the empirical literature, concluded that although AA is not for everyone (particularly not for those who just want to reduce their drinking), "nevertheless, AA has been demonstrated to be associated with abstinence for many alcohol-dependent individuals and thus the professional who comes in contact with alcoholics should become familiar with AA and utilize this self-help resource whenever possible" (p.421).

Myths and Metaphors of Alcoholics Anonymous

Alcoholics Anonymous describes itself as a "simple program" that has only one requirement for membership – "a desire to stop drinking" - and one primary purpose -"to carry its message to the alcoholic who still suffers" (AA World Services, 1976, pp. 58, 564). The apparent single-mindedness of this

nonpolitical, selfsupporting program masks a remarkably subtle and, in some ways, counterestablishment worldview that challenges dominant cultural expectations regarding hierarchy, power, and models of helping. Because the language of AA is the language of narrative and metaphor, it is easily misunderstood outside the context of lived experience and of the meaning-making of the membership as a whole. It is not surprising that AA is miscomprehended and misinterpreted. Flores (1988) noted that many critics of AA "fail to understand the subtleties of the AA program and often erroneously attribute qualities and characteristics to the organization that are one-dimensional, misleading, and even border on slanderous" (p, 203). AA has been called a "cult," as well as "unscientific," "totalitarian," and "coercive" (Flores, 1988).

Common criticisms include the following:

- that AA takes power away from groups that are already disenfranchised (such as women)
- that AA adheres to the medical model of disease, not a strengths perspective of wellness
- that the program is a substitute addiction
- that AA requires total abstinence
- that AA is a religion or cult with a suspiciously white, male, dominant-culture, Christian God
- that AA forces people to constantly degrade themselves by introducing themselves as alcoholics
- that AA meetings are undependable because the meetings are run by nonprofessionals.

Because a lack of information and understanding is the most important factor in social workers' reluctance to refer clients to self-help groups (Kurtz & Chambon, 1987), these criticisms require examination. What follows is an attempt to increase social workers' understanding of the AA program that aims to avoid the pitfalls of what Wallace (1983) called the unwary translator of AA who "may find himself banging *away* at the concrete rather than flowing with the analogy" (p. 301).

Framing AA as a Narrative-Community, professional service providers who conceptualize their work as consisting of treatment, clients, and service models often understand AA as an alternative treatment model. This understanding, according to Rappaport (1993), is limited for gaining insight into what AA means to those who join. For a different understanding, he proposed reframing the meaning of AA (and other mutual help groups) in terms of a narrative perspective: "In its simplest form, the narrative approach means understanding life to be experienced as a constructed story. The stories that people tell and are told are powerful forms of communication to both others and one's self. Stories order experience, give coherence and meaning to events and provide a sense of history and of the future" (Rappaport, 1993, p.240).

The stories are told in community, and these communities have powerful narratives about change and about themselves and their members. In this sense AA can be seen as a "normative structure in social experience" (Rappaport, 1993, p. 246). It is a "normative structure" because it is more comparable to other voluntary associations of people 'living lives,' such as religious organizations, professional organizations, political parties, and even families, than it is to a social services agency setting where clients come to receive services from professional helpers. In the narrative framework, people joining AA are not help seekers in search of treatment, but story tellers who through telling and listening transform their lives. Personal stories become narratives that define a "caring and sharing community of givers as well as receivers, with hope, and with a sense of their own capacity for positive change" (Rappaport, 1993, p.245).

Consistent with postmodern thought, the narrative perspective embraces the idea that personal reality is itself constructed, as in a life story, and therefore has the capacity to be reconstructed throughout a person's life. In other words, as narrative therapists would say, "people make meaning, meaning is not made for us" (Monk, Winslade, Crocket, & Epston, 1997, p. 33). The AA community provides a safe harbor and a rich tradition of stories one can use to reconstruct one's life story from that of a "hopeless alcoholic" to a person with "experience, strength, and hope." Hearing things in the stories of others can offer hope that one's own life can be changed. For example, Smith (1993) cited one woman's experience in her early days in AA: "A man I met told me that if I didn't think I belonged, I should hang around and I'd hear my story. Then a few weeks later, this girl got up and as she spoke, it started to dawn on me. I was so engrossed Every word she said I could relate to where I had come from. Here was this woman with seven or eight years in the program telling my story (p, 696)!"

Smith (1993) elaborated on the process of individual integration into the "social world" of AA by describing how each step in the process of affiliation (attending meetings, sharing "experience, strength, and hope" in meetings, getting a sponsor, working the 12 Steps of recovery, doing service work to help other alcoholics) enhances the person's comfort level in forming new relationships with others. It makes it possible for them to take some risks and experience small successes, enhances self-esteem, and leads to further commitment to the community. Understanding AA in a narrative framework -as a context where people tell stories about their lives within a community -implies a conceptual shift from a rational (service delivery) model to a metaphorical (spiritual) understanding. This shift to the metaphorical is the framework for the following interpretations of the meanings of AA.

Metaphor of Powerlessness

"Giving in is the greatest form of control" is a *koan* (a mental puzzle used by practicing Buddhists as meditation material to further enlightenment) created by "solution-focused" therapists to help a practicing Buddhist client translate the first step of AA into something consistent with her Buddhist beliefs (Berg &

Miller, 1992, p. 5). It is also a good example of how the language of AA can be understood as metaphorical. A parallel metaphor more familiar to Christians might be, "to gain your life you must first lose it."

Step 1 of the 12 Steps of Alcoholics Anonymous – “We admitted we were powerless over alcohol-that our lives had become unmanageable”-is the foundation of recovery for alcoholics trying to get well through the AA program (AA World Services, 1976; Chappel, 1992; Covington, 1994; Kurtz, 1979). However, from a rational viewpoint, it is also the stumbling block for many professionals concerned that AA pushes "powerlessness" on people who are already powerless in the dominant culture. Wetzel (1991) voiced the following concern regarding women: "The 12-step program reinforces one's belief in one's powerlessness and the necessity to relinquish the self to a 'higher power' (something most women have been doing all their lives in a secular sense)" (p. 23).

For someone who is not addicted to make sense of step I, it is helpful to view it from inside the experience of addiction and to look at the miserable state of affairs most women and men face when they first begin the road to recovery. The lived experience of the alcoholic, as one woman observed, is “an endless cycle of 'I'll do better tomorrow” and of course I was always drunk again by 9 o'clock that night" (Davis, 1996, p. 154). A study of recovering alcoholics attending AA revealed an extremely high rate of psychological distress in the first three months of recovery comparable to that of psychiatric inpatients (DeSoto, O'Donnell, & DeSoto, 1989). The authors commented, "with a life situation in disarray, suffering a protracted withdrawal syndrome, and experiencing cognitive deficits, it is a challenge indeed for an alcoholic to abstain from the drug that promises at least temporary relief” (p, 697).

The hard facts of being out of control with the addiction, no matter what one tries to do, and recognizing that one's life is in shambles roughly translates to the understanding of "powerlessness" that is the starting point in the AA program. AA invites people who declare themselves eligible to survey their world and to embrace the idea of step 1: "I am powerless over alcohol, and my life has become unmanageable" (AA World Services, 1976, p. 59). In other words, step 1 says face the reality and give up the illusion that you are in control. If people have doubts about their status, the Big Book suggests that they figure it out for themselves, experientially: "Step over to the nearest barroom and try some controlled drinking. Try to drink and stop abruptly. Try it more than once. It will not take long for you to decide, if you are honest about it. It may be worth a bad case of the jitters if you get a full knowledge of your condition" (AA World Services, 1976, p. 31). The organization invites those who have "lost the power of choice in drink" and have "a desire to stop drinking" to join the fellowship (AA World Services, 1976, pp. 24, 58).

Accepting the metaphor of powerlessness, and thereby accepting individual limitations, goes against the dominant Western cultural message of "pulling yourself up by the bootstraps," independence, competition, and will power. Bateson (1972) suggested that AA provides a paradoxical metaphor (much like the koan at the beginning of this section) in that "the experience of defeat not only serves to convince the alcoholic that change is necessary; it is the first step in that change To be defeated by the bottle and to know it is the first 'spiritual' experience" (p. 313). Kurtz (1979) interpreted this as a necessary step for alcoholics to alter their views of themselves from omniscient to "not God": "Every alcoholic's problem had first been, according to this insight, claiming Godlike powers, especially that of 'control.' But the alcoholic at least, the message insists, is not in control, even of himself; and the first step toward recovery from alcoholism must be admission and acceptance of this fact that is so blatantly obvious to others but so tenaciously denied by the obsessive-compulsive drinker" (p. 3).

*AA's concept of
powerlessness is very different from the meanings of
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The AA notion of powerlessness in the context of such group narratives transforms the alcoholic's competitive stance with those who have tried to force him or her to stop drinking into complementary relationships with other alcoholics who are in the same boat, in the same meeting, and weaving and sharing similar stories of "experience, strength, and hope." Therefore, powerlessness in this context is a metaphor of connectedness, not isolation. Brown (1994) called AA's concept of powerlessness a "power from within model" instead of a "power over" model (p. 26). Similarly, Riessman (1985) called it "self-help induced empowerment"; he stated that "when people join together with others who have similar problems to deal with those problems ... they feel empowered; they are able to control some aspect of their lives. The help is not given to them from the outside, from an expert, a professional, a politician" (p. 2).

AA's concept of powerlessness is very different from the meanings of powerlessness associated with contemporary social and behavioral sciences, such as alienation, anomie, victimization, oppression, discrimination, and poverty (Berkman, 1989). Understanding this alternative meaning of powerlessness is helpful in resisting the temptation to oversimplify and interpret AA language in terms of social science terminology instead of the language of transformation.

Metaphor of Disease

AA is often criticized for its support and promulgation of the "disease concept" of alcoholism (Rhodes & Johnson, 1994; Riordan & Walsh, 1994), especially by some social workers who adhere to the strengths perspective. These two concepts have been presented as competing metaphors. The disease concept is negatively described as emphasizing the pathological, not the healthy; physicians and clinicians assume an expert role, clients are in denial and not responsible for their predicament, and recovery goals are designed and directed by treatment staff. The strengths perspective is optimistically portrayed as emphasizing wellness: helping relationships are nonhierarchical and collaborative, and recovery goals are coconstructed by facilitators and clients (Evans & Sullivan, 1990; Rapp, 1997).

Although these comparisons may not do justice to either metaphor, the discourse continues to be fueled by the current interest in collaborative models of helping (feminist, narrative, solution-focused, and motivational interviewing models) and perhaps a desire to set these models apart from the medical model of helping. Further obscuring the issue of alcoholism as disease is the general inability to agree on just what "alcoholism" is, to achieve consensus on what constitutes "disease," or to agree on a single theory that adequately describes the etiology of alcoholism (McNeece & DiNitto, 1994).

Apart from the controversy, the disease concept has provided a means of expanding the diagnosis and treatment (and funding of treatment and research) of alcoholism and has done a great service in relieving the burden of guilt from both alcoholics and their family members (Burman, 1994).

In theory the AA program leaves the debate to the professionals; it treats the controversy of alcoholism as disease simply as an "outside issue," following the principle of the 10th Tradition of AA, which states, "Alcoholics Anonymous has no opinions on outside issues; hence the AA name ought never to be drawn into public controversy" (AA World Services, 1976, p. 564). Although the Big Book avoids the term "disease," it does use the terms "malady," "illness," and "allergy" to suggest the hopelessness of the condition of active alcoholism. Kurtz (1979), in his historical analysis, stated that Bill Wilson (cofounder of AA) "always remained wary of referring to alcoholism as a 'disease' because he wished to avoid the medical controversy over the existence or non-existence of a specific 'disease-entity'" (p. 22). It is somewhat ironic that in many current versions of the controversy, AA is linked firmly to the promulgation of the disease concept (for example, Burman, 1994; Rhodes & Johnson, 1994).

However, as Kurtz (1979) suggested, "the Alcoholics Anonymous understanding of alcoholism begs for exploration within the insight that disease can also be metaphor" (p. 200). Disease as metaphor has been prevalent

throughout history, including leprosy as "sin," the black plague of decaying Europe, the "white death" of tuberculosis in the slums of industrial cities, and the malignancy of cancer in the postmodern era of uncontrolled growth and greed. "Alcoholism" and "addiction" are similarly metaphors for modern-day isolation and despair.

Many individual members of AA see "alcoholism" as a three-fold "disease" involving spiritual, mental, and physical factors. This view implies a holistic frame familiar to adherents of Native American traditions, Christian creationist philosophy, and Buddhist meditation, among others. Modern isolation and disconnectedness can be understood as arising from a foolish and doomed attempt to separate these unified parts of the whole person. To be fully human (and in the case of the alcoholic, to want to live sober), the physical, mental, and especially spiritual parts must be integrated. AA members attempt to live out this metaphor on a practical level by working on a spiritual program that attends to the physical, mental, and spiritual needs of the alcoholic who still suffers.

Metaphors of Dependence, Independence, and Interdependence

Another major criticism of AA is that it promotes dependency in the alcoholic by providing a substitute addiction or "crutch" (Walant, 1995). This is assumed to be bad, because it goes against the modern idea that the cure for dependence is absolute and total independence (Kurtz, 1979). Inherent in the metaphor of the dominant culture is the notion of self-reliance. In contrast, the AA approach to extreme dependence (alcoholism) is to embrace the metaphor of connectedness. AA teaches that humans are limited and dependent on other humans. Connecting with others through the fellowship of meetings, sponsors, and AA-sponsored events are ways to strengthen one's identity, not shrink it. As one woman remembered, "by the end of the meeting I knew I was at home. I belonged there. Someone told their story and more than anything I felt connected to people again that I hadn't done in so long" (Lundy, 1985, p. 137). According to Van Den Bergh (1991), the opportunity for human connection may explain some of the increase in participation in 12-step groups today: "Patriarchy engenders isolation and anomie; recovery groups provide an antidote to the pain and angst of believing one is alone. Individuals come together to share their 'experience, strength and hope'; through that process a feeling of personal empowerment as well as community affiliation is experienced" (p. 27).

The same criticisms about "creating dependence" are aimed at psychotherapy, welfare assistance, certain religious communities, mothers, or any other entity that offers a port in the storm of life. In spite of the dominant cultural suspicion that there is "something undesirable about all dependence" (Riordan & Walsh, 1994, p. 352), levels of dependence usually shift naturally as a person becomes more stable. In AA newcomers may spend entire days in meeting after meeting, and it is routinely suggested that they attend "90 meetings in 90 days". As the

length of sobriety and stability increase, participation generally shifts to helping others (making coffee, chairing meetings, sponsoring others). Many "old-timers" with years of sobriety continue participating to provide sponsorship and support for newcomers, and they depend on AA meetings to help them maintain their spiritual program, not just their sobriety. Independence in the American sense of "doing it alone" is not the goal; instead, the individual (isolated by alcoholism and an array of negative social consequences) is taught in small steps how to depend on others and how to allow others to depend on him or her.

One Day at a Time

The basic text of Alcoholics Anonymous (AA World Services, 1976) suggests that "for those who are unable to drink moderately the question is how to stop altogether We are assuming, of course, that the reader desires to stop" (p. 34). A fundamental concept of the AA program is the need for self-assessment; its basis is the belief that all alcoholics want to stop drinking precisely because their own experience and numerous experiments tell them they can no longer control it once they start. The voluntariness of this approach is often not emphasized by alcohol treatment programs, court systems, licensing boards, and certain employers who require abstinence, drug testing, and attendance at AA meetings. In contrast, AA members who begin working with other alcoholics are advised to "be careful not to brand him as an alcoholic Let him draw his own conclusion" (AA World Services, 1976, p. 92). AA recommends their program only to those who realize, as a result of their own self-assessment, that they can no longer control their drinking.

However, abstinence (in the sense of "never drink again") was considered too unrealistic, too absolute, and perhaps too frightening to the alcoholics who created the AA program. Instead, they developed the idea of limited control, that is, not drinking "one day at a time," instead of forever. According to Kurtz (1979), this message serves both to "protect against grandiosity and to affirm the sense of individual worthwhileness so especially important to the drinking alcoholic mired in self-hatred over his failure to achieve absolute control over his drinking" (p, 105).

The concept of limited control and the embracing of human fallibility are other examples of how the AA program stands apart from the dominant culture's obsessive drive for perfection. Several AA slogans underscore the concept of limited control, such as "progress not perfection," "easy does it," and "one day at a time." Recovery is seen as an ongoing process, more in tune with the feminist principle of emphasizing "process not product" (Van Den Bergh, 1991).

The AA premise of stopping drinking "one day at a time" is certainly not the only approach to recovery. Other approaches and resources that have had some reported positive outcomes include acupuncture, biofeedback, pharmacotherapy (such as methadone maintenance for heroin addiction and antabuse and naltrexone for alcoholics), behavior modification, cognitive restructuring, and traditional

Minnesota model treatment programs that range from intensive inpatient to outpatient services and that are usually abstinence oriented. The problems, consequences, and social context associated with alcoholism are so varied that a single treatment strategy is unwise ("Treatment," 1996). The AA program does not take a stand on various treatment strategies, saying instead "upon therapy for the alcoholic himself, we surely have no monopoly" (AA World Services, 1976.xxi).

In the addictions field, programs or research that suggest that an alcoholic can return to "controlled drinking" are seen as diametrically opposed to the AA premise of stopping drinking (McNeece & DiNitto, 1994; Riordan & Walsh, 1994). On one level of meaning, it is not surprising that the idea of teaching an alcoholic controlled drinking strikes the AA member as absurd, because in AA the alcoholic is self-defined as a person who cannot control his or her drinking. For those who can control it (through whatever means), the message is "our hats are off to him" (AA World Services, 1976 p. 31),

On another level of meaning, focusing on controlling drinking misses the point. According to AA, the alcoholic that has lost control does not just have a bad habit and does not just need to stop drinking. That is only the first step in eliminating an "alcoholic" lifestyle based on self-centeredness, immaturity, and spiritual bankruptcy (Flores, 1988; Kurtz, 1979) Because AA views the alcoholic as having a three-fold problem, involving mental, spiritual, and physical suffering, eliminating drinking is only the first step, although it is both necessary and essential, to begin the process of recovery.

Metaphor of a Higher Power

Lamb of God, Ancient Thing, Buddha, Yahweh, Love, Truth, Oneness, the Light, Mother God, Mother Nature, God, the Thursday evening "Insanity to Serenity" AA meeting, the Friday 7 AM "Eye-Opener" meeting: All of these terms and many others may describe an AA member's Higher Power. The encouragement to choose the nature of this power is a freedom that underlies the spiritual nature of the AA program and distinguishes it from an organized religious program. The emphasis is not on what kind of Higher Power is embraced, but rather an acceptance of the idea of human limitations and "a Power greater than ourselves." In AA meetings, this is often expressed by a variation on step 2 ("Came to believe that a Power greater than ourselves could restore us to sanity"): "We *came*, we *came to*, we came to *believe*."

For some, the Higher Power is located within the self. For example, in Covington (1994), Maureen described how important it was to let go of the "ego" on the outside and seek the "bigger self" inside: "Developing a sense of self is critical to my well-being There is a power in me that's greater than the small self I've been accustomed to; it's larger than the way I've been trained to think about who I am. It's my soul-self. In cooperating with it, I surrender to a part of me that carries wisdom and truth. It brings me back into harmony and balance with myself - that's what spirituality is for me" (p.35).

Step 2 and Step 3 ("Made a decision to turn our will and our life over to the care of God *as we understood Him*") (AA World Services, 1976, p. 59) are the spiritual cornerstones of the AA program. These two steps suggest that alcoholics connect with the healing energy ("grace," "Godness") of the world and within themselves and become receptive to spiritual guidance, whether the source be the wisdom of their AA group on staying sober or some other version of a power greater than themselves. A literal reading of these two steps has been interpreted by some feminists (Kasl, 1992) as sacrificing and martyring oneself for the sake of others, notably men. However, as Clemmons (1991) noted, step 3 "does not promote this kind of detrimental repression, but it does suggest that we must be willing to let go of people and situations outside of our control. ... 'Letting go' halts the alcoholic/addict's efforts to control the uncontrollable and focuses on developing and listening to the true self" (p. 104). In other words, power is seen not in relational terms with other people, but vis-a-vis the addiction. The power of the alcohol or the "small self," as Maureen put it, is "let go" through the shift to accepting a Higher Power.

AA is fundamentally a spiritual program (Kurtz, 1979). Many social workers have difficulty with this position; as a profession, they have historically focused rationally on the temporal conditions of clients and their environments, excluding the spiritual. In that mindset it is easy to misconstrue AA's concept of Higher Power as religion and the metaphor of "letting go" of "things we cannot change" as passive dependence.

Storytelling as Metaphor

Many observers of AA fail to grasp the complex and metaphorical meanings of common terms and practices as they are used by AA members. Wallace (1983) noted that "the extended meanings that characterize the AA language system will continue to elude external observers who remain at literal, concrete levels of analysis and fail to consider the nature of symbolic communication and the purposes it serves in complex social contexts and transactions" (p. 302). For example, it is common practice (but not required) to introduce oneself in AA meetings with one's name, followed by, "and I'm an alcoholic." As members talk, they identify themselves by their first name only, not their profession, not their family name, not where they live. The practice of anonymity is considered by many AA members to be a spiritual necessity for recovery (Chappel, 1992).

This greeting has been interpreted by some critics to be a countertherapeutic reinforcement of a negative label ("alcoholic")' but as Smith (1993) pointed out, "it is understood by AA members that the word takes on a different and positive meaning in the context of AA" (p. 702). Using Wallace's idea of illustrating how a common AA slogan can have various meanings depending on the context, the meaning of the "I'm Joe, and I'm an alcoholic" greeting in the context of an AA

meeting could be any or all or none of the following:

1. I have faced the reality that I am an alcoholic and cannot control my drinking.
2. I have suffered and caused others to suffer, just like you.
3. I don't buy in to the shame attached to this label by the outside world.
4. Even though I am an alcoholic and my natural state would be to be drinking, I'm sober today and participating in this meeting to help my mental, spiritual, and physical recovery.
5. Even though I'm not drinking today, there is a part of me that is immature and self-centered, spiritually bankrupt, egotistical, superficial - that is, an "alcoholic personality" that sometimes operates in the world in a "drunk mode" or "dry drunk mode." I claim this part of myself instead of trying to hide my problems by living under a superficial sheen of perfection.
6. I'm grateful to be an alcoholic because having this condition put me on a spiritual path that I never would have found otherwise.
 - i. I'm not unique, better than, worse off, or any different from any of the rest of you in this meeting. We are here to confront a common problem and to help each other.

This list illustrates the extended meanings that can occur within the context of a particular meeting, depending on the circumstances and histories of the individuals introducing themselves. Central to the meanings of AA phrases

and language is a redefinition of the experience of being an alcoholic. A "practicing alcoholic" (one who is currently drinking) may be better understood in AA as practicing a flawed way of life dominated by self-centeredness, superficiality in relationships with others, and spiritual bankruptcy. The personal stories told in AA, "what we used to be like, what happened, and what we are like now" (AA World Services, 1976, p. 58), are vehicles for making sense of the chaos of the typical alcoholic's life by redefining it within this logic. As Marion described the process in Maracle (1989),

"The more I went to meetings, the more I heard what other people said; I'd come home and think about it. I'd reflect on my own life, far back, up close, when I started drinking, what happened, how much of my life was related to alcohol, drinking. That's how I began to connect the depression and the drinking. I began to connect information, to put pieces together. I'd really LISTEN at meetings. HEAR what people said. And think about it all. And about me. I got real serious about trying to understand." (p. 154)

Thune's (1977) analysis of AA from a phenomenological perspective argued that it is precisely because AA members are taught to reinterpret their alcoholic life stories as spiritually bankrupt that they can give meaning to a past filled with degradation and chaos and have hope for the creation of a different future. Thus, the AA approach to recovery, which aims for a transformed life based on spiritual principles instead of "alcoholic" strategies, is quite different from approaches to alcoholism as merely a disease or a bad habit to be reformed. The alcoholic's deeply individual transformation, within the context of

the narrative community, transcends the dichotomies of self-other, exemplifying the embedded interdependence of these communities.

An Invitation

Rappaport (1993) posited that it is through the telling and listening of stories that members of AA transform their lives; it thus is important for social workers to put themselves in a position - that is, to go to a meeting - to hear these stories and observe the context of the AA "narrative community" to understand it better. Attending one "open" AA meeting may not be sufficient to get a good idea of the range of ways the AA program is implemented. Montgomery and colleagues (1995) found a wide variation among AA groups in terms of their social structure and characteristics, such as cohesiveness, aggressiveness, and expressiveness. Visitors are invited to attend any meeting identified as "open". "Closed" meetings are reserved for those who wish to stop drinking.

Information regarding meeting times and schedules (which change frequently can be found in the yellow pages of the phone book under "Alcoholism" or in the classified ads in the local newspaper. In larger towns, the volunteers (never paid staff) of the AA central office for the area can provide the meeting schedule. Visitors and newcomers may be asked to identify themselves *by* their first names only when they attend an open meeting. As a respectful visitor, a social worker must honor this tradition (for further descriptions of AA steps, traditions, and meetings, see Chappel, 1992; Riordan & Walsh, 1994).

Conclusion

Much more could be said about the Alcoholics Anonymous process of recovery, but this article is limited to introducing social workers to the organization as a narrative community where identity transformation takes place through the telling of stories and the identification of personal meanings of metaphors. Instead of viewing AA as an alternative treatment model or a rational service delivery model. social workers are invited to shift their understanding of AA to a metaphorical and transformative (spiritual) framework. Making this shift is difficult for a profession that adheres to a practice model of "regarding people as recipients of services" and the principle that "the alternatives available to them are viewed as treatments or programs" (Rappaport, 1993, p. 241). In addition, the reality ("always there and typically ignored," according to Riessman, 1985, p. 2) is that the help given by our profession is embedded in the context of paid services, whereas the help provided by mutual aid groups such as AA is free of charge.

Although the habits of context and practice are very different between professional social workers and members of AA, there is some common ground. Both systems embrace empowerment, connectedness, and interdependence and, most important, the principle that people can change, regardless of how oppressed they find themselves by their circumstances. To better advise clients on their options, social workers are encouraged to discover their own meanings in the similarities and differences between

their professional practice and the mutual help offered by AA by experiencing first-hand the narrative community of AA and the hope it offers to many.

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אין דבר עומד בפני הרצון

(Ain Dovor Omed BiFnei HaRatzon)

“When There’s a Will;
There’s a Way!!”

Is this Torah Ideology?

(See pages 48-56 for background)

Chazon Ish

Rav Tzadok HaCohain

Zohar HaKodesh

ברוחו של שולם כמ"ס בברכות (ו): ע"פ
 כרוס זלמ"פ שהוא מרום מכל עיני שוה"ו
 כידוע. חפלה כעומד לפני המלך כמ"ס
 בעירובין (כד.) הכי דמי שיכור טו.
 והעומד לפני מלך מ"ה הקב"ה ודאי מרום
 מכל חמדת שוה"ו ומשרע"ה יזכיה לחם לא
 אכל וגו' שעמד בהר לפני ה' וא' (ברכות ו):
 אין עמידה אלא חפלה פי' עמידה לפני ה'
 הוא רק בחפלה. דאורייתא אחד בגופא
 דמלכא ונקרא איש אלהים בעלגא דמטרוניתא.
 אבל חפלה היא מערובה כמ"ס בחיקויים
 (סו' טו' יג) ברשא דמלכא דא גלגלא.
 ובג"א מזגלים פי' מזר מדריגת בג"א קרמאה
 היפך בני אלהים דשקועים בעוה"ז נמשך
 זגול דמושבם כל פיקר חפלה הייט רק
 שאלת זרכו בעוה"ז הדי דעיקרה בזרכו
 שוה"ו ולא ברום של שולם. אבל באמת כל
 עיני שוה"ו הם ג"כ מהש"י ושוה"ו וש"כ"ב
 אין ב' עינים נפרדים דשניהם נק' שולם
 שם שולם ר"ל כל ברואי ועיני שולם ככלל
 בזה. רק החילוק ביניהם זה נק' הזה פי'
 הנגלה לשין זה נק' הכא פי' הנעלם וכמ"ס
 בריש פסחים דומים ליום ולילה פי' דבעוה"ז
 מאד הסתר האור ונגלה זרכו שוה"ו כאלו הוא
 הסיפך מרזן הש"י כי תאום שוה"ז משכיחים.
 אבל מאד הגלוי נגלה דכל מה שברא הש"י
 לכבודו ולקיומו (כמ"ס שו"ט ריש מז' יט).
 ולא ברא הש"י דבר להשכיחו ח"ו וא"כ ודאי
 כל זרכו שוה"ז מה שברא הש"י שיהיו נזכרים
 לאדם הם באמת עומדים ברומו של שולם
 פי' בההרוממות שיש לעיני השולם ר"ל לעיני
 הבריאה טלו. והייט כי ע"י החפלה שהוא
 מכיר שכל זרכו מהש"י ואם הש"י לא יתן לו
 אין לו כלום הגם דהרי שלחן וסבי' ט' (קידושין
 מז.) אין לו מה לאכול אלא אחר החפלה
 ומבקשים מהש"י שיתן. ע"י מהרוממים כל

זרכו האדם ונבראיו השולם לרום המעלות.
 ויש חילוק בין אור חורה לחפלה שהם נק'
 יום ולילה ושמים וארץ כטדע. כי החורה
 הוא אור הש"י שממשך בשולם וכד"ס
 (ברכות ח.) משחרב בהמ"ק אין לו להקב"ה
 ט' הלכה בלבד דשם שופע אור הש"י כמו
 בבמה"ק שה' לו דירה בתחתונים. וחפלה
 הוא בהיפך כי אין חפלה אלא על חסרון שיש
 לו ע"י הוא מחפלה להושפע וממלא הוא רק
 ע"י חשיכה ושפלה מארץ ע"י פיו נפתח
 בחפלה ומחפלה ויושב ברומו של שולם.
 כמ"ד בסוטה (ה.) אחי דכא דאני אח דכא
 הוא ע"י ר"ח ודכא אחי הוא ע"י החפלה.
 ואז לילה כיום יאיר וכמ"ס (ריש שו"ט תהלים)
 דבקש דוד המע"ה שיה' קורא תהלים כשופך
 בנגעים ואהלות דהייט גופי הלכות:
א בשוב"ט (מז' כה) ע"פ אותך קיימי כל
 היום (ובמז' פ"ו) ע"פ אלך אקרא כל
 היום ובי אפשר לאדם להתפלל כל היום טלו
 אלא זה שוה"ז שהוא יום לאו"ם ולילה לישראל.
 ולבאורה לפי התי' קשה יותר דכסבדים את
 כל היום לבד והוא הוסיף כל זמן שוה"ז יום
 ולילה תמיד לא יפחות. ועוד שקרא לכוה"ז
 כשם השייך לאו"ה והי' לו לקרותו לילה כשם
 שהוא לישראל. אבל באמת אז"ל (מד"ס מקץ
 ט) עמים הם לחפלה וכמ"ס ואני חפלתי וגו'
 עם רזון. פי' עם רזון כשהש"י רואה שחפלו
 לפניו כעשם אם חפלתי שגורה בני (ברכות
 לד:) כי לילי הש"י א"א לאדם להתפלל כלל
 לפניו. וכמו שתקנו בחפלה אז"ר שפתי תפתח
וגו' אז אוכל לפתוח פי בחפלה. וכשהש"י
רואה שחפלו לפניו ופתח הפה בחפלה אז
ודאי חפלו שגורה פי' שגורה שלוחה מלחפלה
שהש"י שגחה לבוד פיו ואז הוא מקוּבַל.
דהייט עם רזון. יודע דעיקר החפלה הוא
ע"י הרגשת האצד והתערין וכמ"ס (זו"ג ק"ה

רסיסי לילה

לכד וכפיון קרני סוד דמשה וכן אהרן הכהן
 ברא רסוד האורך לבטיס לכבוד ולתפארת.
 ופנימיו ישראל באמת דבוק בהש"י רק חזר
 חזן יש טענה לרואים הללו כו' ואללו כו'
 כמחז"ל ר"פ. וזו מזד חשבות שיה"ו וכמ"ש
 (ברכות ז.) גלוי וידוע שרטיטט ס' ומי
 מעכב כו' דכשה"י הפנימיות נעלם ובחטינות
 א"ל להיות נקי ומוסרי לגמרי. אבל הש"י
 רוצה להאיר גם לחטינות דאשראל דרשו כל
 עמי הארץ כי שם ה' וגו' ומ"ש לפחד ונהרו
 וגו' וכן ר"פ. וממלא הארה זו הוא עיקרה
 לאורך חטינות. דאשראל נעלם יש להם השגה
 באור פנימי ודיבקותם בעלם כמו ד"מ שזכר
 המתלבש בלבוש כבוד הוא רק לרואים שאין
 יודעים עשיו יכירוהו פ"י בגדיו. וממלא הוא
 ללרין של אה"ס להאיר להם. ולא אור גמור
 ח"ו ששפע להם רק ששינו אורן של ישראל
 וקרני סוד שעליהם ויראו מתק. וכאשר הש"י
 משפיע טובה הוא נשפע בכל שולם כמדריגתו.
 וכאשר הש"י רוצה להשפיע אור זה דהייט
 שחיות ישראל פי' כל תאוות ותמדות שיה"ו
 בשקפים בהם יח' ניכר לכל שהוא לרטון
 שמים לכד ושיכירו גוים כח מלכות. פי'
 מלכות הש"י הוא רק בישראל רק כח מלכותך
 הוא כפיון זו הסוד זה יוכלו להכיר כי שם
 ה' נקרא על ישראל. וידוע אהרן הכהן הוא
 עבודה ואין עבודה אלא תפלה כי אור זה
 הוא שהש"י משורר לאדם לעבודה ותפלה
 פי"ו מפלה כל עמי שיה"ו לרזו של עולם
 ולילה כיום יאיר בקרני סוד. משא"ל תורה
 הוא רק קדושה הפנימית של בני דאין נסכרין
 ד"ס לעב"ס (כמ"ש תגינה יג.) ואין הם
 מכירים בה כלל. ולכן הסעוררות יום ואור
 זה בעולם הוא פי"ו יסורין והרגשת האמר
 כמו"ל והוא יום לעב"ס. ואין הכתובים ור"ל
 קוראים יום פ"ש הדמיון מה שנדמה לאה"ס
 ליום

ח) תפלה לעמי דמעטפת כל לטוהין ובקטי
 רקיטין. לפי שהוא מתפלל משמקף דלכא
 בהרגשת הסכרון חס עליו מהש"י. ד"מ
 ברמב"ד כאשר היפה תפלתו שגורה הייט דה"י
 מילך לו מאוד חליו של פ' ונעשו וזו ה"י פיו
 נספח לבקש עבורו משמקף דלכא. וכן כל
 אשר שהש"י שולח ח"ו לאדם בעוה"ל הוא
 פי"ו לעוררו לתפלה. וכמחז"ל (שמו"ר פי'
 ח) על ופרעה הקריב מזל למטרות שביקב
 המלך לשמוע קולה. וא' (ימות סוד.) מפני
 מה היו הכחות פקורים שהקב"ה מתאוה
 להפלתן של לדיקים. וע"א' (סעודין מד.)
 לעולם יקדים כו' שגוף העורף שזכר וגו'
 שחשורר לתפלה קודם ולא ינסך ללרה
 שחשורר ח"ו. וכל האלוות והסכרון הוא
 רק פי"ו להטות כל עיני שיה"ו לרזו של
 עולם פי"ו התפלה להיות לר"ס כיום יאיר
 כשה"י זה בשלימות ויגלה אור היום דהייט
 שיה"ב שזומה ליום. והוא נמני וגו' כל היום
 דזה ואז"ל (זח"ב ז א חמ"ח קטו סע"ב)
 דסגלות א' מיומו של הקב"ה ובכל מקום קורין
 ללרות ישראל תושך ולילה דיום בלשון הכתוב
 איש אלה אור הש"י המאיר בלבות בני"א.
 אבל גלה בכאן הסוד דכל בגלות איש אלה
 יום מזד הסגלות מרת היום כאשר הש"י
 רוצה להאיר לעולם וכדמחז"ל (ירוש' ברכות
 פ"ב ה"ד ומ"ד איכה א פ) דבמ' באב טלד
 תציה. וכ"ל (יומא נד.) דבמורכן מלאו
 כרובים מערים זה כזה וידוע דזה הסחברות
 בני ישראל לאביהם שבשמים. רק יש יום א'
 להש"י אשר הוא לא יום ולא לילה פי' כי
 מדות הש"י כל א' הוא אור מיוחד כמדריגה
 וענין מיוחד. וידוע מהארז"ל דדזה כשיפך
 אשון סוד סגלות הוא מורה זו. (כמ"ש
 זח"ב רפב א זח"מ) והייט כי סוד נקרא זו
 יופי הבולט מתן לפין רואים ולא אור פנימי

תרס) ואהבת דא ראשיתא דימינא, למרחם ליה לקבייה ברחימו דאתדבקווא דיליה, ומאן איהו. * ימינא, * דאיהו אתער רחימו. מאן דרחים ליה לקבייה, איהו אתער ימינא * דיליה לגביה. ומקבל ליה * ברחימו. כל מלין דעלמא לא תליין אלא ברעותא, רוח אמשיך רוח האייתי רוח וסימך דא * אם ישים אליו לבו רוחו ונשמתו אליו יאסוף.

תרסא) כד אתער בר נש רחימו לגבי קבייה, אתערותא דימינא לא אתער, אלא בחלת גווינן, כד"א, * בכל לבבך. ובכל נפשך. ובכל מאדך. הא תלת גווינן הכא. דלא תימא או האי או האי, דהא לא כתיב או בכל לבבך, או בכל נפשך, או בכל מאדך. אלא כלהו אצטריך, לבא ונפשא וממונא. וכדין קבייה אתער ימיניה לגביה, ופשיט ליה לקבליה, ומקבלא ליה.

תרסב) ועל דא כתיב, * נאם יי לאדני שב לימיני. ורזא * דהאי קרא, הא אתערנא ביה, דדוד מלכא על דרגא דיליה קאמר, כד אתקשר בימינא. תליסר פקודין הכא בימינא, ואהבת את יי אלהיך, הא חדא. בכל לבבך, תריך. ובכל נפשך, ג'. ובכל מאדך, ארבע. ושנגנתם לבניך, חמשא. ודברת במ, הא שיתא. בשבתך בביתך, הא שבעה. ובלכתך בדרך, המניא. ובשכבך, הא תשעה. ובקומך, הא עשרה. וקשרתם לאות על ירך, הא חד סר. והיו לטטפת בין עיניך, הא תריסר. וכתבתם על מזוזות ביתך ובשעריך, הא תליסר.

אלושי תרסאות

מסורת הווער

ו (אויב לז) ויצא פון צייט זי (דברים ו) וראי * רחישו ואתער ימינא * רזא * ז ליג ויליה * ק וילין. * ר פוסיך וז דהאי. * ר (תהלים ק) ויש רכב צייט * ר

אהבת

הסולם

מאמר

בכל נפשך, או בכל מאדך, אלא כולס צריכים. לב, נפש, וכסף, ואז הקביה מעורר אליו ימינו ומושיטו אליו, ומקבל אותו. תרסב) ועל דא כתיב וכו', ועל זת כתוב, נאם ה' לאדני שב לימיני, הסוד של כתוב הזה, הרי הערנו בו סודו המלך אמרו על מדרגת שלה, שהיא המלכות, כשהיא נתקשרת בימינו. י"ג מצות כאן בימין, ואהבת את ה' אלקיך, הרי אחת. בכל לבבך, שתים. בכל נפשך, שלש. ובכל מאדך, ארבע. ושנגנתם לבניך, חמש. ודברת במ, הרי שש. בשבתך בביתך, הרי שבע. ובלכתך בדרך, הרי שמונה. ובשכבך, הרי תשע. ובקומך, הרי עשר. וקשרתם לאות על ירך, הרי עשתי עשרה. והיו לטטפות בין עיניך, הרי שתים עשרה. וכתבתם על מזוזות ביתך ובשעריך, הרי שלש עשרה.

תרס) ואהבת דא ראשיתא וכו' : הפרשה של ואהבת, היא ראשית הימין, דחיינו ספידת החסד, לאהוב את הקביה כאהבה של דבקות בו. ומי תוא. המעורר אהבת זשא ימין, שהוא חסד, שהוא מעורר אהבת מי שאהוב את הקביה, הקביה מעורר אליו ימין שלה. ומקבלו כאהבת, כל דברי העולם אינם תלויים אלא ברצון. רוח מושך רוח ונביא רוח, וסימן שלך, אם ישים אליו לבו רוחו ונשמתו אליו יאסוף.

תרסא) כד אתער בר נש וכו' : כשהוא מעורר אהבה אל הקביה, ונה תתעוררות הימין שהוא אהבה, אינו מתעורר, אלא בשלש אפנים, כשי"א. בכל לבבך ובכל נפשך ובכל מאדך, הרי כאן ג' אפנים. שאל תאמר, או זה או זה. שדרי לא כתוב, או בכל לבבך, או (חזרי יך קטיב ע"א *) ויך קטיב צייט

תליסר

THE “S”
ADDICTIONS

The chart on the next page is from the basic primer on the sexual addictions. The author is nationally renowned expert Patrick Carnes, PhD, and the name of the book is “Out of the Shadows – Understanding Sexual Addiction” (published by Hazelden - pgs 66-67 of the 3rd edition).

This book is a must read for:

1) An understanding of the underlying dynamics of these very denigrating addictions and

2) For the enlightenment and encouragement it provides for the road to recovery. Hence, its title, “Out of the Shadows”!

In this regard, it is important, at this juncture, to contemplate the following words of Rav Tzadok HaCohain:

He, who has a tremendous craving for physical pleasures, should not despair with the thoughts of how despicable he is! **Because, quite to the contrary,** [the depths of his perceived depravity is a clear indicator that] he is a **fully prepared ‘vessel’ for an all-powerful love and desire for the pursuit of absolute truth!**
Etc. etc.

[מ"ד] מי שיש לו תשוקה גדולה לתאות הגוף אל יתעלז בזה לחשוב כמה פגום הוא שיש לו תשוקה כ"כ. כי אדרבא הוא כלי מוכן לתוקף אהבת ותשוקת דרישת האמת. וכמו שנחמוהו הוא סבא [וכו' וכו'] לאצ"י (בסוכה ג"ב). וע"ז אמרו דלעת"ל לדיקים נדמה להם יאה"ר כהר ורשעים כחוט השערה ואינו שקר רק שניהם אמת כי אלו תשוקתם ותאותם עלומה ביותר:

In my experience in this field, this prognosis of R' Tzadok is PRECISELY AND ACCURATELY correct!!

So עלה והצלח!! “TAKE HEART!!”

In regards to the “Cultural Standards” of Dr. Carnes’ chart below, it is needless to say, that Halocho, Jewish Culture and Custom consider all of the listed behaviors as unacceptable.

However, for the purposes of this Sefer, it is important to recognize the Torah’s differentiation of these behaviors into their different levels of severity (see pgs 83-90 and 51-52 for elaboration).

	<u>LEVELS OF ADDICTION</u>		
	Figure 2.1		
LEVEL OF ADDICTION	<u>Level One</u>	<u>Level Two</u>	<u>Level Three</u>
BEHAVIOR	Masturbation, compulsive relationships, pornography, prostitution, and anonymous sex	Exhibitionism, voyeurism, indecent phone calls, and indecent liberties	Child molestation, incest, and rape
CULTURAL STANDARDS	Depending on behavior, activities are seen as acceptable or tolerable. Some specific behaviors such as prostitution and homosexuality are sources of controversy.	None of these behaviors is acceptable.	Each behavior represents a profound violation of cultural boundaries.
LEGAL CONSEQUENCES/ RISKS	Sanctions against those behaviors, when illegal, are ineffectively and randomly enforced. Low priority for enforcement officials generates minimal risk for addict.	Behaviors are regarded as nuisance offenses. Risk is involved since offenders, when observed, are actively prosecuted.	Extreme legal consequences create high- risk situations for the addict
VICTIM	These behaviors are perceived as victimless crimes. However, victimization and exploitation are often components.	There is always a victim.	There is always a victim.
PUBLIC OPINION OF ADDICTION	Public attitudes are characterized by ambivalence or dislike. For some behaviors such as prostitution there is a competing negative hero image of glamorous decadence.	Addict is perceived as pathetic and sick but harmless. Often these behaviors are the objects of jokes that dismiss the pain of the addict.	Public becomes outraged. Perpetrators are seen by many as subhuman and beyond help.

There are many practical Shaalos for those in SA/S-Anon recovery. They cover the topics dealt with in Shulchon Aruch Orach Chaim 240; Even HoEzer 25 & Yoreh Deah 295.

However, the Mishna admonishes:

אין דורשין בעריות בשלשה (חגיגה דף י"א:)

“A Teacher should not expound upon the laws of intimacy and illicit relations in a forum of three or more students.”

The Gemoro explains: “2 students will perforce need to pay attention to the Teacher’s explication and interpretation [and will thereby receive accurate information]. However, in a forum of 3 or more students, if one of the students will engage the Teacher with a question, the others in the meantime, will engage in their ‘own conversation and interpretations’ and unwittingly arrive at erroneous conclusions!

“This is specifically problematic and uniquely of concern in regards to sexual matters because it is “normal human nature” to seek devious fallacious loopholes in this topic.”

To compound the hazard and difficulty, the Novominsker Rebbe, Shlit’a, taught me more than 30 years ago, “Yehoshua, *Zols Du Vissen!* The Shulchon Aruch did not present a graduated hierarchy of Halochos. Often, he placed one Din that is Chayov Kores (culpable with excision), another that is merely Mili d’Chasidus (extreme piety) and everything else in between, side by side, one seif next to the other, without any discrimination or differentiation. It is the Achrayus (responsibility) of the Teacher, or the one studying it on his own, to ascertain with clarity which is which, so that a distortion of priorities and importance does NOT occur!”

It is for these reasons, that it is deemed prudent and better advised, to keep the responses to these Shaalos as Torah She’B’al Peh (conveyed orally).

However, Rabonim who would like to become acquainted with these issues and would like to avail themselves of my research and decisions should contact me to receive a written compilation of these Halachic sources and my reasonings and rulings.

Those who are afflicted with these diseases, and are not able or not comfortable, to persuade their Rov to avail himself of the offered compilation, and in the interim are in need of guidance until they find a Rov who can guide them, may feel free to contact me to receive Torah Sheb'al Peh guidance on these issues.

These are most common recurring issues and Shaalos:

- | | |
|-----------|-----------|
| 1. _____ | 11. _____ |
| 2. _____ | 12. _____ |
| 3. _____ | 13. _____ |
| 4. _____ | 14. _____ |
| 5. _____ | 15. _____ |
| 6. _____ | 16. _____ |
| 7. _____ | 17. _____ |
| 8. _____ | 18. _____ |
| 9. _____ | 19. _____ |
| 10. _____ | 20. _____ |

Interview with Binah Magazine

Understanding Root Causes

There is scarcely a rabbi in any Jewish community who has not encountered internet addiction in his congregation, although some are more advanced than others in their experience and expertise in dealing with it. Rabbi Yehoshua Kaganoff of Passaic, New Jersey, whose *semicha* was signed by Rav Yoseph Breuer and Rav Shimon Schwab, *zt'l*, and, *lehavdil*, the Novominsker Rebbe, *shlita*, is a *posek* of over thirty years standing, and regularly deals with addicts who turn to him for help. He also received specific training in addiction from Dr. Abraham J. Twerski.

Rabbi Kaganoff shared with me an impressive body of research from the Centers for Disease Control in Atlanta, Georgia (pgs 367 and 390 of this volume), as well as large portions of his correspondence with Dr. James W. Hopper of Harvard Medical School's Department of Psychiatry (see pgs 21-22 of this volume). The research indicates a strong correlation between ten categories of child abuse and the development of addiction. All of these categories can adversely affect the developing brain in ways that result in emotional, social, and cognitive impairments, increasing the risk for a variety of problems, including substance abuse, depression, and suicide.

“Actual, measurable physiological changes occur in the brain, which is proven by MRI brain scans,” he informs me. “Practically speaking, what it means is that it's not bad *middos* or *taivos* (desires) that fuel an illicit addiction. These people are *cholim*, sick, and if left untreated, they can deteriorate into a situation of extreme *sakanah*, danger!

Therefore, it behooves us to reassess our responses and attitudes in the arena of mental health and to understand what fosters good mental health and what is contraindicated. Only

by so doing, will we be able to receive truly proper Torah guidance as to the proper prevention, and to receive the appropriate care after adverse experiences have occurred.

Why should mental health be treated any differently than our physical health?!”

He is very distressed by, and critical of, well-meaning but ill-informed *rabbanim* who try to motivate addicts with *mussar* and talk of *teshuva*. “You wouldn’t tell a person with a heart condition to ‘just lower your blood pressure!’ You understand that he’s sick, and needs treatment and/or medication.

“The evidence is overwhelming that when it comes to addiction, **mussar and even therapies that are rational and cognitive-based do not work.** That’s why the Twelve-Step tenet of relinquishing control to a Higher Power is so crucial. First, You have to stop the addictive acting out (“the using”), and allow the mind to clear, before you can begin the process of restructuring the impaired brain patterns.”

In the stark words of an addict in well-established recovery, “The standard teshuva thing did me no good at all, simply because it’s not structured for crazy people.”

An Internet SA's Letter to Rabbi Menahel

After a recent gathering in a prominent yeshiva high school, convened to educate the community regarding the perils of the internet, a member of the parent body penned a letter to the principal, which is excerpted below:

Dear Rabbi X,

I want to share something of my own story with you, in the hopes that it will, in turn, help you guide the students of the yeshiva. I have been addicted to pornography for my entire adult life. The addiction really took off in college and I thought that becoming a Ba'al Teshuva and going to yeshiva would be the solution. It wasn't. I thought getting married would be the solution. It wasn't. I thought that Kollel and additional years in yeshiva would be the solution. It wasn't. At a certain point, I gave up on looking for a solution and lived with my double life – outwardly a Ben Torah, husband, and father; inwardly, a lust addict

Coincidentally, I noticed a close friend who had lost some weight. When I approvingly commented, he replied that he had started going to meetings of Overeaters Anonymous. He had struggled with his weight his entire life and had done every diet, seen various nutritionists, etc. Then he found OA and started losing weight.

He asked me if I'd like to come along to a meeting to see what it's all about. I was happy to do so. I wanted to support him and I was curious. I was blown away – they had a speaker, a non-Jewish woman who told her story of recovery from food addiction. This woman clearly had something – some aspect of chiyus, some aspect of spirituality that I had never seen

before. And before my eyes, my friend's body was shrinking and his neshama was growing. He was really shteiging and I knew, inside, that I was dead.

There was a frum guy at the meeting, someone I felt I could trust. I told him: I might have a problem with food, but I have bigger problems than a second or third piece of cake at the Shabbos table. He put me in touch with one of the longstanding frum members of SA (the branch of "Anonymous" dealing with this addiction) and that week I went to my first meeting.

One of the things that struck me deeply about SA was the fact that here were these gentiles who had a very deep and real relationship with G-d. They talked about how they prayed to G-d when they were walking down the street and saw a woman who triggered their addiction. They prayed to turn their will and their life over to the care of G-d. They prayed to G-d to take away the character defects that prevented them from being good people who give to their peers instead of taking from them. And they prayed to G-d to save them from their addiction, one day at a time. One of their pithy sayings was, "Without G-d, I can't. Without me, G-d won't."

Frequently throughout the year, the group has a weekend convention – lots of meetings, speakers, etc. I think it is fair to say that Orthodox Jews are overrepresented at the conventions. There is kosher food, there is a minyan. The gentiles know we can't use the microphones or give donations on Shabbos. As one member joked to me: "When I first drove up to the hotel, I thought I must be in the wrong place...it looked like a rabbis' convention."

And occasionally the frum addicts get together for a Shabbaton. "It is a deeply moving experience." There were some very heimishe people at the meeting – and some of the men had been to gehinom and back. I heard a chasidishe lady share her guilt (perhaps her enabling the husband caused their son's problems). I heard her husband share about how he lives with and takes responsibility for the fact that there is little trust in the marriage. And yet this marriage and others like it survive and go forward.

I saw a room full of frum people talk from the heart about the pain this disease has caused them, and the hope they have as they see Hashem perform miracles for them every day as the husbands remain sober. When this meeting ended, everyone closed the meeting by proclaiming, "Shema Yisroel, Hashem Elokainu, Hashem Echad". Through my tears I thought, "Moshiach surely has to come at this very moment."

The Internet is the symptom of the disease, not the cause.

The cause of the disease is that many, many Jews today -- myself very much included -- don't have a real, living, day-in, day-out relationship with Hashem. We might have religion, but we don't have G-d. Into that vacuum – as the speaker this year rightly noted – steps the Internet or something else that feels like life but turns out to be death.

I am going to tell you something that you might resist hearing, but I think it is important to say it straight. If you have a student in the school that is addicted, I do not believe the yeshiva has the resources to help that student. Mussar, as we relate to it today, does not have the resources to help that student. I believe that student needs some form of twelve step recovery and therapy. (And the students who aren't yet

addicts are at risk of addiction unless their Judaism includes the beginnings of a real relationship with Hashem.)

I knew a lot of very deep Gra's, Maharals, Rav Tzadok's, etc on this inyan. I could have written a sefer on it. The problem is that I am an addict and addict's ears are stuffed shut with selfishness. I could not hear one of the basic messages of Yiddishkeit, namely that this is not your world to take what you can, rather it is Hashem's world to contribute what Hashem has asked you to contribute.

Strange as it might sound, I could only begin to hear this in meetings of SA. It is almost as if the twelve step literature translates for me, into addict language, the fundamentals of spirituality. With that foundation, I can then progress to Torah and Mitzvos. (Rabbi Twerski has written that the reason Mussar doesn't work in our times is that we rarely grasp Mussar with the life and death intensity of an addict who has hit bottom and has no choice but to find G-d or die.)

Until I had a certain basic purification of the middos in SA, the most elementary and simple concepts of the Torah couldn't be chal (take hold) on me. I could quote sophisticated lomdos and deep machshava; I kept Chalav Yisroel and wore a black hat. And yet: I was addicted to lust. The Torah is only chal on a mentsch. And before SA, I was very far from being a mentsch.

A friend of mine in the (SA) program told me that he once went to the mashgiach of Ohr Sameach in Monsey. " I have this problem (eyes to the floor)...ummm, well, you see...." Apparently the Mashgiach opened his desk drawer and pulled out the "White Book" – the fundamental text of SA and encouraged him to go to the meetings.

Beyond what you have done already in terms of raising awareness of the internet problem in a thoughtful way, you need to start thinking about what to do with addicted students in the yeshiva. I can promise you from personal experience that mussar from the best, most sensitive mashgichim in the world is like water off a duck's back. It is not chal.

My guess is that these boys need a support group for themselves – for frum teenagers. Maybe some of the frum SA's in town would be willing to help, if it could be done in such a way that wouldn't compromise their anonymity. But I'm not sure – solutions are beyond my expertise. But what I am pretty sure of, is that there are kids at Yeshiva who are addicts and need help (and there are plenty of fathers in the school who are addicts who need help as well). And I'm pretty sure that there are going to be more and more such kids (and fathers) every day. My guess is that the frum people who show up now at SA are the tip of the iceberg.

I would also give some thought to how computers are accessed at Yeshiva among the rebbeim. I've been at SA meetings with rebbeim from other yeshivos. I would question the safety of any situation where a man has access to a computer in an office where the door can close, regardless of filters. If it hasn't happened yet at Yeshiva, in my opinion, it is only a matter of time, if people have the opportunity.

*I would reach out to Rabbi Avraham Twerski. He is surprisingly accessible and he is the Rav HaMachshir for 12 step recovery in the Torah world. I would also recommend to you two books: *The White Book of SA* and Patrick Carnes' *Out of the Shadows*. In the next week or so I'll get you a copy of the Patrick Carnes' book. If you want a copy of the White Book as well, let Rabbi Kaganoff know and I'll get you one. My understanding is that*

there are other rabbonim in town, who have read the Carnes' book and I have sent it to my own rabbonim who have read it. It is the primer on sexual addiction.

As I said at the beginning of my letter, I'm a big admirer of you and the Yeshiva. I hope this letter is received in the spirit it was written, as encouragement for you to go another step in your leadership on the issue of the internet. May H' continue to give you and the yeshiva the siyatta d'shmayah to transmit the Torah to this troubled generation.

Yours,

A grateful, recovering sexaholic and grateful parent

[Editor's note: As a result of the below letter, an Asifa (gathering) for Rabbonim was convened (summer '11) in Lakewood. Rabbi Dr. Avrohom J. Twerski presented some basic information concerning addictions to this Asifa. This same summer the "Chosson Rebbes" of BMG were also addressed on this same topic by another mental health professional.]

S-ANON's LETTER TO RAV MATISYOHU, Shlit'a

לכבוד הרה"ג סולומון, שליט"א

The משגיח said in the biannual כינוס לנשים (appx 7 years ago); "הכל בחזקת סומין עד שמאיר הקב"ה את עיניהם". This concept has been a tremendous source of חיזוק that helps me deal with my נסיונות. But I would also like to apply this concept to the fact that הקב"ה is blinding many Rabbonim in the areas of mental and emotional health. I would like to be a שליח of ה' to help open the eyes of the Rabbonim ("עיני העדה"), so that no one else should suffer the way we did - seemingly unnecessarily.

This letter is not in any way referring to the way the משגיח deals with mental and emotional health, rather, it is a plea to the משגיח to speak to the Rabbonim - if not all over, then at least in Lakewood. The point of my letter is to ask the משגיח to make the Rabbonim aware that they should treat a mental or emotional illness the same way they would treat a physical illness.

Imagine a woman would come to a Rav saying that her husband has יענע מהלה at the beginning stages. Would the Rav give the wife suggestions/advice about how she can cure the illness? Or would the Rav send them straight to a doctor? If the Rav would try to help them cure the illness on their own, the disease would just spread, and the husband would deteriorate.

Well, that's what happened to me! We caught my husband's addiction in the beginning stages. To make a long story short, I was dealing with Rabbi X (Lakewood), Rabbi Y (Another major Chareidi community), and Rebbetzin Z for 7 years, and I was terribly misguided (we thought my husband could fight his *יצר הרע*). His addiction kept getting worse, and I kept on telling and writing to the Rabbonim that my husband was deteriorating in front of my eyes. We did not realize that an addiction is a real disease, and the only way to help addictions is through therapy and a 12-step program (*heard from R' Abraham J. Twerski and R' Yehoshua Kaganoff*). Not only did the rabbinical advice not help, but it enabled my husband to continue in his addiction for many more years, and caused a lot of damage to our entire family. I have 4 children *קע"ה* who were definitely affected.

Not only was my entire family in major *סכנה*, *לדורי דורות*, and I was also in physical danger (of catching STD - sexually transmitted diseases)! We are dealing with matters of *פיקוח נפש*!

The same way a Rav would not even attempt to cure a physical illness by giving the patient or the family members advice; he should realize that a mental/emotional disease is completely out of his range. The Rabbonim must learn to recognize the signs of mental/emotional illness, and learn to differentiate between people in need of rabbinical advice, and people in need of a doctor.

ב"ה my husband is in therapy and a 12-step program now, and is on the road to recovery, and my [child] and I are also going for therapy because of all the effects the addiction had on us. But besides for dealing with the pain of the situation, I am dealing with the pain of having suffered, seemingly, unnecessarily (I am working on myself to recognize that everything was *באשערט* and happened because that was *רצון ה'*)

If even one person can learn from my mistakes and the Rabbonim's mistakes, it would give me some נחמה.

I know the Rabbonim are there to help us, and most of them are extremely well-meaning. May הקב"ה open our eyes, and help the Rabbonim to help us.

Sincerely,

(I met with Rebbetzin Salomon in person and spoke to the Rebbetzin on the phone a few times)

addiction". The abridged definition of codependence: Attempting and thinking that we can **control** the addiction, taking **responsibility** for the addict, **neglecting** our own needs, doing more than our share, **suppressing** our emotions, being **unassertive**, and being a **martyr**. As the book says, codependence is "a normal reaction to an abnormal situation." I am a paradigm of codependence. Therefore, I need the support groups to help me recover.

Let me explain in more detail: For many years, I tried to control the addiction (based on the guidance I received) by: constantly trying to make things easier for him and reduce stressful situations for him, giving him unconditional love and warmth, building his self esteem and showing him respect, showing him that I wanted our intimate relationship, always being physically available for him, not letting him drive our car and chauffeuring him all day. But as I am learning, all the aforementioned things did not help at all, and instead they **enabled** him to continue his addiction. How? Because by my taking **responsibility** for his behavior, he did not have to suffer the consequences. And why didn't my efforts help? Because we are **powerless** over the addiction. There is no way an addict can overcome his addiction by himself – the only way an addict can become sober is by working a **Twelve Step Program** and joining support groups (*heard from Rabbi Abraham J. Twerski and Rabbi Yehoshua Kaganoff*). The **ה' יסוד** is to realize we are powerless and only **ה'** can help us, and to take moral inventory and become honest with ourselves. One of our slogans for the Co-Addicts, is "**3 C's**: You didn't **Cause** it, You can't **Control** it, and You can't **Cure** it".

This has helped me to understand why the Rav's guidance didn't help the addiction. For example, I was advised that it would help if I would be physically available to my husband, and even initiate the relationship. But most of the addiction

specialists hold the opposite – that I should **abstain** until my husband is completely sober. An addict has to be dealt with in a tough way, and suffer consequences for his behavior. Most of the time, an addict needs to be threatened in order to pull his life together. In other words, Rabbi Kaganoff told me that if I accept my husband unconditionally, he will not feel the need to get his life together.

In any case, it's impossible to have a relationship with an addict, unless he is sober. Therefore, whatever I had been trying to work on to improve our relationship – being warm, respecting him, making him feel good, being physically available for him, and making **בית שלום** my main focus, etc.... was all for nothing. I was trying to accomplish the impossible. I was being told to create **יש מאין**. Why? Because an addict is not emotionally present, and is wrapped up in his own fantasy world, unless he is completely sober.

Although the Rav meant well, and sincerely wanted to help us improve our relationship, the Rav's advice really did the opposite. How?

Addiction means **self deception**. The addict fools himself to the point that he doesn't even realize he is lying. He has **distorted thinking**. My husband was completely **deluded**. He thought that I loved him, wanted him, desired him, and accepted him unconditionally. And the fact that I was guided to show him this, only helped him continue in his self deception and delusion. An addict must be treated with toughness, and must suffer the consequences of his behavior. Also, our therapist – T M – who is a marriage counselor that specializes in addiction is working with us to develop an **HONEST** relationship. The Rav was telling me to show my husband love, but that was not real. The only way we can have a good relationship, is if it's real and honest – meaning that we can both express our true feelings to each other.

Also, our whole intimate relationship has been so traumatic for me: I did things that were disgusting to me, against my will, and for the wrong reasons. I never got any pleasure from it. It became something that I dread, and have no interest or desire for it. I need major professional help in this area.

Our entire family was/is in a מצב of סכנת נפשות. But besides for the danger in ריהניית, I must make the Rav aware that I was also in physical danger – of הם ושלום getting an STD (Sexually Transmitted Disease). There are frum women in my support group - in Lakewood - who actually did catch these diseases. The danger is real! When we started dealing with professionals, I was told to get myself tested for any of these diseases. I should have been told this, right after we found out that he was picking up prostitutes, because I was living for 4 years in danger without being tested!

My main point is: The same way a Rav would not even attempt to try to cure a physically ill husband, and a Rav would not give a wife advice how to cure her husband, a Rav cannot cure or help a mental/emotional illness. I think that Rabbanim must learn to recognize the difference between a situation that requires rabbinical advice, and a situation requiring Professional help. Rabbi Abraham J. Twerski told me he wrote a book for Rabbanim.

Again, I would like to express my utmost הכרת הטוב for all the time, advice, and היזוק the Rav gave us over the past 7 years. We know the Rav only had our best interest in mind, and the Rav's help was pure חסד, and we really appreciate the Rav's sincere caring and desire to help us. This letter is only for the sake of others – that they should receive the correct guidance.

Sincerely,
Anonymous

S-ANON's 2nd LETTER TO HER RAV

שליט"א, רבבי X לכבוד

The last letter I wrote to the Rav (over a year ago) was when I had first joined the S-Anon support groups for the wives of Sexaholics. B"H I am greatly enjoying and benefitting from the group and the 12-step Program we work. I am now in the Program for almost 1 and a half years, and I have B"H grown tremendously in my emotional health, as well as my understanding of the dynamics of my situation.

I know that in my previous letter I explained some important concepts, but now, since I have come to a deeper level of understanding, and (I hope) I am a bit older and wiser, I would like to explain even further.

The difference between 1 and a half years ago and now, is that I have learned to focus on myself, instead of my husband. In my previous letter, I emphasized the fact that my behavior and the guidance I had received, enabled my husband to continue his addiction. Obviously, this is excruciatingly painful, because we tried so hard to stop his addiction, while in reality we accomplished the opposite.

But now that I am focusing on myself, I am realizing that my behavior and the guidance I tried to follow, caused a lot of damage to myself. Besides for the joint sexaholism that I have to recover from, I also have to recover from the way I acted for many years.

Let me explain: Codependence means "controlling others and not caring for yourself". Well, that is exactly what I did before I joined S-Anon: I tried to control him (with not letting him drive the car, with trying to "keep him busy in the bedroom" etc ...), while

neglecting myself. I neglected my needs, desires, and feelings. I was a “caretaker” - my whole focus was on him, not on myself. It was like I didn't count, my feelings didn't matter, my wants and preferences didn't make a difference, and my needs were unimportant.

I know the Rav tried explaining this to me, but I honestly, truly, did not understand. The only way I was able to begin to understand, was with the help of S-Anon. And that is why, in the past year and a half, I have been able to change.

I am now learning that my needs, desires, and feelings are very important, and should be taken into consideration. I am realizing that being a martyr for the sake of controlling someone, does not benefit anyone, and usually backfires. I am learning the importance of taking care of myself.

I often think of this whole concept in terms of **אם אין אני לי מי לי, וכשאני לעצמי מה אני**. Our case was a living example of this *mishnah*: I am proof of **אם אין אני לי מי לי** If I don't take care of myself, who will? I really neglected myself. And [my husband] was a proof of **אני לעצמי מה אני** because an addict is completely wrapped up in himself. Now, I am learning how to be for myself.

This goes even deeper: The root of codependence is low self esteem / low self worth. I had a very low self worth, which caused me to feel that my thoughts, feelings, needs, and desires were not worth anything either. But now the Program is helping me realize that I am worth it, and my feelings, needs, and desires are worth a lot.

I would like to discuss one of the biggest tragedies of my situation: **I have not been to the mikveh in approx 15 months.** I know the Rav probably finds this mind boggling, and the Rav is probably wondering, *"Doesn't that make it harder for him?"* So let me answer that question: Although it might be making it harder (even

though some hold that it doesn't make a difference), *it is not my responsibility* to go to the *mikveh* just to help him, if **I would be hurting myself**. And now, according to the professionals we are dealing with, I would definitely be hurting myself by going. **And in the long run, it will not benefit either of us.**

Why would I be hurting myself if I would go to the *mikveh*? Let me explain: For many years, I used our intimate relationship as a tool to control his addiction (In other words, if I would fulfill his needs, he wouldn't have to go elsewhere to have his needs fulfilled). Besides for the fact that this was a totally ineffective tool, because it is impossible for me to control his addiction, this caused MAJOR trauma for me.

Our intimate life became a horror story: The only emotions I felt were dread, tension, pressure, guilt, fear, pain, frustration, helplessness, desperation, and relief when it was over. We had intimacy for *all the wrong reasons*. It was the *complete opposite of what it is supposed to be*. I did 100% for him, and he did 0% for me. He was not interested, he was not at all “present”, and he did not participate physically or emotionally most of the time. I did things that were absolutely disgusting and *echeled* (ed - revolting to) me.

Before our abstinence, each time we were together I had a lump in my throat from beginning to end, and sometimes it even turned into tears. As soon as the bedroom door closed, all my negative thoughts came tumbling and swirling into my head. Everything he said or did, triggered a negative mental association or memory. So with a huge lump in my throat, and trying to hold back tears, how can I be an enjoyable partner to be with?

Whenever I even think about being together with him, I feel such a tremendous sense of dread. I am at a point that I feel like I don't want “*intimacy*”, I don't need it, and I can live my life just fine without it.

But aside from my issues, [my husband] has not been sober that long. And when he was not sober there was nothing to even talk about, because it is not possible to have a relationship with an addict who is not sober.

Recently, since he's doing pretty well now, I decided to think about going to the *mikveh*. I did not know how to approach my problems, so I went for an evaluation to [a Frum world-renowned therapist], who specializes in these issues. Her answer was clear and unequivocal: I have suffered severe TRAUMA in my [intimacy] life. I need specialized "Trauma Therapy". I am not up to working on anything sexual, before I reduce the trauma. So I am starting treatment with an expert therapist IY"H, (Although not Jewish, she is given top ratings by Echo, who refers Chareidi people to her for services on a regular basis.), travelling 1 hour 15 minutes each way, and paying \$200 per session.

It is so painful to see the damaging results of my behavior and attitude, that were based on the guidance I received (and my own unhealthiness). There is no one else in my support group (out of the 40) who suffered so much trauma in this area, because most of them were fortunate to have joined S-Anon right away, when they found out about their husbands' addiction. If I would have joined S-Anon earlier, I would have known the 3 C's: I didn't Cause it, I can't Control it, and I can't Cure it.

It is *tragic* that I wasted so many years, and I spent so much effort - tears, toil and sweat - trying to do the impossible ... while throwing myself away.

All I can do now, is work on my *emunah* that everything I went through was meant to be. Also, I can daven and put in my *hishtadlus*, to undo the damage and become healthy and whole. And part of my healing is to spread awareness among Rabbanim, so that others should get the proper help as soon as possible.

The only way the Rav can help us now, is to daven for our entire family:

My Husband, the son of Bubby

Me, the daughter of Bobbi

Anonymous 1 son/daughter of me

Anonymous 2 son/daughter of me

Anonymous 3 son/daughter of me

Anonymous 4 son/daughter of me

Sincerely,

Anonymous

Domestic **Abuse**

The Peleh Yoetz and the Shulchon Aruch

On Wed, 10 May 2006 05:51:50 -0700 (PDT)

tc@yahoo.com> writes:

The Rabbis that I consulted about my marital problems referred me to a famous sefer, Peleh Yoetz p. 16, the section about relationship between husband and wife. That's why I'm just resigned to my lot!

"rabbi y. kaganoff" <kaganoff@juno.com> wrote:

Dear Mrs. T,

(None of my remarks below are intended to encourage you to seek a divorce. In your earlier email you responded very articulately why divorce would likely just make the situation worse, not better.)

(I do want you to have, however, a clarity in the Halacha so that your perspective (Hashkafa) of the situation is grounded on correct Torah principles.)

I had a chance to look at the Pele Yoetz, yesterday after our phone conference, and this morning. Unfortunately, the 2 paragraphs where he discusses the wife's perspective and response to domestic abuse, is in contradiction to what is stated in Shulchon Aruch.

(Shulchon Aruch Even HaEzer Siman #154 Se'if # 3 in the Ramo - I am giving to you the exact source so that you can have someone you trust read the Halacha for/to you.).

The Shulchon Aruch states that:

- 1) The woman shall file grievance with Bais Din.
- 2) Bais Din intercedes on her behalf with warnings, restraining orders and even punitive measures to get the husband to desist from his repulsive behavior.

3) If all interventions are of no avail to correct the situation, Bais Din coerces the husband to divorce his wife (and he is nevertheless liable to pay the Kesubah contractual stipulations)

Therefore, the Pele Yoetz's words are not normative Halacha. Moreover, the Hashkafa that is based on his words is also not normative Hashkafas HaTorah.

I am absolutely astounded that such a respected work should contain such a glaring variance from Halacha.

The only Limud Zechus that I can think of is that in the 1820's when the Sefer was published, under the Ottoman Empire under which the author lived:

- 1) Bais Din was not allowed sufficient judicial authority by the secular authorities and
- 2) The repressive Ottoman regime and dominant oriental culture viewed women as mere chattel of their husbands - a very un-Jewish non-Torah perspective.

Under such a milieu, the Pele Yoetz's words would make sense. Since the repression and oppression are things that cannot be changed, then the smart thing to do would be to make the best out of a bad situation.

However, in today's world and circumstance the Pele Yoetz's words are just very bad advice!

Sincerely,
Rabbi Kaganoff

Addendum:

Adar, 5770, March, '10- I discovered in the Peleh Yoetz under the heading of "Hako'oh" the following:

“It is appropriate for someone who has the capability, to intercede on behalf of the abused wife; either to effect a cessation of the abuse, or to facilitate a divorce (if that is her preference). This is a “Mitzva Rabba” and should be pursued because it is a mitzvah of great magnitude to rescue the oppressed from the hands of the oppressor.”

This is in contradiction to what the Peleh Yoetz said earlier; However by utilizing my above mentioned hypothesis, everything would be resolved.

Rabbi Kaganoff

"He should provide him with the same food and drink of which he himself partakes. The wise men of earlier generations would give to their slaves from every delicacy and food from which they themselves ate. Moreover they would provide meals for their slaves and food for their animals BEFORE they themselves would sit down to eat. (These attitudes and behavior patterns are reflected by the verse in Psalms 123:2.)

"Likewise, he [the master] should not denigrate him by hand or by word; the Torah has indentured him to servitude; NOT to humiliation!

"He [the master] should not scream nor rage at him but speak to him calmly and attend to his grievances.

And so did the righteous Job commend his own behaviors when called upon to defend himself.

"Cruelty and brazenness are character traits of heathens who worship idols!

"The children of our patriarch Abraham, —the Israelites upon whom, the Holy One, Blessed be He has bestowed the goodness of the Torah and has commanded unto them righteous statutes and laws, they are merciful upon all!

"Indeed, concerning the characteristics of the Holy One, Blessed be He, of which we are commanded to emulate, it states: His Mercies are upon all!

"The one, who conducts himself with mercy, will be rewarded reciprocally that others will behave with mercy towards him. (This is guaranteed to us by scripture)"

The Professionals' Opinions

Lichvod Rav T, Shlita

5 Chanuka, 29 Kislev, 5772

Below please find a condensed concise summary of the query I posed to NEFESH – the international Association of Orthodox Mental Health professionals regarding the effects of parental abuse on the children. Following my query is a collection of their responses. I have excerpted the responses so as not to overburden the Rav with unnecessary and redundant minutia and details. If the Rav would prefer seeing the entire correspondence, I will gladly share it in its entirety.

Bichvod Rav, A Lichtegegen Chanuka,
Yehoshua Kaganoff

From: Z T

Sent: Thursday, December 22, 2011 7:19 AM

To: nefeshint@list.nefesh.org

Subject: [Nefeshint] Request from a Rabbi for professional opinions regarding potential BPD and the risk of child abuse

I was asked by a Rabbi to post the query below on the Nefesh listserve. I'm posting it anonymously, with some details omitted, to avoid identifying the people involved in the case.

Although the Rabbi, (as perhaps many of us professionals as well) has used the BPD nomenclature (as per Jerold Kreisman's book – 2004) to describe the symptoms and situation, more current BPD research indicates that the concomitant abusive behavior may not be attributable per se to BPD, but rather to another (co-morbid) disorder. So according to current research, although BPD, while harmful in other ways to children, is not, ON ITS OWN, a predictor of abuse to the kids.

However, in classical terms the abusive behavior is assumed to be part and parcel of BPD and this indeed is the behavior aspects about which the Rabbi is inquiring. He merely used BPD as a common parlance identifier. (ed. Note please see pg

233-234 for yet a third possibility.) In your response feel free to use whatever nomenclature you are most comfortable with. With this clarification in place, I believe that conceptually we will all be on the “same page”

A freilechen Chanuka to all, Z T

To the distinguished members of the nefeshlist,
A Lichtigen Chanuka to you and yours.

.....and I am asking for Professional expertise to inform and advise the verdict reaching process. I hope you will favor me with your professional opinions.

I am dealing with a marriage in dissolution.....

Due to the volatility of his/her behavior, he/she has committed criminal offenses; and were the wife/husband to press charges, there is strong likelihood that he/she would be incarcerated.....

.....The criminal charges will also in all likelihood end his/her career.

The Posek in charge of the case has taken the position that the 1) loss of family income, 2) the negative effects of the children's school peers taunting them about their father/mother's incarceration and 3) the difficulties created vis-a-vis shiduchim for the children if their dad/mom is incarcerated outweigh the negativity of being raised by a BPD father/mother. He has therefore prohibited the mother/father from pressing charges.

I am trying to get a sense of what Mental Health professionals feel about this.

The question then in short is:

- A. Is it better for young children to be reared by an abusive BPD father/mother, when mother/father or other caring adult is basically excluded from their daily lives; But at the same time they will have financial and 'social' stability? OR
- B. is it better for them to be reared by a warm, caring Dad/Mom, but they will be impoverished and could possibly suffer from the embarrassment and taunts of peers precipitated by the incarceration of their Dad/Mom and the potential damage to their shiduchim?

The responses begin here:

From: AC [mailto:ac@yahoo.com]

Sent: Friday, 23 December, 2011 06:45 AM

To: nefeshint@list.nefesh.org

Subject: Re: [Nefeshint] Request from a Rabbi for professional opinions regarding potential BPD and the risk of child abuse

All of the issues the posek is concerned about are important for psychological and physical wellbeing: parnasa, shidduchim and social acceptance/appearance. In my professional opinion and experience, though, even when grouped together, the above mentioned issues pale in comparison to the importance of being raised by a healthy loving parent. Being raised by the father/mother, as he/she is described, will no doubt result in life-long, severe and irreparable emotional, social and (most likely) physical damage to these children. In addition, as these children grow and (eventually) learn to realize that they were left in this parent's care because of the psak of a Rav, the children will most likely leave the frum world and reject yiddishkeit altogether if not worse.

A C, LMHC, Psychotherapist

From: GT [mailto:GT@gmail.com]

Sent: Thursday, 22 December, 2011 10:52 PM

Subject: Re: [Nefeshint] response to question from Rabbi re:parent with BPD

I have both a personal answer to this and a professional one.

Start with the professional one. (social worker 30 years, Director Clinic, Bnai Braq),

We care for a lot of young adults who have spent their childhoods living with mentally ill parents. Many of these parents had BPD, some had a dual diagnosis.

Without one single exception, the children are very badly damaged from this emotionally.

Emotional abuse is one of the most difficult things to prove in court and therefore many cases never even went to court and the children just suffered..

In some cases we have, with a lot of rehabilitation and by removing the young adults (I mean 18 plus yrs) been able to help them to live independent healthy lives. But in the majority of cases these people are severely damaged and have a mental health diagnosis of their own. I believe their diagnosis is as a result of the constant and ongoing trauma they experienced at the hands of their parent.

We have also seen that the most damaging mental health diagnosis to a child is a parent with a personality disorder.

Parents who have chronic schizophrenia or even severe depression do not seem to damage their children as much as those with BPD.

The Israeli health ministry is currently doing research into the effect of mental illness on a child - as we see so much of it.

So the vital factor for these children is the healthy parent- and the children who live with the healthy parent have a much better chance of not being ill themselves.

In severe cases it is futile to talk of shidduchim because the child will not be well enough to marry and maintain a healthy relationship.

I have written articles on the effects of separation of parents and divorce - I will send them to you.

On a personal note - I am the child of a parent who was mentally ill with a BPD. I was removed from my home at the age of 12. My parents divorced and both my brother and I were granted custody to the " healthy" parent. The " healthy " parent sent me back to live with the sick one because they were worried about the sick parent. The emotional trauma that I experienced has had a lifelong effect on me.

I have been a social worker for 30 years and I know now that I went into this field in order to try and make a difference. If I could save just one child from experiencing what I experienced then I knew it would be worth it. I would be willing to give evidence any day against this mother having custody of the children. GT

-----]
Sent: Thursday, 22 December, 2011 07:37 PM

Subject: Re: [Nefeshint] Request from a Rabbi for professional opinions regarding potential BPD and the risk of child abuse

Thank you for posting this, I am so heartened to see that a Rav is taking the care to seek out the opinion of mental health professionals in this very serious matter.

Many, many, many of my clients over the years have been the children of borderline or narcissistic parents and they are truly tortured souls. To me this question is the difference between internal and external survival. Many children survive impoverishment and grow up intact, and it is not an absolute given here that the other parent cannot improve their financial status. Unfortunately, children can also survive the incarceration of a parent. I am not at all underestimating the devastating effect, but it can be given over as "mommy made a mistake" or "totty was sick, and now he is doing teshuva and getting help." Also, given our legal system it is hardly a foregone conclusion that he/she will serve jail time.

Most important here, however, is that these events are EXTERNAL to the child. Whatever it is that happened, it wasn't them! The greatest gift we can give our children is the gift of a **healthy inner core**, i.e. a strong and trusting connection to their B'tzelem Elokim. This is what builds resilience and a sense of self.

With this, we can survive anything. **Borderline parents destroy their children from the INSIDE out**, and these children become shattered vessels who hold deep beliefs that they are bad, unworthy, unlovable, and can never trust anyone or anything again **INCLUDING** a parent and a **GOD** who knowingly let them continue to be abused. They will lose not only the most precious thing about them which is their **SELVES**, they will also never forgive their ineffectual parent (or God) for abandoning them to this fate. He will lose them for sure.....I am happy to speak this through further.

Hashem Yirachem. JS, LCSW

From: KX [mailto:K.X@chhc.org]

Sent: Thursday, 22 December, 2011 06:55 PM

Subject: Re: [Nefeshint] Request from a Rabbi for professional opinions regarding potential BPD and the risk of child abuse

I would say that the children are better off with the healthy parent despite the drawbacks you mention.

My guess is that the BPD parent's behavior will get worse once the healthy parent is out of the picture. The children will not have a good parent available to them at all. We all know that parenting is crucial to what kind of adult a child will become.

The BPD parent's behavior is described as criminal. It certainly sounds abusive as well. Criminal and abusive behavior are crimes. This must be reported to the authorities. If the healthy parent gets custody I would bet s/he will be able to nurture these children through the rough times of the split, legal proceedings, poverty, taunting etc. If s/he is as good a parent as you say he is, the children will grow up fine and get shidduchim when the time comes. I am sure those in the community know what the BPD parent is all about. The children are better off with healthy parent.

We need to focus on the children. I do not care about the parent's career.

Can child support be ordered by the court?

KX, LCSW-R

From: nefeshint-bounces@list.nefesh.org [mailto:nefeshint-bounces@list.nefesh.org] **On Behalf Of** NC

Sent: Friday, 23 December, 2011 03:21 AM

To: nefeshint@list.nefesh.org

Subject: Re: [Nefeshint] Request from a Rabbi for professional opinions regarding potential BPD and the risk of child abuse

.....KX's remark is poignant - if not sharp. A parent's career is important but this value is trumped completely by the need to keep kids safe. They require an innocent childhood - as much as they can be provided. This is a truly high value. It is one of the wonderful things about the modern world that we try to take the needs - albeit inadequately - of the

weakest among us in mind.

NC, MD

From: QR [mailto:QR@gmail.com]

Sent: Thursday, 22 December, 2011 11:42 PM

Subject: Re: [Nefeshint] Request from a Rabbi for professional opinions regarding potential BPD and the risk of child abuse

It would seem to me that the emotional and physical well being of the children is of primary importance. I can't imagine how the children are processing what is going on around them. Someone has to take responsibility for them. Nonetheless, it seems that pikuach nefesh is of concern here. (I am not a frequent contributor to this listserv but when I hear of danger to children, I can't help but express my concern.)

QR, LSW

From: nefeshint-bounces@list.nefesh.org [mailto:nefeshint-bounces@list.nefesh.org] **On Behalf Of** TZ

Sent: Thursday, 22 December, 2011 05:49 PM

To: nefeshint@list.nefesh.org

Subject: Re: [Nefeshint] Request from a Rabbi for professional opinions regarding potential BPD and the risk of child abuse

.....As I hear the Rov's question, it is how to balance the needs of the children between the stigma of a stigmatized parent vs. ongoing abuse in a situation where there is no protective onlooker (i.e. the father). Dr. Workenklein's answer pretty much covers that. Psychologically speaking, if the children continue to grow up in that environment -- they may get "good" shidduchim, but what kind of marriages will they have? My practice is full of such shidduch results, and it's a tragedy for the next generation as well.....

TZ, Monsey

----- Forwarded Message -----

From: SJ <SJ@gmail.com>

To: Rabbi Yehoshua <kaganoff@juno.com>

Date: Thu, 22 Dec 2011 22:02:46 -0500

Dear Rabbi Kaganoff,

Of course I do not know the children or the family in question, but am familiar with typical child development and child trauma.

Based on the Rabbi Kaganoff's description, my concern is for the developing personalities of the children.

Children are very dependent on the attitudes and behaviors of the adults around them to define their own competence. Children raised with parents who are supportive and caring, typically develop secure attachments, defined as the ability to trust themselves and others. Children raised by parents who are verbally abusive i.e. critical, inconsistent and neglectful of basic physical and emotional needs, run significant risk of becoming young adults and adults who are unable to trust others and constantly doubt their own abilities.

The concern about the children being stigmatized by the fact that one parent is incarcerated is less likely to affect the core personality traits of the children. Being raised by caring and loving adults (even ones who have less financial success) is a far more important criteria for emotional health. I believe that the likelihood that the community in a frum environment will support young children without one parent is good. Children who are secure emotionally, can more easily tolerate teasing. Every child is teased at some point in their lives. It is the secure child who is capable of brushing it off, and this usually results in a quick end to the teasing.

I would be more concerned about a shidduch for a child with an abusive parent and their resultant personality traits than I would for a child who has a "skeleton in the closet", but a healthy emotional makeup.

SJ PhD, Developmental Psychology, School Psychologist

----- Forwarded message -----

From: "OL, MD (mobile phone)" <doctorol@rr.com>

To: Rabbi Yehoshua <kaganoff@juno.com>

Date: Wed, 21 Dec 2011 09:04:44 -0500

[the concerns about being reared by an abusive parent] are reasonable and correct. The concerns about taunting and shidduchim sound like nonsense. Abuse is a sofek nefashos at the very least.

I can't "agree" or "concur" about a specific case where I have not evaluated anyone myself. For example, the supposition that she is abusive, that he would be a capable parent, etc., are all opinions that I can't agree or disagree with as I have not evaluated anyone.

rom: nefeshint-bounces@list.nefesh.org
[mailto:nefeshint-bounces@list.nefesh.org] On Behalf Of KXD
Sent: Thursday, 22 December, 2011 07:01 PM
To: nefeshint@list.nefesh.org
Subject: Re: [Nefeshint] Request from a Rabbi for professional

1. This may be a great opportunity to educate the rav about the long-term effects of emotional and physical abuse on children. Here are links to some articles:

<http://tinyurl.com/c8zqooo>

<http://www.ncbi.nlm.nih.gov/pmc/articles/PMC3031095/>

http://deepblue.lib.umich.edu/bitstream/2027.42/68420/2/10.1177_088626098013005002.pdf

<http://tinyurl.com/2dkwzbw>

KXD, Ph.D. Candidate,

From: KH[mailto:KH@gmail.com]

Sent: Thursday, 22 December, 2011 10:48 PM

Cc: nefeshint@list.nefesh.org;

Subject: Re: [Nefeshint] Request from a Rabbi for professional opinions regarding potential BPD and the risk of child abuse

There are two books I highly recommend 'So the witch won't eat me ' and 'Surviving the borderline mother'. Both add to the Rov's expertise in seeing the quantifiable emotional cost of these fractured harmful deniers of trust. Read as information, the books gently or not so gently shake up basic premises and shatter beliefs and axioms. Must reads for laymen and professionals. This is surely pidyon shevuim.

KH, Phd

From: LF [mailto:lf@gmail.com]

Sent: Sun, 5 Feb 2012 04:04:53 -0800 (PST)

Subject: Re: [Nefeshint] Request from a Rabbi for professional opinions regarding potential BPD and the risk of child abuse

If <lf@gmail.com> writes:

Unfortunately, I am from the same community as the family that is being described. In spite of the efforts of the NefeshList moderator to hide the identities, I recognize who they are. I am mentioning this because in addition to your description, I will add my own personal observations as to the nature of the dysfunction.

The impaired parent does NOT suffer from BPD; but worse! If I was going to label a person engaging in abuse that is motivated for a need for power, rather than to ward off insecurities, I would call it "malignant narcissism" - in simple laymen's' terms, a plain case of a Domestic Violence Dynamic.

In situations such as these, the only solution is to involve the criminal justice system! There needs to be brought to bear a power of a magnitude that can offset the impaired person's power mania.

After s/he is within the criminal system then the judge could offer him/her, the Jail Diversion Program which would get her/him properly assessed and hopefully into appropriate treatment.

Additionally it is very important for the one doing the assessment to really understand the difference in underlying personality structure when it comes to actual abusive behaviors. The behaviors themselves don't really explain the motivations, prognosis, and treatment needs. I do recommend that the assessment be done by someone who is very familiar with diagnosing various types of personality organization levels and types, such as the group at Cornell's Personality Disorders Institute. **Many, many clinicians are not schooled in that type of personality disorder assessment.**

Hope this helps-

LF-, M.S., M.A., LPC

Professional Individual and Marital Counseling

HALACHIC PARAMETERS OF DOMESTIC ABUSE AND MOLESTATION

[Ed note - This Teshuva already appears on page 86. It is being repeated here to emphasize the concluding paragraph which is of great import on our present topics]

23 Sivan, 5769

15 June '09

Dear Rabbi Eidensohn,

I'm sorry that there seems to be such confusion [about my previous letter pg 293]. Let me see if I can clarify:

1) Sakonas Nefoshos and Pikuach Nefesh in regard to suspending Isurei Torah (Chillul Shabbos, Ma'acholos Asuros, etc – in the balance of this essay, I will be using Chillul Shabbos as a paradigm. It is meant to include all other Torah prohibitions with the exception of Avoda Zoro, Gilui Arayos, and Shfichas Domim) always mean a life-threatening situation. The person is in danger of dying- physical death.

If, however, we know for sure that he will not die, but only will have his life functions severely compromised, this is not Sakonas Nefoshos or Pikuach Nefesh. I believe this is universally accepted.

2) A Sofek of the above is treated the same as a certainty. (Rambam, Shabbos 2:1; Shulchon Aruch OC 328 MB #17)

3) Even the slightest concern of #1 above is required to be treated as if it's the "real thing" (MB 328:16).

Quite To the contrary, I have to be absolutely certain (Shulchon Aruch 328:4; "Makirim b'Birur" MB # 16) that there is absolutely no possibility of Sakono in order to desist and refrain from Chillul Shabbos!

4) But this is all theoretical. I know what I should or should not do; but I'm still faced with a dilemma: I still don't know what does a Sakono look like!

Obviously, if flood waters are about to drown someone and other similar circumstances, everyone instinctively knows that this is a Sakono. However, most circumstances and situations are much more subtle.

Therefore, Chazal in the Gemoro and Shulchon Aruch (328: 3,5,6,7,8,9) began the process of identification by listing events and situations that definitely qualify as Sakonas Nefoshos;

And by extension anything that may be within the parameters of #2 or #3 above, of these identified conditions are also included thereby.

Finally, Chazal state (328 #10) that the identification process is an ongoing dynamic of keeping abreast of all the latest current medical data. (See also MB 328 #15)

5) Are chest pains a Sakonas Nefesh?

A: Based on what current Medical science informs us (#4) and following the before mentioned principles:

Paragraph #3 above needs to guide our actions (even though the pains may just be indigestion or a muscle strain). We need to conduct ourselves per Paragraph #3 until we are absolutely certain that there is no Sakona or the Sakona has passed (In medical terms, "the patient has been stabilized").

Even after "stabilization", those activities that are needed to maintain the stabilization and induce full overcoming and dissipation of the Sakona are mandated by Halocho.

6) If we suspect that a person may have been bitten by a rattlesnake or symptoms of Swine flu develop, what shall we do? The answer is the same as #5. Current medical science informs us that a Sakonas Nefesh entity has possibly been introduced into the victim's system and Halocho requires us to conduct ourselves as per Paragraph #3 above.

7) If we suspect that a person may have been exposed to an event or substance that can lead to mental illness; or symptoms develop that indicate the possible onset of mental illness, what shall we do? Since current medical science informs us, that until a proper assessment (“workup”) has been done, we are completely “in the dark” as to the extent of the affliction. That being the case and since the realm of mental illness includes many conditions that without intervention engender Sakonas Nefesh, the answer is the same as in #5 and #6. That we are required to be concerned that a Sakonas Nefesh entity has possibly been introduced into the victim’s system and Halocho requires us to conduct ourselves as per Paragraph #3 above.

8) Much of the rabbinical discussion concerning the classification of mental health ailments is, most unfortunately, due to the history of antagonism and lack of trust (not entirely unjustified on either side – see my attached essay pg 467) and subsequent lack of very open, honest, and trusted communication between the mental health professionals and the rabbinical professionals. Even though the situation is beginning to improve, in many cases, we, the “Hamon Am” – the common layman, are still the victims of backwards provincialism in both camps. (Please see my attached letter. *ibid.*)

9) The classification of what is a Rodef, parallels the same criteria as Paragraph #3 above. This is clearly stated by Chazal. (Rambam Gneiva 9:10, Aruch HaShulchon CM 425:10; 358:17)

I hope that this has been helpful in clarifying the matter.
Sincerely,
Rabbi Kaganoff

**REPORTING ABUSE –
PERSONAL & RABBINIC RESPONSIBILITY**

[Ed note - Even though the following teshuvos specifically address sexual molestation they are equally applicable to domestic abuse (see pg 21)]

kaganoff@juno.com>

Date: Wed, 05 Aug 2009 00:34:20 +0300

Kaganoff wrote:

Dear Rabbi Eidensohn,

I assumed that you sent the link to me because you were interested in hearing my responses. They are in bold and larger font.
Sincerely, Rabbi Kaganoff

On Mon, 27 Jul 2009 Daniel Eidensohn writes:

<http://daattorah.blogspot.com/2009/07>

[abuse-questions-to-ask-your-local-rabbi.html](http://daattorah.blogspot.com/2009/07/abuse-questions-to-ask-your-local-rabbi.html)

Q1. In a case where a father finds out that his son is being molested by a teacher and this is corroborated by several of his classmates. The abuse has been going on for a number of months. Thus, there is absolutely no question that the abuser is active and the danger is present for the foreseeable future. Since in my opinion I have clear and unequivocal evidence that the molesting is taking place - can I go directly to the police. Or do I need rabbinic approval first?

A. In item #1 of my first Teshuva to the Moetzes, which you posted on your Blog, I addressed this. The Maharam Mirzburk is quoted as the definitive Halacha that it is a Mitzva to go directly to "Arkuos" eg the police. Please refer there for the sources pgs 326-340

Q1b. -- Is there a difference whether the likelihood of another incident is clearcut and urgent or whether there is clearly time to consult rav?

A. The only time that one needs to consult a Rav first, is if it is absolutely clear that it will not occur again. Also mentioned in the above source material and pgs 326-340 and 83-84.

Q2. A person reported Reuven as an abuser or attacked Reuven because he reasonably thought Reuven was a rodef and needed to save Reuven's apparent victim from harm and he hurt Reuven in the process. It was discovered that Reuven was not, in fact, an abuser or rodef - is the person liable for damages? For example I see a man and woman fighting and the woman is screaming. I go over and warn the guy to stop but he tells me to mind my own business. The woman seems to be in danger and the only way I can stop the attacker is by taking a baseball bat and knocking him out. It turns out that they are married and the wife sues me for hurting her husband.

A. According to all Poskim, he is definitely Potur (exempt). ("because he reasonably thought Reuven was a rodef") There is no dispute on this. (See CM 380:3 from Boba Kama 117B and Sanhedrin 74a.) This Psak is Gemoros Mefuroshos (explicitly stated in the Talmud). A Takonas Chazal (special Rabbinic dispensation) that suspends אדם מועד לעולם (the otherwise operative Torah principle that a person is always responsible for tort damages- irrelevant of his intent!)

Q3. In a case where a rav said not to report a case of abuse and as a result the child suffered severe physical and psychological damage - is there any liability for either the rav or the person who listened to the rav?

A. Much to my chagrin, in the eyes of Halocho there would seem to be no fiscal culpability. I guess Hashem wants to deal with this Himself.

The Rav is in violation of at least 2 Mitzvos Aseh and at least 2 Lo Saaseh. He may also incur upon himself an "Orur" - a Klolo (curse). I will explain:

The Rav was guilty of a הוראה בטעות (Judicial error). From the Shach CM #9 it would emerge that this is a טעה בדבר משנה (An empirical informational error). The Shach's proof from Sanhedrin 32a concerning Rabi Tarfon would seem to be an even closer fit to our present discussion - after all Rabi Tarfon also was just unaware of some "medical" information (*see pg 242 story of Rabi Tarfon).

Even so it is of little consequence in regards to financial liability for the Rav/Posek.

The operative Psak concerning rabbinic liability, whether it be טעה בדבר משנה (An empirical informational error) or טעה בשיקול הדעת

(mistaken judgment call) is that a:

1) מומחה (expert) that

2) has קבילו עליהו (public acceptance) or has רשות (permission from the Authorities to render decisions), is not culpable to pay any damages.

The operative Halocho, in spite of many dissenting opinions is that he is NOT considered even a גרמי “Garmi” (direct precipitator) because he did not intend to cause damage.

Most Rabonim who pasken on these Sha'alos today, fall under the rubric of מומחים (experts (see Oruch Hashulchon CM 25 # 1) and קבילו עליהו (public acceptance) (see Oruch Hashulchon CM 25 # 7) and therefore would escape financial liability. (Even if you could bring proof against the Aruch HaShulchon, the Rav could exempt himself with קים לי (Halachic legal devise in monetary matters where the defendant can avoid liability by stating that he accepts as authoritative a minority opinion)

Even though the Chazon Ish (Igros #31) and the Gro (Mishlei 6,4 & 22,12) are very critical of Rabonim/Dayonim/Poskim who are not well-informed in regards to the practical details of the question brought before them and are not up to date on the current scientific/ medical information, and as a result hand down erroneous “Piskei Din” (verdicts); we would, nevertheless, be very hard-pressed to thereby demote the status of contemporary Rabonim to that of non-Mumche (non-expert). Even if we could muster a cogent case to do so, they, nevertheless would, in all likelihood, still be exempt, since in it is very unlikely that they will actually have personally handed the child directly to the molester - i.e. only נשא ונתן ביד (if the judge actually carries out the verdict personally with his own hands) is he liable in this case (as per Aruch HaShulchon CM 25 # 9).

The party who listened to the Rav, likewise, has no financial liability. He is an אונס (coerced – in this case morally and ethically) having been misled by an authoritative person whom he thought was knowledgeable!

However, The Rav is in violation of at least 2 Mitzvos Aseh (השבת – restoring a person's loss- the child's personal welfare and אבידה

safety; and בצדק תשפוט - judging correctly) and at least 2 Lo Saaseh (לא תעמד על על דם רעיד - Do not stand by idly at the debilitation of another; and לא תעשו עוול במשפט - do not judge unjustly!).

He may also incur upon himself an "Orur" - a Klolo:

If he is opposed to becoming educated and informed about these matters (his attitude is contrary to the Gro and Chazon Ish above), then the reasoning in the introduction (פתיחה) to "Chofetz Chaim" concerning the קללות (curses) on Loshon Horo (gossip) would equally apply here in our case. Namely ארור מטה משפט גר יתום – Cursed be he, who causes injustice to befall the disadvantaged.

Q4. In a case where a person reasonably concluded that a child is being molested and a rav told him not to report it - should the person report it anyway?

A. Of Course, he should ignore the rav and report it! The Rav's directive is a טעה בדבר משנה (An empirical informational error) of which the Halocho states חזר דינו – defacto null and void; as if it never occurred.

From: Daniel Eidensohn <yadmoshe@012.net.il>
To: kaganoff <kaganoff@iuno.com>
Date: Wed, 05 Aug 2009 00:34:20 +0300
Subject: Re Daas Torah - Issues of Jewish Identity:
Abuse: Questions to ask your local rabbi

Thanks for your informed answers - I think this is the essence of the issue.

Can I publish this? If so anonymously, or with your name attached?

*** Story of Rabi Tarfon (Sanhedrin 33a):**

“There was a story about Rabi Tarfon. A cow whose womb had been surgically removed was brought before Rabi Tarfon. He rendered the verdict that it was Not Kosher by virtue of this defect (he reasoned that this defect would prove to be fatal within 12 months) and consequently fed the carcass to dogs. When reported to the Rabbis in the Yavne Academy, they said that the cow was Kosher! They cited as their reasoning the maxim of Tudus the Doctor from Rome. Tudus taught his students, based on his medical information, that all cows and pigs exported from Alexandria, Egypt had their wombs removed. (Rashi explains that Alexandrian cows and pigs were of very high quality and the exporters didn’t want a competing supplier to be established elsewhere. Therefore they castrated the females and “cornered the market”.) Obviously, the exported animals survived; otherwise there would be no market at all!

When Rabi Tarfon heard this new perspective, he exclaimed [aloud to himself], “הלכה חמורך טרפון” Tarfon, your donkey has departed!!” What he tersely meant to say was that it would be necessary for him to liquidate his means of transportation in order to reimburse for the damages he had caused by his erroneous decision. The Gemoro then launches into various refutations as to why Rabi Tarfon was not liable even though he erred egregiously. The cited reasons for exemption in the text above are all derivations of the Gemoro’s discussion.

**Correspondence with a prominent Rosh Yeshiva concerning
selection of a Bais Din**

On Mon, 3 Oct 2011 10:22:03 -0400

el<sem@gmail.com> writes:

Dear R Yehoshua,

Reishis Kol, a G'mar Chasima Tova and thanks for responding.

In response to the first part of your response I really can't argue based on any fact, although I disagree with your opinion. I think I'm competent enough to comprehend a picture both the clear and the subtle. Perhaps there is another reason for not revealing the contents to me?

In reference to the second part, about going to Bes Din, I'm really in a fog! Once again, does she want a get or not? If yes, the procedure is you are Mazmin the Nitvah I'Din; Not so? The husband has to sign a Shtar Birurin for the wife to ask for a get in Bes Din?? Maybe I'm not familiar how the these things work.

Also, you mention "Bes Din of America". Mi Hu Zeh? Ve' Ayzehu?! Is this a Bes Din that is used by the Heimishe Oilom (Bnei Torah etc.)? Also, since when does someone go to Bes Din that they should decide if they should get divorced or not? I thought, if anything, although your mind is made up for divorce, the Bes Din tries to discourage it. That the decision to divorce is based on prior counseling and guidance of both parties "together".

I would greatly appreciate clarification in all of the above.

B'Chol Hakovod, EL

From: Rabbi Yehoshua <kaganoff@juno.com>

To: SEM@gmail.com

Date: Wed, 5 Oct 2011 16:01:16 -0400

Dear Reb E,

Once again my apologies for the delay in responding and likewise a G'mar Chasima Tova. I am attaching a letter of mine that will be published in the Succos edition of Binah magazine. Besides the

fact that it was the cause of this delayed response to you, its contents, I believe, are also pertinent to our discussion.

1) Actually your first assertion is not the case at all. 2 analogies to illustrate:

We wouldn't dream of asking a Ba'al haBos or a young Mesifta Bochur, neither of which are holding in a Sugya - the first because he hasn't reviewed it in 25 years the latter because he has never learned the Sugya - to explicate a piece of Reb Boruch Ber! To ask them to analyze it and present a lucid presentation of its contents and add commentary and He'oros upon it, is simply ludicrous!

OR

We wouldn't ask a very distinguished professor of physics or l'havdil, a Rosh Yeshiva, to interpret the results of an EKG of someone experiencing chest pains!

In either of these cases the unlettered and unfamiliar person will emphasize the unimportant and ignore the critical. If he does 'happen' on the correct interpretation, it still has no authority. It was just a matter of accidental coincidence. Responsible people, simply, do not conduct their lives in this manner!

This is precisely the situation here as well. Without a familiarity with the subject matter, the document at best would be meaningless, at worst would cause severe misrepresentations, distortions and misguided behaviors as in the above analogies. **Please note the bolded part** of the below email written by an intern in OHEL

From: Cha L <chal@gmail.com>

Date: July 17, 2011 12:21:19 PM EDT

To: Chaya <c@gmail.com>

After last week's events (*ed. note – The Horrific murder of Leiby Kletzky*), Rov Dovid Cohen who is our posek here at Ohel, stated

explicitly that as mandated reporters, therapists are required legally and ethically to report all suspected abuse to the authorities IMMEDIATELY--as the law requires--; the idea that we should have to consult a rav about whether or not to call, when our professional training and instincts tell us that something is amiss is like hemming and hawing about whether to call Hatzolah. Crazy! Anyway, the Rabbonim are well trained in Paskening Halacha, they are not sufficiently trained and experienced in picking up on abuse or recognizing its dynamics. I had a couple here a few months ago who had been working on their marriage for FIVE YEARS with a well respected and really smart Rov who just wasn't able to detect in all those years what I (-a dumb intern not particularly experienced at all--) was able to pick up on, in 5 lousy minutes. Big difference between a dysfunctional marriage and an abusive marriage and hard to tell if u don't know what to look 4 and what questions to ask. Had they gone for the right help at the outset, 3 less kids would have been brought into a toxic situation. Very tragic!

2) "הלכה חמורך טרפון" is a well known Gemoro (Sanhedrin 33a- see pg 242). True, the Maskono of the Gemoro is that he was not Chayav to pay damages, but R' Tarfon's lack of knowledge of medical and/or scientific information, was nevertheless a classic example of טעה בדבר משנה and it is the basis of the Shach's Psak CM 25, s'k #9 (middle end) that anything that is "Poshut" falls into this category and is חזר דינו.

Forgive me for saying, but just as you, Reb E, are not familiar with the dynamics and details of domestic abuse, I am pained to say that this is also the case for the overwhelming majority of Rosh Yeshivos, Rabbonim and most grievously Dayonim and Botei Din. There is only ONE Bais Din (Bes Din of America) here in the States, that has troubled itself to familiarize itself with this information.

However, just as you do not feel, at this point in time, that this lack of knowledge is a 'Chisaron' in your ability to be sufficiently

competent on the subject, that same sentiment is also shared by this vast majority of Dayanim etc.

So we have a horrible paradox. The Halocho is: Toveah is Mazmim to Bais Din #1 Nitva then has the right to say, "No, I want Bais Din #2. And that's what needs to be done, according to technical Halacha.

BUT in the present scenario described above, following this course of action will transgress a different Isur as per CM 8:1 e.g. going to a דיין שאינו הגון, because they are indeed unknowledgeable and therefore incompetent.

Hence, my suggestion: that both sides mutually agree to go to the only competent Bais Din here in the States. I can assure you that everyone involved would much prefer that this matter be dealt with in a competent Bais Din and not in secular court (with the exception, of course, of the lawyers, who won't get their fees).

In response to your other queries:

Bes Din of America's reputation is widely recognized both here and in Eretz Yisroel by all segments of our community.

In regards determination of divorce, only in Secular court and law can one spouse unilaterally force a divorce. However please see Even Ho'Ezer 154, that this is not the protocol of Bais Din. Bais Din hears the Ta'anos of both the husband and wife and then determines the proper course to take: counseling, coercion, punitive actions, or Get etc.

BiChvod Rav, Yehoshua

Abuse victim's need for
"A Settling of the Account"
and/or an Apology

Dear Rabbi E,

After sending the below letter to you, I had opportunity to consult with a very prominent Traumatologist/Trauma therapist trainer. I shared with her the content of the letters and she edited them to keep the contents (and me) up to date. I am therefore passing this information on to you as well.

Sincerely, Rabbi Kaganoff

On Sun, 02 Aug 2009 21:00:23 -0400 "vbr" <vr@verizon.net>
writes:

Dear Rabbi Kaganoff,

Attached are *my comments* on your letters (*in italics*). The comments speak for themselves. One overriding comment is to not "sell" EMDR as a short miracle cure. Many of the people you have referred to me are definitely longer term clients.

I very much appreciate your taking on this extremely important problem!

Best, V

Dear Rabbi E,

I wanted to thank you for arranging and facilitating Mrs. D's presentation in our community. The raising of awareness of this issue in our community is of highest priority. Thank you.

Lack of awareness/denial is, however, only one third of the problem that swirls around molestation. You may already be aware of the other 2 thirds but I feel it is important to articulate them, just in case you aren't informed.

1) I am attaching a letter to Yated (pg 361), which I penned and they sanitized and then published, which addresses this aspect. The

victims can *many times* be fully healed and *although it is often arduous, the newer trauma therapies shorten the time it takes to process the issues fully and it becomes a gratifying experience for the people involved.* The Mental Health profession needs to realize that the most recent research indicates that cognitive therapies DO NOT work for this acute abuse; BUT NON-COGNITIVE therapies *which incorporate a mind/body approach* are very effective both immediately after the event, and even years later. Please see the accompanying letter.

2) The assertion is frequently made that in order for the victim to achieve proper healing, the perpetrator must be punished and apologize and the community must be compassionate and supportive. This was even recently reasserted by B.M. in a post. It has been known for years (at least 8-15, for those who are current in the field) that these are NOT critical elements in the victims' recovery.

A compassionate and supportive community is definitely helpful, but by no means required.

And perpetrators hardly ever are punished or apologize; and even when this does happen it does little to soothe the victim. The victim needs an internal healing which only non-cognitive therapies can provide. And when effected, makes the perpetrators' punishment or apology basically irrelevant. *It is certainly helpful for the perpetrator to acknowledge, apologize and, if possible, atone. However, as you point out, this rarely happens and is not necessary for the victim's recovery.*

Once again you should be wonderfully commended for all your efforts in this endeavor.

Sincerely,
Rabbi Kaganoff

Domestic
Abuse
Teshuvos

ABUSE REPORTING – When do you become exempt?

Mon, 13 Jul 2009 11:55:21 +0300

Daniel Eidensohn <yadmoshe@012.net.il>writes:

<http://daattorah.blogspot.com/2009/07/responsibility-absolved-if-case-is.html>

I need some sources regarding the question of whether a person is absolved of responsibility by going to a rabbi or police.

For example, we know that a person is obligated to try and save another from harm. If he sees another drowning or hears a plot against him, he needs to either save him or have others save the person.

When I discover a case of abuse and report this information to a rabbi or the police - am I free from future obligation? Or should I view that I have merely delegated the task to another but that the primarily responsibility remains with me. This seems to be the issue of a Shomer (watchman) who hands his job over to another Shomer. If there is any damage, the first Shomer is responsible!

שולחן ערוך (חושן משפט רצא:כו): שומר שמסר לשומר, חייב, אפילו אם הוא שומר חנם ומסר לשומר שכר, דאמר ליה: את מהימן לי בשבועה היאך לא מהימן לי בשבועה. אפילו אם ידוע לכל שהשני טוב וכשר יותר מראשון. הגה: מיהו שומר שמסר לשומר לפני המפקיד, ולא מיחה, פטור (מרדכי פרק המפקיד). לפיכך אם דרך הבעלים להפקיד תמיד דבר זה אצל השומר השני, הרי השומר הראשון פטור מלשלם, והוא שלא ימעט שמירתו; אבל אם מיעט שמירתו, כגון שהראשון פושע הוא הראשון, היה שומר שכר והשני ש"ח, או שהראשון שואל והשני ש"ש נפטר, ומשלם, אע"פ ששאל או שכר בבעלים. ואם יש עדים ששמר השני כראוי שומר ראשון. ואפילו לא היו שם עדים, אם השומר הראשון ראה ויכול הוא לישבע, הרי זה נשבע ונפטר (ועיין סימן ע"ב סעיף ל').

Is that true in the case of an obligation to protect another person from harm? In other words if I report a case of abuse, do I need to do a follow up that the case is in fact being properly dealt with?

Additionally, if I try once to help and fail - do I need to keep trying?

Dear Rabbi Eidensohn,

I want to follow up on your queries from 13 July.

I would like to present 3 points:

1) **שומר שמסר לשומר** is not applicable here. (This is NOT an application of the Halachic implications of an appointed watchman transferring the object to another person without the owner's consent.)

2) It **is** a case of **השבת אבידה** (returning a lost object)

3) And therefore, what are the parameters of Hashovas Aveida (**השבת אבידה**) and how would they apply in our context?

1) **שומר שמסר לשומר (Shomer SheMosar LeShomer) (transferring between watchmen) would not seem to be applicable here.**

Either according to Abaye, that the reasoning is because **אין רצוני** אחר שיהא פקדוני ביד אחר ("Ain Reztoni SheYehe Pikdoni b'Yad Acher = Owner of object opines that he is unhappy that his object has been transferred without his approval") OR whether according to Rovo that it is because of **מהמנית לי בשבועה והיאך לא מהמנית לי את** ("At M'hemnis Li b'Shevuoh, v'Haich Lo M'hemnis Li = I trust the oath of Watchman #1 but NOT the oath of watchman #2"), both reasons see that the underlying principle is a contractual agreement (a **שעבוד** shibud) that binds the Shomer (Watchman), because of the contract undertaken, with the owner of the property. In our situation there has occurred no contractual arrangement between the victim and his erstwhile rescuer/interventionist.

Whether there is an Isur (Torah Prohibition) aspect of **אסור לשומר למסור לשומר** "Osur L'Shomer Limsor l'Shomer = a watchman is prohibited by Torah Law to transfer the object to another watchman without permission") is discussed in the Acharonim - please see Aruch HaShulchon 291:45,46 and Pischei Choshen vol 2, 4:1:1). But even if there is an Isur aspect, it flows from being

מעביר על דעת בעלים "Maavir Al Daas Baalim = transgressing the will of the owner") - a Gezel/Gneiva (larceny/robbery) parameter which would not be applicable in our scenario - in a strictly Halocho legal sense. (Musal/ethical/moral considerations need to be considered separately.)

The following sources and analysis, I believe, support this position:

The position of the Rav Shulchon Aruch (Hilchos Aveida uPikadon #32 quoted by Pischei Choshen, Aveida 6:4) and Halacha Berura 5:12 (lost & found II, between footnote #7&8), both hold that אבידה ("Aveida = a lost object being held for return") in all circumstances has no restriction of אסור לשומר למסור לשומר ("Osur l'Shomer LiMsor l'Shomer"); the reasoning of Rav Shulchon Aruch is, "Hashem made him a shomer; NOT the בעלים ("Baalim = owner of object")

The source for the Rav Shulchon Aruch is most probably the Rashbo (Teshuvos Vol 4 #254 quoted in Bais Yosef CM 235 immediately preceding note #10 of Darchei Moshe). The Rashbo clearly states the principle that obligations of השבת אבידה ("Hashovas Aveida = returning lost objects") operate independently of דיני שומר ("Dinei Shomer = laws of watchmen"). The Rav Shulchon Aruch, based on the 2 principles in Hashovas Aveida of 1) משתמר Mishtamer (discussed below #3) and 2) no necessity of דעת בעלים ("Daas Baalim = owner's consent"), extends this to mean that another trustworthy person can take over as Shomer.

The Machne Efraim (Shomrim #14, also quoted by Pischei Choshen) understands and applies this Rashbo even in a case where there is an actual הפצא ("Cheftzo = object") and חיוב תשלומין ("Chiyuv Tashlumin = obligation to pay") in question. He holds that a scenario is possible that 1) I could have your object in my jurisdiction, 2) I am, nevertheless, totally exempt from any

Shomer responsibility; but 3) nevertheless Hashovas Aveida requires me to keep it **משתמר** ("Mishtamer = protected see below").

One could conjecture that, by extension, it would appear that Machne Efraim, a fortiori, concurs with Rav Shulchon Aruch that the Aveida object could be transferred to another Shomer; but after reflection we realize that the 2 opinions are not interwoven. Indeed in the unique scenario of the Machne Efraim he would hold that there is no **חיובי שומר** ("Chiyuvei Shomer = Halachic obligations of watchmen") and consequently it could also be transferred to another Shomer but that does not necessarily mean that he would agree in all other cases with the Rav Shulchon Aruch's Chidush.

The only thing we can definitely extract from the Machne Efraim's position is that he is in agreement with the Rashbo's principle that obligations of Hashovas Aveida operate independently of Dinei Shomer.

Likewise the Rav Shulchon Aruch does not agree with the Machne Efraim. Even though he holds that another Shomer can be appointed in the finder's stead, he does not agree to exemptions from other Chiyuvei Shomer. This I believe is apparent from his formulation of the Halocho in Hilchos Aveida uPikadon # 29

The Nesivos (CM 291:3) strongly disagrees with the whole premise of the Machne Efraim. He maintains that it is absurd to posit that your object is in my jurisdiction and concomitantly there are no "Chiyuvei Shmira" - ie every object Aveida situation, ipso facto, also incurs Shomrim obligations. It would appear that the Nesivos not only disagrees with the Machne Efraim but even with the Rav Shulchon Aruch as well for the same reason. (However, The **ראיות** ("Raayos = proofs") that the Nesivos adduces from the Yerushalmi and Maharit are neutralized by the refutations proffered by the Machne Efraim and **שׁוֹ"ת עֵינֵי יִצְחָק** (#78 אבן העזר) anaf 2)

Nevertheless, I believe that in a scenario of Hashovas Aveida that does not pertain to a "Cheftzo" but is only a חיוב מגברא להבירו (“Chiyuv m'Gavra l'Chaveiro = an obligation of one man to his fellowman”) that the Nesivos will agree to the premise of the Rashbo that obligations of Hashovas Aveida can be operative even though there are no Dinei Shomer. I assert this based on the discussion of the Nesivos himself, in regards to how the Mitzvo obligation interplays with the Chiyuvei Shmira insofar as to whether the פרוטה דר' יוסף (“Pruta d'Rav Yosef = a nominal profit to an Aveida-watchman in that he is exempt from giving Tzedoko”) applies to modify the status re: שומר חנם (“Shomer Chinom = unpaid watchman”) or שומר שכר (“Shomer Sochor = paid watchman”). I believe this indicates that even according to the Nesivos the Mitzvo is operating independently; just it is super-imposed upon the שומר הפצא (“Shomer Cheftzo = watchman for an object”) platform.

In summary:

Rashbo: - obligations of Hashovas Aveida operate independently of Dinei Shomer.

Rav Shulchon Aruch: - by all Aveidos there is no restriction of Shomer SheMosar l'Shomer.

Machne Efraim: - Rashbo's principle exempts, in certain scenarios, even חיובי תשלומין (“Chiyuvei Tashlumin”) of an erstwhile Shomer.

Nesivos: - Disagrees with Machne Efraim in scenario where there is an actual הפצא (“Cheftzo= object”). However:

- He states no opinion re: Rav Shulchon Aruch's
Chidush
- No opinion stated in regards to Hashovas Aveida
Without a הפצא Cheftzo

Conclusion:

In a scenario of השבת אבידה Hashovas Aveida that does not pertain to a הפצא Cheftzo but is only a חיוב מגברא להבירו (“Chiyuv m'Gavra l'Chaveiro”), Obligations of השבת אבידה (“Hashovas

Aveida”) operate even though there is no **שומר** Shomer and no **דיני שומר** Dinei Shomer

2) It IS a case of Hashovas Aveida!

While indeed the Gemoro Sanhedrin 73a, on its own, would seem to be inconclusive as to whether according to its **מסקנה** (“Maskono = final conclusion”) rescuing from danger still falls under **השבת** **אבידה** (Hashovas Aveida) or not, we could entertain 3 approaches:

A - that the whole Mitzvo and obligation derives from **לא תעמוד על דם רעך** (“Lo Saamod = obligation to rescue someone in danger”) alone

B - that the basic Mitzvo derives from Hashovas Aveida. Just certain aspects and details that intensify and magnify the obligation are derived from Lo Saamod.

C - both Pesukim (obligating scriptural verses) are necessary; neither one has a greater intrinsic revelation over the other, but **מיתורא דקרא** (“m'Yitura d'Kro = a seeming unneeded redundancy”) is what gives rise to the full complement of rules. (This 3rd approach is nevertheless still consistent with the premise that Hashovas Aveida is still operable)

It appears to me that the overwhelming majority of Rishonim and Poskim accept the second approach (**B**):

- 1) Ramban in Toras ho'Odom (quoted anonymously almost verbatim by Tur YD 336)
- 2) Tur YD 336
- 3) Ritvo (in Chidushim) Y'vomos 106a
- 4) Nemukei Yosef ibid quotes Ritvo and doesn't dispute
- 5) Meiri (Sanhedrin) Hashovas Aveida is the minimum obligation and **השבת גופו** (Hashovas Gufo) is **קל וחומר** (“Kal voChomer = A fortiori”) from **ממונו** (“Momono = a person's property”).
- 6) Sm"a CM 426:1
- 7) Chochmas Shlomo 426

8) Shulchon Aruch YD 336 seif 2&3 - the underlying principle is **והשבתו** V'Hasheivoso **לא תעמד** Lo Saamod. see Shach, Taz & Gro #7,12

9) Ran in Chidushei Sanhedrin ibid - (both Pesukim are necessary; neither one has intrinsic revelation over other; just **מיתורא דקרא** m'Yitura d'Kro. (This is the 3rd approach mentioned above. As also mentioned above, it is nevertheless consistent with the premise that Hashovas Aveida is still operable)

The **ראיה** (“Raaya = proof”) that I had tersely alluded to in my email of 5 weeks ago, is the fact, that concerning **נדריים** Nedorim, the Mishna (Halocho) permits, in a **מדיר ומודר** (“Madir/Mudar = personal oaths restricting interpersonal actions”) situation, to nevertheless administer Refuah (Medical care) as long as there is no external benefit other than that of providing the Refuah itself.

The Rambam and Bartenura, both adduce **והשבות לו** (v'Hashevosa Lo) as the source - **not** **לא תעמד** (Lo Saamod). The Tosfos Yomtov's reticence would also indicate that he is in agreement. (Granted that other Rishonim give a different reason for the Heter (permission) for Refuah to be administered, but that's because a more basic more global **סברא** (“S’voro = reasoning”) is available - not that they dispute the principle of the Rambam & Bartenura)

The Minchas Chinuch (Mitzvas Lo Saamod) draws attention to the astounding oddity that in spite of the above quoted Rambam in Pirush HaMishnayos, nowhere in Yad HaChazoko does he bring **אבידת גופו** (Aveidas Gufo) to be subsumed under Hashovas Aveida **השבת אבידה!!**

We, on our own, might even add that Rambam's complete reticence in this regard in Rotzeach 1:7-end (especially #15) would seem, **סתמא כפירושו** (“Stama k'Pirusho = reticence as equivalent to overt expression”), that he retracted from his position in Pirush HaMishnayos and concludes with approach #A above!

[Be that as it may, even if we take into account the ambiguity of the Rambam's position, we cannot determine more than a ספק ("Sofeik = doubt") as to what his final opinion is.]

Therefore, whereas the overwhelming majority of Rishonim quoted above quite definitively state that Hashovas Gufo is subsumed under Hashovas Aveida; in the final analysis, it would appear to me that the normative Halocho is that indeed we are dealing with Hashovas Aveida.

3) Now to return to your original question:

"When I discover a case of abuse and report this information to a rabbi or the police - am I free from future obligation? Or should I view that I have merely delegated the task to another but that the primarily responsibility remains with me."

As discussed above, the obligation of Hashovas Aveida differs in many details to those of Hashovas Gzeila/Gneiva and Shomrim. The pertinent detail that most pertains to our discussion is that the finder needs to restore it to a location where it is משתמר "Mishtamer" (CM 267:1, 2).

The concept of משתמר "Mishtamer" is probably best translated/interpreted by the word "secured" as in "the house has been secured" or "security services" which means protected and safe.

This means that unless the Aveida is secured, ie that it is protected and safeguarded the finder/discoverer has not fulfilled his obligation of והשבתי (v'Hasheivoso)!

Stating this in the reverse, "If the finder should 'return' the Aveida to a place that is NOT "Mishtamer" he has not discharged his obligation properly and is fully responsible as a פושע ("Posheah = negligence") for any mishap (lost, damage or stolen) that may occur!

A second detail of Hashovas Aveida that also would be germane to our discussion is the following: even if he returns the Aveida to a location that is indeed “Mishtamer” and thereby fulfilled his obligation, if, however, it should escape again from that **מקום משתמר** (“Mokom Mishtamer = the secured location”), and the jeopardy of losing it recurs, the finder is once again obligated to retrieve and return it; and this is true even if reoccurs many times – as Chazal state, "even a hundred times!"

Translating these details of obligation into our scenario of abuse, I believe that reporting the abuse to the police or Rabbi, would exempt the reporter from further obligation **only** if the reporting would reestablish full security (eg safety) for the victim(s). If the involvement and oversight of these or any other authority or person would restore safety, then indeed the responsibility and obligation would pass to the new "Shomer" completely and the first party would be totally exempt from further involvement.

Unfortunately, however, in our present milieu, in most cases, this hardly occurs. In most instances a report, even to the police, at most only initiates an investigation, (and I dare say that to a Rav the results are even more disheartening) but the abuse goes on unabated or even intensifies!

Even if the abuse would cease for a period of time after the report; if it should begin again, the initial report would not exempt the discovery of its reoccurrence from further reporting.

Therefore in summary, the original responsibility remains in place on the original discoverer until the safety of the victim is assured!!

[Please note: that Rashi's language, quoted on your blog, that seems to derive from Lo Saamod that you are still obligated even after "passing the baton" and others are acting on your behalf, I believe is inconclusive. Even though it would dovetail nicely with

my presentation above, I believe that the thrust of Rashi is different. I believe that Rashi (like Meiri and Ran cited above) is bothered by the following question, "where do you see from this posuk more dimensions of obligation than from לֹא וְהִשְׁבִּיטָה לְךָ v'Hasheivosa Lo?" Rashi proceeds to demonstrate this from the language of the posuk itself. But Rashi does not mean to offer any comment on whether your obligation continues even after the appointment of qualified others.]

Sincerely,
Rabbi Kaganoff

Kibud Av v'Em (Honoring and Respecting Parents)–
What are the obligations of children in divorce/separation
situations?

In distressed families, parental discord, separation and/or divorce, reprehensibly the children are oft times caught in the crossfire. Let us state very clearly that it is in the best interest of the children that both sides leave the children out of the fray and that both parents, grandparents, advisors, friends etc, speak about the other side in only civil, respectful terms. This is what the Torah requires and what is medically (Mental health) mandated!

Unfortunately, it is my experience that in our circles, this is hardly ever the case. One side and sometimes even both sides engage in backbiting and undermining the other side. Sometimes in this confrontational milieu, Halocho is misrepresented in order to “support” the claims to rights of one side. To this end, I am including here a Teshuva on the topic of Kibud Av v'Em upon which is based the following Piskei Din:

- 1) Not always is the father's Kovod given priority! The commonly heard phrase **כבוד אביו קודם** (“K'Vod Oviv Kodem = father's honor, needs, desires etc. have priority”) is in many cases simply inaccurate! Examples, where Mother has priority:
 - Redeeming Mom from captivity.
 - Giving Mom basic food necessities.
 - Bringing Mom her clothing.

- 2) If parents are separated or divorced, then both parents are on equal footing. According to Shulchon Aruch & Acharonim, the child can then choose which he/she prefers to serve (first or exclusively).

[According to The Netziv –this is not an absolute “free-choice”; But rather the intent of the Gemoro is that whichever parent requires the service more, must be,

according to Halocho, the child's "choice"!]. I explore in the Teshuva whether the Netziv is interpreting the Shulchon Aruch OR is he offering his own novel approach.]

All of the above, is assuming that neither of the parents is guilty of abusive behavior or active addictions. These last scenarios will be dealt with in the next section. (Custody in Abuse Situations pg 271)

צענין כיבוד אב ואם

1) קידושין ל"א. אבא אומר השקיני מים ואמו אמרה השקיני מים מניח כבוד אמו ועוסק בכבוד אביו שאתה ואמך חייבים בכבוד אביו. וכן נפסק בש"ע י"ד ס' ר"מ סע' י"ד. ואותו הלשון נמצא במשנה סוף מס' כריתות. ומזה שומה צפי ההמון שכל מקרה ומקרה איך שיהיה, כבוד אביו עדיף, וקודם לכבוד אמו.

אבל צעיוני צזה מנלתי שלא מילתא פסיקתא היא.
ע' בפתחי תשובה ס"ק י"ב שהביא בשם מהרש"ל שלענין לפדות מן השבי, אמו קודמת.
והוסיף פ"ת מדיליה, שנראה שה"ה לגבי מזון וכסות, אמו קודמת.

ופשוט הוא דאלו הדברים נוצעים מהלכות פדיון שבוים והל' לדקה. שצ"ד ס' רנ"ב ס"י נפסק איש ואשתו שבוים, אשתו קודמת ויורדים לנכסיו ואפילו אוח לא לפדותה אין שומעים לו. וביאר הגר"א משני טעמים א-דלענין פדיון שבוים אשה קודמת לאיש אי לאו דרגילים במשכב זכור וצ- שמחויבו תגאי כחובה שצטל חייב לפדות את אשתו. וצ"ר שזה המקור לדברי המהרש"ל הג"ל.

ועל פי זה הוסיף הפ"ת כיו"צ מס' רנ"א סע' ח' דאיש ואשה שצאו לבקש מזון מקדימין האשה וכן לבקש כסות מקדימין האשה.
ממילא אם אין לאביו ולאמו מה לאכול או לשתות אמו קודמת. והא דאיתא בגמ' הג"ל השקיני מים שאביו קודם, היינו דווקא צאופן של כיבוד (עס יו"ד) לצד, היינו שנוצקים כיבוד ולא שממש למאים.

יולא שציטוי הגמ' "דהוא ואמו חייבים בכבוד אביו" ומה שמדייק ההמון עם ממנו, ששירות אביו תמיד קודם בכל שעבודי בן להוריו, דלאו כללי כילי, דהא איכא גווי עוצא דחויזי האם, וממילא השירות לה קודמין.

2) אצל לפי זה ולע"ג על דברי הש"ע המוצאים בתשובות רע"א (ס' ס"ח) שמוצאים בפ"ת ס"ק י' וז"ל אם אמו הניחה לוואה שיאמר הבן קדיש ואביו מקפיד שהביא בית יוסף צשני מקומות מדברי הראשונים (כל זו ותשצ"ץ) שכבוד אביו עדיף ולא יאמר קדיש, רק הרמ"א הביא צשס בית יוסף שאין המנהג כן.

ולכאורה נראה לפע"ד שאמירת קדיש כמזון כסות ופדיון דמי, ואין לצעל שום זכות קדימה בזה וממילא ודאי אין לנו לחוש כלל וכלל לקפידת אביו ולל"ע על הקדמונים.

וכן הקשה הערוך השלחן צסי' ר"מ ס"ק ל"ז. אצל לא הבנתי חילוקו שרלה לחלק בין קדימת אם לקדימת חי.

אצל לפי הגודע ציהודא שהביא פ"ת ס"ק י"א ניחא עפי, שכחצ דתמיד כבוד החי קודם לכבוד המת, וקפידת האב הוא משום צזיונו ולערו שצנו אומר קדיש צחייו, וממילא מכחיש כבוד אביו החי לכבוד אמו המתה וק"ל. והשתא דאתין להכי אולי זהו צאמת סצרת וכוונת הקדמונים דאשתו של אדם ג"כ חייבת שלא לצות וללער אישה.

מ"מ עדיין ל"ע דהא תיקון נשמתה ע"י קדיש לכאורה דומה לפיקוח נפש דחי וכיו"צ וא"כ איך יכול הצעל לעכצ.

אצל לפי תירוולנו זה לא אתי שפיר ציאורו של החז"א צדברי רע"א הג"ל. דהא הוכיח החז"א כלל מנדון דרע"א והכלל הוא דאין חיוצ כלל לעשות לוואת האם כיון שהיא חייבת צכבוד אביו. היינו כוונת הגמ' שחיוצ כיבוד אמו הופקעה לגמרי מחמת חיוצה לכצד צעלה (אביו). אצל לפי דברינו הג"ל אין דברי הקדמונים צענין קדיש דומה לנידון דרע"א, דלגצי קדיש דלער צצעל הוא שהיא ג"כ מלוזה עליו שלא ללערו שפיר אמרי הקדמונים דהופקע כבוד אמו, אצל צנידון דרע"א הא אין לער צהצצון, דהא מעיקר הדין הבן פעור מחמת חסרון כים כמצואר שס. וללע"ג.

עוד הערה - כתצ חז"א סצרה למה לאחר מיתה עדיין חייבת אשה צכבוד צעלה. והסציר משום שהיא מתאצלת על צעלה וכן הוא מתאצל על אשתו וממילא אין המיתה כגירושין.

א"כ ילא לפי סברתו שאם שניהם נפטרים שכיון שאין אזלות שוב אין שום קשר. ואולי אה"ג דצכה"ג המיתה תפרד ציניהם בגירושין ומ"מ לל"ע צגדון דרע"א אם היה לאחר מיתת צ' הוריו או רק א' מהם וישתנה הדין ול"ע.

ואחר העיון נלפע"ד דלצד ראית החזו"א הג"ל שמתאבלים אהדדי שיש הוכחות נוספות אחרות דאחר מיתה לא יפרדו ודלא כרע"א ואין מיתה בגירושין.

- א - ע"פ גשר החיים (ח"א פכ"ז א"ז דף רל"ה) כששקמים לתחיה חוזרת האשה להיות אשתו צלי שום קידושין חדשים.
ב - וכן צעל חייב צקצורתה כולל עניני שמירת ותיקון הקבר אח"כ.
ג - ואשת חצר כחצר אף לאחר פטירתו

ואע"פ שיש לחקור על ראיות צ' וג' כמו שהסתפקנו על ראית החזו"א על דברי הגשר החיים אין שום ספק

3) שמה צקידושין נתגרשה אמו וכו' הטל ספל וכו' ופרש"י שכבוד שניהם שווה עליך.

וצ"י הכריע דכוונת הגמ' שאיזה מהם שירלה יקדים וכן פסק צש"ע סע' י"ד.
וצצ"י ג"כ הביא פירוש רבינו ירוחם צ"שניהם שווה" דהיינו דאין להקדים א' לשני אלא הטל הספל ציניהם ממש כפשוטו. אבל הכריע הצ"י דלא כוותיה אלא כפרש"י.

ויש לחקור מתי חל הדין של גרושה שיסתלק שעצודה לצעלה צנוגע לדין זה של שניהם שווים

האם צקצלת גיטה דווקא או צעת שכבר אינם דרים יחד אוצעת שכבר הוסר השלום ציניהם שכבר מוכנים להתגרש אלא דמ"מ מאיזה סבות עדיין גרים צצית א'.

ושאלתי הג"ר ישראל הלוי צעלסקי שליט"א על זה.

ואמר לי שאם נתפרדו ואין גרים יחד וודאי דין גרושה לה לענין זה אבל אם דרים יחד, אף על פי שמתמנה לא תציה לו כום עה אם יבקש ממנה מ"מ נראה שאין לה דין גרושה עדיין.

ואח"כ מלאתי ראיה כעין סברת הגריה"צ שליט"א, והוא צחשק שלמה לצ"מ ל"ו: לפטור הצעל מחיוצי תשלומי שמירה על נכסיה מטעם שאלה צצעלים

דתלוי בחיוב השעבוד שיש על אשה לצעלה שעדיין קיים כשגרים יחד אע"פ שעומדים להתגרש.

נחזור לעיקר נ"ד - צמח"ש"ל צפ"ק דקידושין ס' ס"ז (מוצא צפ"ת ס"ק י"ד) הכריע כרצונו ירוחם וא' מהוכחותיו וקושיותיו על הצ"י הוא שמנ"ל שרש"י חולק על רצונו ירוחם.

ונלפע"ד שהוליא הצ"י את פירושו ממלה א' שהוסף רש"י דהיינו מלת „עליך“ („שכבוד שניהם שוה עליך“) שרצונו ירוחם השמיטו.

דלפי ר"י שניהם שווים לגמרי מלד עלמס ואין שום מכריע ציניהם, שצשויות חיוב המלוה הא' כהשני, ואין להקדים הא' על השני ולכן מטיל הספל ציניהם ממש והם יריצו ציניהם והאליס יעול.

אבל רש"י הוסיף „עליך“ היינו כמו בעיניך. פירוש הדברים שאין שעבוד שעליך מא' מהם יותר מן השני, וממילא יקדים אחיה מהן שירלה דודאי זה שירלה צו יותר ודאי „עליו“ נראה כיותר נחוץ.

ולפי ביאור זה ר"י ורש"י חולקים צפולגתא האם חיובי כיבוד או"א הוא כגדרי מלוה או גדרי שעבוד. שר"י סובר שני"ד הוא בגדר צ' מלוות שצאים עליו צצת אחת ולכן יקיימם שניהם צצת אחת. רש"י סובר שגדרם של דברים כשעבודים שטעלו ולכן יקיים את השעבוד היותר נחוץ עליו תחילה. ועוד יתבאר הדברים האלו לפנינו.

וצנודן זה כתב הנל"צ דבר חדש.

דצנל"צ צמרומי שדה - קמפרש הגמ' דהעל ספל וכו' דהיינו שעושין כעין פשרה דהיינו שעושין את הליווי של אותו (אציו או אמו) שנלעך יותר למה שזוה עליו.

ויש לחקור אם כוונת הנל"צ לפרש דלא כצ"י „שאחיה מהם שירלה יקדים“ כנ"ל

או כוונתו להעמיס פירושו צתוך דברי הצית יוסף. היינו לומר דאין דברי הצ"י כפוס ריהטא שיכול לעשות אחיה מהם שירלה ממש כפשוטו אלא אף צמלצ כזה התורה נותנת הדרכה היינו פשרה קרובה לדין. וכמו צסנהדרין לב: צענין פשרה ממש, דלכאורה פשוט שאין כוונת התורה שאך ורק צעניני

צין אדם לחצירו גרידא כז' ספימות עושין פשרה, אלא אף בענייני צין אדם לאדם שיש צו גם חלק של צין אדם למקום וכנ"ד.

ומתחילה הייתי סובר שנראה להציא ראי' להגלי"צ מדצרי הלבוש צא"ח ס' ל"ח סע' ח' שמוצאים צמ"צ ס"ק כ"ו וצצה"ל שס' ע"פ מה שצארתו צדצרו להגן עליו מקושית הצה"ל.

דעת הלבוש דאם רק נתחייב צמל"ה א' אצל לא התחיל עדיין לקיימו או להכין עלמנו לקיימו, וצא עליו חיוב מלוא אחרת, כגון שנתייב צק"ש אצל נתצקש מא' הפורש לים וכו' לכתוב לו תפילין, דפסק הלבוש דמלוא הגלרכת יותר היא הקודמת, דהיינו כתיבת התפילין ונדחית ק"ש ידידיה אפילו אם אח"כ יעבור הזמן דק"ש לגמרי.

ותמה עליו צצה"ל שמה דאיך אומרים לאדם חטא צשציל שיצבה חצק.

ונלפע"ד ליישב דעת הלבוש דמדון עריבות הוי כז' מלואות עוצרות שניהם עליו רמיא, וצא' מהם יש הפסד מרובה - היינו ציעול תפילין על כמה ימים - ולכן סובר הלבוש דזה נדחית צפני זה ואינו כלל וכלל חטא צשצילו. וכעין זה כתב שעה"ל תרנ"ה צסוף. (ול"ע על הצ"ח דסותר את עלמנו.)

וחשצתי תחילה דאולי סצרת הלבוש היא היא סצרת הגלי"צ צסוגיא דידן דהטל ספל ציניהם, ואדרצא שמה צנדון הלבוש לריכין לאחויי עלה מדין ערצות משא"כ צנתגרשה אמו הוי ממש שתי מלואות עליו רמיא. וחשצתי דמפני כן מסתצר מאד שהצ"י מודה והגלי"צ צא לפרש דצרי הצ"י.

אצל לפי מה שציארתו עכשו צפרש"י "שכצוד שניהם שווה עליך" להגן על הצית יוסף מקושית המהרש"ל דלמה הכריע הצ"י כרש"י ודלא כרצנו ירוחם, ולפי מה שצארתו צדצרי רש"י דצרי הגלי"צ וצצעים מדקדוק לשון רש"י ממש כפתור ופרח, וכן היה כוונת הצ"י צהכריעו כרש"י צציאורם של הגלי"צ וכוונת הגלי"צ לפרש הצ"י והש"ע.

4) וצמאירי וכן צחזון אי"ש משמע שצאו לדון על נידון זה מלד חדש. דמלשון המאירי משמע דגדרם של דצרים כגדרי דיני עוסק צמל"ה, דצאציו אמר השקייני ואמו אומרת השקייני קמצאר המאירי "אם צאים עליו כא", ואם נתגרשה וכו' ישתדל לעשותם כא' ואם לאו אל יעצור על המל"ה

וכן צחזו"א ציאר על נתגרשה דהטל ספל דדווקא צכהאי גוונא שיכול להשים לפני שניהם כא', אצל צאופן שא"א לקיים שניהם כא', שצ ואל תעשה עדיף

וכמו שאומרים אין דוחים עשה צפני עשה. ולשונו מראה בעליל כמהלך המאירי.

ודברי החזו"א לל"ע, דלכאורה דברי הלבוש הגלוי"צ והמ"צ מצוהרים כל לרכס דל"א שב ואל תעשה צבגון דא אלא מחפשין עדיפות של אחת מהמלוות העומדות לפניו (או מלד נחילות או מלד האטרכות וכו') ועושין אותה, אבל לא אמרינן שב ואל תעשה.

ועוד על פי סדרת החזון אי"ש קשה ליה על רע"א, ואי לאו תירוטו שחידש בעלמנו יכול לומר בפשוטו שרע"א לא סבירא ליה ליסודו וכדאצאר לקמן ועוד יש לשאל על לשונו של רבנו החזו"א "אין דוחים עשה צפני עשה" מאי כוונתו ואיפה מלאוהו.

ונלפע"ד שכוונתו ללישנא דגמ' "מאי אולמיה האי עשה מהאי עשה" (פסחים כ"ט.) דבגלל קושיא זו קאמר הגמ' "שב ואל תעשה עדיף" אי לאו דקמלי הגמ' היכי תמלי דאין צ' העשין צהכשה כגון או צהטאת העוף או שמלינים צראש המוצח וממילא הוי צגדר אפשר לקיים שניהם וכהטלת ספל דסוגיין לפי סדרת החזון אי"ש.

אבל יש לעיין דהא צחולין קמא. צלי ריבוי הקרא דמשלחין האם, מלד הסצרא היה מעדיפין עשה דטהרת מלורע צגלל טעמא דשלוס צית דאית ציה ולא היו אמרינן שב ואל תעשה. ומסיק הגמ' שמה דקמ"ל הפסוק דשילוח האם עדיף. איך שיהיה, לכאורה זה מכריח דלא כסדרת רבנו החזו"א דלא אמרינן אין עשה דוחה עשה אלא"כ אין שום דבר וחשבון להכריע ציניהם וכדברי הגלוי"צ הג"ל.

ועוד יש לשאל על החזו"א דאולי סדרתו היא גופא הפלוגתא צין היס של שלמה (רבנו ירוחם) והצ"י, דצנתגרשה ושניהם אומרים השקני מים לפי רבנו ירוחם והכרעת הי"ש"ש זה גופא הוי סתירה צין עשה ועשה, ולפי דצריהם פסק הגמ' שניהם שווה ושצ ואל תעשה. אבל על זה פליג הש"ע וקאמר דלא אמרינן שב ואל תעשה אלא אוחזים צא' מהן כמו שירלה הצן, או כפירוש הפשוט דצברי הש"ע או כדברי הגלוי"צ. אבל לא קיי"ל שוא"ת עדיף כלל וכלל.

ואח"כ מלאתי מקור נאמן לסדרת חזו"א והוא ע"פ הרמב"ם פ"ו ממרים ה' י"ד שלכאורה מוכרח שם מלשונו שהצנתו על עניינים אלו ג"כ מגדרי עסק צמלוות.

דהא צה' י"ג ציאר דברי הגמ' צאציו אמר השקני מים ויש מלוה (אחרת) לעשות, פירושו היינו שכצר קיים עליו חיוב מלוה אחרת, אם אפשר להעשות

ע"י אחרים וכו' ויתעסק בכבוד אציו שאין מצטלים מלוא צפני מלוא, פירוש שהוא וחזרתו עומדים לעשות מלוא כגון אפית מלוא או זיקור חולים או לויית המת, ואציו אמר לו השקיני מים והיה עולה על הדעת שמכיון שחויב מלוא אחרת קדם היה לו להמשיך בו ולהניח מלוא אציו אבל א"כ יתצטל מלוא אציו ואין מצטלים וכו'. וממשיך הרמז"ס, אם אין אחרים יניח מלוא אציו ויתעסק בהמלוא האחרת בגלל שאתה ואצך חייבים במלוא משמע דרך בגלל טעם זה מצטלים מלוא אציו צפני המלוא האחרת העומדת להעשות, משא"כ כלי טעם זה אין מצטלים מלוא צפני מלוא, וכדברי החזו"א.

(ואח"כ ממשיך הרמז"ס על מלואות ת"ת, דסד"א דכיון דצשאר מלואות אם אין אחרים לעשות המלוא מניח הלומד את הת"ת דיליה ועוסק בהמלוא ואח"כ חוזר ללימודו, הייתי סובר דכיו"צ צכיבוד אצ ואם שמיח לימודו ועוסק צכיבוד או"א קמל"ן גדול ת"ת מכצאו"א ואינו מפסיק)

ובה' י"ד ממשיך הרמז"ס אציו אמר השקיני מים ואמו אמרה השקיני מים מניח כבוד אמו ויתעסק בכבוד אציו מתחילה ודייק הרמז"ס, „מתחילה" שלא נא' דין זה אלא צדיני קדימה שלא יתצטל שום א' מהם לגמרי אלא כשניהם אפשר לקיים, רק הדיון איזה קודם.

דאילו א' מהם יתצטל לגמרי, אין מצטלין מלוא צפני מלוא. והטעם משום שזה שאמו חייבת בכבוד אציו אינו אלא לווי חכמים כמצואר סוף פט"ו מה' אישות ולכן יש צכחו להכריע צדיני קידום (וכדברי חיד"א בת' חיים שאל ס' כ"ז) אבל אם יתצטל לגמרי אין מצטלין מלוא צפני מלוא.

וממילא קושית החזו"א על רע"א (לעיל #2) צמקומו קיים. אבל תירון הח"א עדיין קשה, דלפי דברי הרמז"ס אין לומר שצמקום לווי האצ לווי האם כאינו

עוד דבר נחוץ נוצע מציאורינו, דמשמע מהרמז"ס דווקא ציטול מלוא לגמרי אין מצטלין, אבל אם אפשר לעשותו אח"כ ולא יתצטל שום א' מצ' המלואות ודאי שפיר דמי ודוחים א' לאחר זמן כדי שיתקיימו שניהם, וכדברי הגר"א צ"ד ס' ר"מ ס"ק כ"ד.

5) ולפי דברי המאירי וחזו"א יש לחקור צכה"ג דאמו גשואה לאציו וכבר התחיל הבן צמלות אמו להשקותה מים, ותוך עשייתו אציו מלווהו ג"כ להשקותו האם דיים צזה עוסק צמלטה פטור מן המלטה וימשיך הצו צהשקאת אמו, או אמרינן דכמו שאמו היתה לריכה להפסיק צעסק דידה לשרת צעלה כיו"צ הבן.

אבל גראה שאין ספק צזה. דהא הביא המחבר צסע"י צ צמלות כיבוד אב ומלטה עוברת ואפשר לעשותו ע"י אחרים (או כהוספת הרמ"א או אפשר לעשותו ע"י עלמו אחר כן. וע' ביאור הגר"א דנלמד מק"ו) מניח המלטה לאחרים או לאח"כ ועוסק צכבוד אציו, וא"כ צג"ד ודאי יניח כיבוד אמו שאפשר לעשותו אח"כ.

ומ"מ יש לדון צגדרן של "היה לפיו לעשות מלטה עוברת" שכתב המחבר, דהמשמעות דנתחייב כבר לעשות המלטה אחרת ומ"מ מקדימים כיבוד אב אס אפשר לעשותו ע"י אחרים או הוא צעלמו אח"כ, אבל אס התחיל כבר לעסוק צהמלטה האחרת כבר עוסק צמלטה הוא ופטור וכו'. וא"כ ממילא יש לחקור כחקירתנו הג"ל. ויותר נוטה מפשעות דקדוק לשון המחבר שממשיך צשירות אמו שכבר התחיל, ומטעם עוסק צמלטה, וכן משמע ג"כ מפשעות לשון המאירי.

אבל לפי דברי החזו"א הג"ל שבמקום שהיא חייבת צכבוד אציו צעלה אין מלטה כלל וכלל לשמוע לזאת האם, וא"כ תיכף ומיד צלוואת האב הופקעה מלאת האם והבן שוב עוסק צדברי רשות ולריך להפסיק לכבד אציו.

אבל כבר כתבתי שיסוד החזו"א כבר פליג עליה הגל"צ הלבוש והמ"צ וכו'.

6) ולכאורה גראה שאין לקצוע ההלכה כהרמב"ם פ"ו ממרים ה' י"ג דהא הטור והש"ע חולקים על הרמב"ם שהרי לא כתבו מלת "מתחילה" זאת אומרת דהם סוצרים דאפילו יתצטל לגמרי לזואת האם חייב לעסוק צלווי של האב.

והביאור כמו שכתבנו לעיל דהם למדו דינים אלו מפאת גדרי שעבוד ולא מלד גדרי קיומי מלטה.

(והוא מעין דין שמירה צבעלים המצואר צצ"מ ל"ו: וח"מ ס' שמ"ו. וגדרו כמצואר צצ"מ ל"ז. צענין מקרי דרדקי וספרא דמתא, דהשעבוד גרידא של הפועל לצעל הבית משווהו לשמירה צבעלים אע"פ שבאותה שעה אין לו מלאכה למעשה ומתצטל מ"מ פטור מטעם שמירה צבעלים.

כמו כן הבינו הטור והש"ע צנן שחייב בכל מלאכות שעושה עבד לרבו, וממילא חיובו בגדר התחייבות שעבוד ולא מלד קיום והתחייבות מלוה. וממילא מתבאר למה אין לווייה של אם נחשבת לכלום דשעבוד של אב קודם, דדברי הרב (האב) דברי התלמיד (האם) דברי מי שומעין, שאתה ואמך חייבים בכבוד אבא. וכיו"צ אם נתגרשה הוי כשני שעבדים שממש שווים ולכן יעסוק הבן באיזה מהן שירלה (או כפירוש הגל"צ).

ולכאורה ככה הם למדו ג"כ סברת אף "אתה ואבך חייבים במלוה" שהוא בגדר שעבוד של מי קודם, ולא מגדר עוסק במלוה.

Who should have Custody in Abuse Situations?

[Ed. Note - This discussion disregards the 'Rodef' (לא תעמד על דם רעיד) aspect of abuse; but just deals with the custody question from more "mundane" perspectives - in itself very illuminating. However, as is quite clear from the earlier Teshuva "ABUSE REPORTING – When do you become exempt?" pg 251, and "The Professionals' Opinions" pg 224, once the 'Rodef' (לא תעמד על דם רעיד) aspect is factored in, all of the below issues pale in comparison and become of minor significance!]

In May/Jun, '09: Rabbi Eidensohn wrote:

Q: Finally when the Rema or Rashba say that custody is determined by what is best for the child -does that include psychological or emotional factors? By and large the responsa literature does not address psychological factors.

18 Sivan, 5769 (10 Jun, '09)

Rabbi Kaganoff responded:

A: Please see Aruch HaShulchon (YD 240:33) where he discusses the issue of a parent being a רשע (Rosho = evil person);

Or even if not a רשע (Rosho) - but just afflicted with bad Midos, sociopathological or addictive behaviors.

The Aruch HaShulchon's Psak:

1) That if a parent qualifies as a Rosho - then there is NO Mitzva of Kibud Av v'Em at all! (At the end 240:39, the Aruch HaShulchon cites that this is the majority opinion of the Poskim Rishonim; He also alludes to the analysis of the Vilna Gaon - Biur HaGro 241:6 – who demonstrates that this opinion is irrefutably proven to be upheld by the Gemoro.)

2) If the parent does not qualify as a Rosho, but falls into one of the lesser categories above: then Aruch HaShulchon's ruling is that the child should keep his/her distance from them!

3) In which of the two above categories, would an “abusive parent” be classified?

The source for category #1 cited above, is the Ramo (YD 240:18). A parent who is a Rosho loses his/her privilege to receiving Kibud Av v’Em, because the Gemoro (Yevomos 22b) declares that such a parent is not עושה מעשה עמך (Oseh Ma’aseh Amecho = conducting themselves in a proper Jewish manner”).

This אינו עושה מעשה עמך (Aino Oseh Ma’aseh Amecho) is understood by the commentaries and Poskim (Chofetz Chaim 4:7 quoting from earlier sources in Be’er Mayim Chayim #30) as engaging in behavior or acting in any manner that is clearly well-established to be contrary to Torah values and/or Un-Jewish.

Although a Rosho, is subsumed under this reasoning, by no means is this reasoning limited to only a Rosho. This is abundantly clear from Bova Metziah 48b. (Tosfos ibid is a minority opinion. Please see Rif, Rosh, Rambam, Shulchon Aruch, Rashi, Nemukei Yosef, and Meiri who all disagree. It is easily and reasonably posited that in our scenario that even Tosfos concedes.)

Therefore, if we consider the words of the Rambam quoted on page 222 of this compendium, and also comprehend the words of Chazal: “ שלשה סימנים יש באומה זו הרחמנים והביישנים וגומלי חסדים = וכו' כל שיש בו שלשה סימנים הללו ראוי להדבק באומה זו וכו' = The Jewish People is conspicuous from other nations in their character traits of Mercifulness, Humility and Charitableness. Those who possess these character traits are worthy of being a part of this nation.....(Yevomos 79a)”;

Then the answer to our question emerges with ease:

Abuse, in any and all of its forms, is the antithesis of רחמנים Mercifulness – a hallmark characteristic trait of the Jewish people. An abusive person/parent is categorically not עושה מעשה עמך (Oseh Ma’aseh Amecho)! And therefore, forfeits their privilege to receive Kibud Av v’Em.

Moreover, this would hold true even if we could muster a cogent argument that the abuse is occurring against the abuser's will, i.e. he/she is compelled to behave this way. Nevertheless, the behavior in and of itself, classifies as אינו עושה מעשה עמידך Aino Oseh Masseh Amecho even if the intentionality is lacking. As per the following:

The Chazon Ish (YD, Shechita: 2:18 & footnote) deals with a very difficult Gemoro in Makos 8b. The Gemoro there is discussing the parameters of a Kusi (also known as the Shomronim).

First some background:

1) The Kusim were a sect who descended from non-Jewish nations who were forcibly converted. Although the Gemoro elsewhere records the Machlokes Tana'im of whether their initial conversion was ever halachically acceptable or not, it is clear that the Gemoro in Makos is following the opinion that their conversion either was initially acceptable or sometime subsequently they underwent a proper conversion.

2) Be that as it may, The Gemoro records in numerous places that in actuality from some time early in the Bayis Shaini, they rejected the tenets of Torah Sheb'al Peh and consequently their performance of Mitzvos was at great variance from mainstream normative Judaism. This apostasy and behavior definitely qualifies them for the title of Kofer = apostate.

Back to Makos 8b: The Gemoro quotes a Braisa that a Jew who would kill a Kusi b'Shogeg goes to Golus. The Gemoro, however clarifies that a Jew who curses this same Kusi is not culpable for the prohibition of cursing because a Kusi is Aino Oseh Maaseh Amecho.

The Chazon Ish is perplexed by this difference and posits that it is anomalous and mutually contradictory. If the Kusi is Aino Oseh Maaseh Amecho because of his apostasy, then he also falls into the category of a Kofer. The rule concerning a Kofer is Moridin,

namely the Torah obligates us eliminate them by death - either directly or by indirect means.

Puzzles the Chazon Ish: if the Jew, given the opportunity, would be obligated to put the Kusi to death, how is it conceivable that he is culpable to go into Golus for killing him b"Shogeg?!

The Chazon Ish explicates this conundrum with the principle enunciated by the Rambam (Hilchos Mamrim 3:2). Rambam states that only the initial generation of apostates qualifies as Kofrim of which we say Moridin. However, subsequent generations are classified as Tinokos SheNishbu (= as if they were children captured and raised amongst non-Jews), namely that they are Anusim – coerced in their behavior and therefore they are not culpable for their apostasy and Moridin does not apply to them.

Hence there is a Golus requirement for killing them b'Shogeg.

Still and all, they nevertheless remain Aino Oseh Maaseh Amecho and therefore there is no culpability for cursing them.

Indeed, this is the only possibility of explaining this Gemoro (and Halocho)!

The Halachic principle derived from this is that even though someone may be an Anus (= coerced in their behavior), nevertheless the behavior in and of itself, classifies as Aino Oseh Masseh Amecho even if the intentionality is completely lacking.

This appears to be a **ראיה מוכרחת** (irrefutable proof)!

Its application to our topic is, of course, obvious.

Even if you will reject this last theses of mine, the Psak of the Aruch HaShulchon (#2 above) more than adequately suffices!

I believe that these guidelines will most adequately take care of custody determination when dealing with psychological and emotional factors.

[Please see further elaboration below as well]

In Nisan 5770, April, '10, Rabbi Kaganoff added:

While recently learning Hilchos Nachalos, The following additional, very direct sources surfaced:

1-CM 285:8 Ramo (end) brings 2 opinions re: the following scenario:

If property is inherited by a child from an outside bequeather and the father of the child-heir is still alive.

1st opinion (brought “Stam = as authoritative”) is Ritvo (שו"ת #162, brought by Bais Yosef CM 290:5) that the father is not entrusted to manage the inheritance. He is no different than any other קרוב (Korov = relative) and the dictum אין מעמידים קרוב בנכסי קטן (“Ain Maamidim Korov b'Nichsei Koton” = Bais Din does NOT appoint an ‘inheriting’ relative to be the supervising overseer of a child’s inheritance. – The Halocho is concerned that, over the course of time, the status quo will be accepted and that the ‘supervising’ relative will claim that he is the rightful heir of the property!”) applies to the father as well.

Ritvo's language: “Just like Bais Din is obligated to be involved in protecting the property of יתומים (“Yesomim = fatherless orphans”) ; And likewise they are obligated to protect the property of all people, even if s/he is an adult, who do not have someone to “stick up for them”. So too, in our case albeit the child-heir is NOT a Yosom; nevertheless it is not in his best interest that the father should manage the property.

(There are 2 exceptions: 1- if the owner acted in negligence; 2- we don't appoint אפטרופוס (“Aputropus = custodian”) for the "bearded"; but, in this last case, Bais Din would seek out a different alternative –

However, neither exception is pertinent to our discussion)

2nd opinion (Ramo's "Yesh Omrim") is R.Yehuda ben HaRosh (Bais Yosef CM 290:9) that the father is different than other K'rovim (inheriting relatives). Bais Din does not mix into the affairs of the primary basic father/child relationship (even vis-a-vis fiscal matters) unless father טובים בדרך הולך ("Aino Holech b'Derech Tovim = Does not act appropriately").

If, however, the father does not act appropriately, even R.Yehuda ben HaRosh concurs that Bais Din is obligated to interfere on behalf, and for the benefit, of the child.

Darchei Moshe CM 290:5&5* infers that this indeed is also the Rosh's own opinion.

The Ramo in his formulation of the Halocho is clearly Paskening ("deciding") like the Ritvo.

Consequently, the following very pertinent logical extension would be unanimous of both opinions:

If for allegations of just a fiscal loss, Bais Din protects the interests of the child and entrusts an "outsider" and not the parent; a fortiori, for suspicion of personal injury to the child! (And psycho emotional injury is also personal injury as explained and proven in my other Teshuva pgs 326-340)

2- **Teshuvos HaRosh 82:2** (brought by Darchei Moshe CM 290:5&5* and Bais Yosef CM 290:10 end) states that placement of child is determined by 2 guidelines:

A – Chinuch (Rearing)–

For a boy, the father's responsibility of Talmud Torah and Shmiras haMitzvos (teaching Torah and Mitzvah performance) is the overarching determinant and therefore physical custody should be with the father

For a girl, MiDina d'Gemoro (Talmudic law) physical custody is with the mother because of female chinuch (rearing)

concerns – Tznius (modesty in behavior and dress) and other feminine crafts.

B -“Koras Ruach (= gratifying fostering environment)” for the child. The Rosh opines that in the absence of a mother, “Mistama (= most probably)” a young girl prefers, for this reason, to be with her father over the (maternal) grandfather.

But clearly Rosh is stating that the above is the “Mistama” (most probable) fulfillment of the determinants. But if asked what the absolute guideline is, the response is “what is better for the child in regards to its Chinuch and Koras Ruach”. It is an application of the principle of זכין ל'אדם (“Zochin l’Odom = that without a clearly started preference by the recipient/beneficiary, we conduct ourselves by the assumption of what is in his/her best interests”). So in normal regular cases, the father will be a better choice for boys and the mother for girls, as per above.

However, if abuse exists then **the non-abusing parent is most certainly the better custodian, not only from the Koras Ruach perspective; but even from a Chinuch perspective!** (As is well known, children learn much more profound and influential lessons from the ‘modeled’ behavior of their parents/teachers, than what they do from what is actually preached/taught at them.)

(Even though Maharshdam CM#308 questions the authenticity of this Teshuvah HaRosh, nevertheless the normative Halocho is as per the Darchei Moshe and Bais Yosef above)

3- Even **Maharshdam CM #308** (whose opinion is NOT the normative Halocho), who refutes and rejects positions of Ritvo and R. Yehuda ben HaRosh cited above and takes a hard line, strict construction, interpretation of Teshuvah HaRosh 87:1 and thereby confers upon the father almost absolute (inviolable even by Bais Din) fiscal dominion over his children. And does so even when the parent /child relationship is hostile and acrimonious as per the

adduced proof from Chovel b'Bno (Someone who batters his child) of Bovo Kama 87b.

Nevertheless, he concedes (in a different Teshuva not published in the compendium of his Teshuvos, but quoted by Peleh Yoetz under the heading of Hako'oh and by Pischei Choshen (Vol. 5-Nezikin pg41 #27 end) that in regards to physical injury to the child, even though custody may be maintained by the father, the Bais Din needs to be vigilantly monitoring the welfare of the child on an ongoing basis. The Maharshdam asserts that in this case, “קטן תרבע לזקקין לו” (“Koton Toveah, Nizkokin Lo” = Bais Din convenes at the complaint of a child”). – This is in considerable variance from the general Bais Din protocol as per CM 96:1- אין נזקקין לטענת קטן (“Ain Nizkokin l'Taanat Koton = Bais Din does NOT attend to the complaint of a child”).

The obvious corollary that follows from this exceptional guideline of Maharshdam is:

If ‘monitoring’ the father’s behavior is anticipated to be insufficient, Bais Din will remove the child from the father’s custody, even according to Maharshdam.

Molester/Pedophile

Teshuvos

- 1) **RJJ Journal of Halacha**
- 2) **Moetzes of Agudas Yisroel of America**
- 3) **Halachic Parameters of Molestation**
- 4) **Edison Rosh Yeshiva**

To: RJJ Journal of Halacha

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Rabbi Alfred Cohen, Editor
RJJ Journal of Halacha and Contemporary Society
5 Fox Lane
Spring Valley, NY 10977

Chol Hamoed Succos, 5771

Dear Rabbi Cohen,

I appreciate the voluminous amount of research and effort that you invested in composing your recent article, “Judging Transgression in the Absence of Witnesses”. However, I was considerably dismayed over several fundamental omissions of very critical dimensions that impact dramatically on the outcome determinations and guidance that was necessary to convey to your readership and others under their influence.

Probably the most effective and efficient means of demonstrating the deficient aspects of the article is to critique the 3 case-studies that you cited as examples on pages 45-47 of your article.

In regards to the first case, you state that you feel that the authority figures acted in laudatory fashion.

Unfortunately, that is grossly incorrect. Nowhere is it mentioned that in the initial confrontation (“the quiet, discreet one”) that the rabbis in charge stipulated that the “rebbe” needed to submit to specialized psychological testing and treatment and that his

engagement in the treatment protocols needs to be corroborated and verified. Nor was it mentioned that in the interim his movements need to be **constantly (electronically) monitored** and that the monitoring would only be discontinued after receiving a “clean report” from the supervising therapist.

The “rabbis in charge” were completely unaware of the compulsive, addictive nature of pedophilia. Nor were they aware of the extent of the injury and damage caused to the victim of molestation.

Therefore, even though they may have (perhaps) protected the children of the yeshiva, they did nothing to protect the children of the community at large. As is well documented and known, a pedophile’s verbal assurances are of absolutely no value; Nor are threats of punishment! The disease (and indeed, a disease it is!) is a compulsion that he cannot rationally control and it was only a matter of time before he would victimize another child.

The rabbis in charge, either out of neglectful ignorance or arrogance, ignored the medical scientific research on this condition and blundered egregiously. They did not discharge their responsibility of Lo Sa’amod Al Dam Re’echo. The subsequent victim’s trauma (“...not abiding by the terms of the agreement.”) is their full responsibility. “Kol Dmei Achicho Tzoakim Eilai!”. Yodenu Shofchu es HaDom Hazeh!”

This is very precisely a case of “Holcho Chamorcho, Tarfon”.

And likewise the public denouncement thereafter, was also a consequent miscarriage of justice. They never gave the perpetrator a proper chance at therapy to modify his psychological issues which underlie his disease. They basically set him up for failure and the subsequent public degradation.

This is not laudatory at all!

Similarly in the case of the Hebrew school teacher that you cited as case study #2, The Rosh Yeshiva perhaps protected the children in school. How these same children were to be protected off school

premises remains mystifying. The nature of the disease is that if one avenue of sating the craving is denied, then the addict finds another avenue to “soothe” the compulsion.

And exactly how was the Shul Rabbi going to protect the children in the Shul? Was he to appoint (discreetly, of course) a shomer to watch the teacher’s every action? Anyone who works in the field of addictions knows that it is absurd and impossible to expect another person to control externally the addict from engaging in his “drug of choice”. And what about the children in the rest of community? Again there was no interim electronic monitoring to keep the community safe. And there was no mandated treatment with corroboratable compliance to ascertain that the perpetrator was engaged in the therapeutic process. All of these follies lay the groundwork for a subsequent disaster to happen.

Your referencing and comparing of these first 2 cases to your third case study of a Monsey butcher is a total non-sequitor. Even if we suspect the butcher of the compulsion of Kleptomania, at most he is endangering people’s money. The Maacholos Asuros factor is clearly an “Ones Rachmono Patrei” on the part of the customers and every responsible rov and rebbi will exonerate the consumers. In no way does this compare to the severe emotional trauma and physical damage caused by molestation! A molester is a true Rodef in every sense of the word as borne out by the research.

Until such time as Rosh Yeshivos, Rabonim and Dayonim educate themselves in the following areas:

- 1 – The compulsion dimension of Pedophilia; it is **not** a case of yitzra b’yodo – that he can contain his “own evil urgings”.....
- 2 – The extensive damage done to the victims.....;
- 3 – That this is not a case of “judging transgression”; but preventing profound injury by a public menace (Rodef)...

A parent or other responsible adult has no other recourse than to go to the secular authorities and/or to the media, to protect his own

children and those of others. And this is, indeed, mandated by Halocho!

If you would like, for your convenience I can send to you the corroboratory Teshuvos, Mareh Mekomos and resource material that is available upon these matters.

I believe it behooves you to recall the article as being half information and therefore inaccurate and misleading.

A Guten Moed v'Simchas HaChag
Sincerely,
Rabbi Kaganoff

----- Forwarded Message -----

From: scohen@.com

To: kaganoff@juno.com

Date: Wed, 29 Sep 2010 10:06:20 -0400

Thank you for your letter. I would be happy to see any relevant material on the subject have a wonderful Yom Tov. A. Cohen

To: Moetzes Gedolei Torah of Agudas Yisroel of America

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ג' לשבת זמן מתן תורתנו מ"ז למ'טמונים
ג' סיון תשס"ט

לכבוד מורי ורבותי הרבנים הגאונים מועלת גדולי התורה דאגודת ישראל, שליט"א

אחדשוכט"ס בכל הכבוד הראוי

לנכון היה עלי לכתוב כמה דפים של התגללות ובקשת מחילה וסליחה מאת כתר"ה על הדברים שלקמן שמי אני שאבוא לפלפל ולהקשות ולענות על דברי המלך, החרש והמסגר שבימינו.

אבל מה אעשה שידוע לי שג"ד נוגע לפיקוח נפש ולרפואתם למאות ולאלפים של אחינו צ"י ודוחק השעה דחפני תורה היא וללמוד אני לריך, ובגלל הדברים שארשום לקמן לא הבנתי הוראתכם בענין זה ובאתי לבקש מכתר"ה שישירו לי העקוב שבמוחי ושבלבי.

1) בש"ך ח"מ שפ"ח ס"ק מ"ה מביא להלכה מהרמ"מ שמי שרגיל להכות אחרים כבר נחשב כרודף ומורה לכל אדם למסרו לערכאות אפילו אם יענישוהו קשות. ובדאי סברתו הוא דהוי כ"תוא ממכר" כצ"ק ק"ז. וכן מוכרח מלשון מהרמ"מ הוצא דבריו צסוף שו"ת מהרי"ו שאפילו אם יהרגוהו מ"מ מורה למסרו. והביאו דרכי משה, וכן הביאו העה"ש שפ"ח ס"ק ל' להלכה.

וממילא נ"ד דעלילות בילדים וילדות ודאי כן הוא, שידוע שמוזיקס כ"כ עד שבאים הגיזוקים לשעמום חזק וכמעט לשערי מות.

וכן הורה הג"ר אלישיב, שליט"א, בתשובה להג"ר ש"פ כהן, שליט"א, בעצת תשס"ד.
וא"כ מי שיש בידו להליל וגמגע ולא הליל וכו' וכו' כדברי הרמב"ם פ"א רול"ה ה' י"ד-ט"ז

2) והגראה צנ"ד דחייב להוציא אף כל ממונו שלא לעבור על לאו דלא תעמוד וכדברי רמ"א צ"ד קנ"ז סע"א א' ובח"ח ס"ס תרנ"ז

ואף דבעבר צשז ואל תעשה יש פלוגתא אם ג"כ חייב למסור ממונו כדי שלא לעבור (פתחי תשובה י"ד קנ"ז ס"ק ד' ודרכי תשובה ס"ק י"ח) מ"מ צנ"ד נראה דלריך להחמיר: א - דספיקא דאורייתא הוא,

3- הריצ"ש (ס' שפ"ז) והצ"ח (ס"ס תרנ"ז) שמוציאו מחמירי צזה. והמשמעות הוא דכל האחרונים שמקילים שלא ראו דברי הריצ"ש. וכן הוא צרע"א שמתחילה מציא דברי המקילים והמסתפקים ואח"כ סותר דבריהם ע"י דברי הריצ"ש.

ג- נראה דבכאן בלאו בלא תעמוד (דחמוד בשב ואל תעשה כמבואר ברמב"ם סוף פ"א רולח) כ"ע מודה, דהא קאמר גמ' סנהדרין ע"ג. דכל ריבוי של לא תעמוד הוא דווקא לאגורי אחר היינו להוליא ממונו. וכן הוא במהרי"ו ס' קי"ז. ולשון מהרי"ו שם ואזיה שיעור יש ציה ולכן אין שיעור. וממילא יולא דבג"ד כל א' וא' מישראל חייב למסור ממונו כדי להליל הילדים מיד רודפיהם

3) צ"ד ס' של"ד סע' מ"ח הויא המחבר דברי התרומת הדשן ס' רע"ו שמחוייבים להכנס בספק עונש להחזיק דתינו נגד גזירת מושל מפני קדושת השם ומוכרח מלשון התרה"ד דבין עונש הגוף בין להפסיד כל פרנסתו ע"ש. אך ורק אם הפרעת המושל וגזירתו הוא על ענין ממונו שבין אדם לחצירו אין חייבים. והטעם ע' בתרה"ד שמה הוא שלא לאיית למושל הוא כענין "חוא מכמר" ולכן צענינו ממונו בין אדם לחצירו אין להרגיז המושל, אדרבא כעין רודף ומסור לעשות כן.

ואעפ"י מסיק וכן הוכרע בש"ע, דצנוגע החזקת הדת וקידוש השם חייבים לעמוד כנגדו אפילו אם יעניש בגוף ואפילו מקפח פרנסה. והגראה שג"ד הוי להחזיק דתינו:

א- דמשכב זכור הוא,

3- להזיק אדם כ"כ עד שמצואו לשעמוס וכמעט להצואו לשערי מות אינו רק ענין ממונו שבין אדם לחצירו אלא נפשות הוא וכן הוא במהרמ"מ הוצא דבריו בסוף שו"ת מהרי"ו ה"ל.

וג- ועוד מה יאמרו הגוים איך אלו ה,, חרדים" נגשים לזה. נהי דהם א' צפה וא' בלב כידוע, אבל אנחנו אפילו צפה מתראין כאינונו.

והגע בעלמיו, אם היה העולם הפוך, דהיינו אילו בלאו אנחנו לענוש ולהחרים לא' על שעילל בילד או ילדה, והשר היה גוזר שיעניש בממונו ובגוף אם יקיימו החרם, מה יאמרו ויפסקו התרה"ד והש"ע על זה. צענינו הפעושות פשוטא היא דודאי היו אלו חייבים ליכנס וכו' וכו'

4) ונלפע"ד עוד יותר דאין בכאן רק משום קידוש השם אלא יש בו ג"כ משום חילול השם וכדנ"ל. ואפילו צפדיון שבזים שהוא הללת נפשות וגדרו חז"ל שיש שיעור למעלה עד כמה ממונו חייבים להוליא דהא אין פודין את השבזיים יתר מכדי דמיהם מפני תיקון עולם מ"מ נא לע' צפחתי תשובה ו"ד רנ"ב ס"ק ד' דצפדיון שבזין בהלטרף חילול השם בו, פודים יתר על דמיהם, ושמה נידון החילול השם היה רק על א' שנחפס צענעה שזיה עם זונה. על א' כו"כ צ"ד. וכן שמה יש ספק אי עעמא משום דוחקא דליצורא, וחילול ה' יכריע או עעמא משום דלא לגרבי ולא משגחין אף בחילול ה', אבל צ"ד הוא רק משום דוחקא דליצורא על אכו"כ.

5) ועוד יותר למה אינו חוששין משום איבה. דהא התירו צומה"ז לחלל שבת לעפל לרפאות גוי כשאין מקום לאשתמוטי משום דאיבת הגוים תסכן ליהודי עלמא. ולמה אין חוששין צזה צ"ד.

6) והעלה הנתנת שאלו הניזוקים יתצעו צ"ד. לפענ"ד אינו עלה ההוגנת לו. שהדין ילא מרומה:

א- שהרי אין צכח צ"ד ואינס מורשים לעמוש כראוי וכדצעי כדי שיוסרו הנשאריו ולא יעשו כחועצות האלו.

ג- ועוד שאין לצ"ד הכח ורשיון המלכות לעשות הדרישות והחקירות כדצעי.

ג- ועוד לדאבוני הגדול ובצקשת מחילה, בעוה"ר ע"פ רוב אין הדיונים מצינים ענין עומק ההיזק ובדרך כלל לדאבוניו לא רואים אף ללמוד ולהצין.

ועוד אבקש מחילה וסליחה מכתר"ה על הרימי ראשי להעיז פני לענות פני המלך אבל לרכי עמינו דחפוני. ואחכס הסליחה.

והודות רבות על הזדקקות כתר"ה בגדון זה.
חלמידכס מכדכס ומעריכס

פינחס יהושע הכהן

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Erev Shabbos Sidras B'Haaloscho
20 Sivan, 5769

Lichvod Roshei HaYeshivos, the Geonim, Shlit'a, The Moetzes
Gedolei HaTorah of Agudas Yisroel:

Acharei Drishas Sholom v'Chol Tuv, B'Chol HaKovod HaRui!

Please forgive my using my "Mama Loshon" in this letter. It appears that because I used Loshon Kodesh in my original correspondence, I was unable to express my intent clearly and was misunderstood. I apologize for the consequent wasting of the Roshei Yeshivos' time that this caused.

I want to express my Hakoras Hatov to Rav Perlow and Rav Kamenetsky for their forbearance and taking time from their very busy schedules to respond to me in spite of the above clumsiness.

What I had intended in my original letter was to inquire as to the Moker for Roshei Yeshivos' position that the fiscal viability of Mosdos has priority over Hatzolas Nefoshos of molestation victims.

Please let me explain the motivation for my inquiry:

4 weeks prior to my letter, I was at a retreat for Jews in recovery from addictions (and their families) who for the most part have molestation as the origins of their disability/disease. (I have been a "spiritual guide"/Mekarev of this community for 14 years.) In anticipation of attending this retreat, I had wanted to be prepared

properly to defend the position of the Roshei Yeshivos. For that purpose, I had communicated and corresponded with R. Mordechai Biser (fellow Passaic resident, who has been a Talmid and asks Shaalos of me) of the Agudah staff, to learn all the various details. (I would, respectfully, also like to inform the Roshei Yeshivos that it is I, who "tipped off" the Agudah offices, through my relationship with Reb Mordechai, about the picket/protest demonstration that occurred on the day of the Agudah dinner and also about the proposed letter writing campaign to Mayor Bloomberg and full page ad in the NY Times that B"H did not come to fruition.)

Over the years that I have been involved with the Recovery Community, I have been able to forge trust and understanding to a degree, that I am able to present some of the most difficult Torah Halachos and Hashkofos to them in a way that they can accept them. But experience has taught me that it cannot be done in a dogmatic, authoritarian decree manner. It has to be done with a step by step development of the Torah thinking from square one onward. Because of their history of abuse at the hands of supposed Mechanchim, Rabonim, or Moros, they are very suspicious of anything that smacks of authoritarian decree. But equally so, they are, very intelligent ("street smarts") and are enamored by a harmony of honesty, justice and fairness. Enlighten and demonstrate to them that the ways of the Torah are exactly that, (Mishpetei Hashem Emes Tzodku Yachdov, and Drocheha Darchei Noam) and they become very committed and spiritual (Ruchniusdik) Jews. Many become full Baalei Teshuva (Frumer than they would have been, had the calamities never occurred) and the overwhelming majority become more observant as a result of these interactions.

I had hoped that after having a clear understanding of the Roshei Yeshivos' position, I would be able to 'digest' it and 'regurgitate' it in a way that would be palatable for them to accept.

Alas, after my communications with R. Mordechai, I had exhausted his reservoir and still did not have an approach that I was comfortable with. My own research, during our conversations and subsequently, led to findings that were still not in consonance with my goal.

Hence, I turned to the Roshei Yeshiva for elucidation; as I had attempted to convey, albeit clumsily, in my first letter.

So once again I am approaching the Roshei Yeshivos, humbly and respectfully, to ask if they could please share with me the source in classical Torah sources that guided their decision, so that I can have a reasonable chance of defending and illuminating the wisdom of the Torah in the eyes of the community in recovery and their families.

(I have included a copy of my original letter for the convenience of the Roshei Yeshivos. Items #2-4 are the ones that I continue to grapple with. Item #1 was merely a starting point that is universally accepted.)

My fear of being impudent is overwhelming me as I write the following lines. Please forgive me if, based on my experience of working with this community, I feel compelled Not to leave the following unsaid:

Unfortunately the response by Rabbi Chaim Dovid Zwiebel, published in The Jewish Week, in clarification and defense of the Roshei Yeshivos position was not on target and therefore woefully insufficient.

Sadly, I feel that this is where we are losing, if not lost already, the public relations struggle.

A Rebbe of mine once told me, “In America, you can’t be against Apple Pie and Motherhood.” In today’s milieu, we most necessarily need to add, “You can’t be against protecting children from molesters!” Even stronger, “You need to be actively

promoting protection of children from molesters!” And we need to be very vociferous and vigorously propose and aggressively act upon a clearly stated agenda of what should be done and what we are doing, and what we will do, to protect the children, regardless of legislation one way or the other. This would give us credibility. In the context of such an assertive proposal, we can avoid, ignore or dispute involving liability of the Mosdos and figure out a way to protect our Mosdos.

However, any degree of perceived lack of enthusiasm and commitment to rectifying the prevailing situation will compromise anything we say to be interpreted as self-serving and self-interest. (Such was the language of Mr. Zwiebel’s letter i.e. "encouraged Mosdos " etc.– this does not sound very strongly committed and therefore not very convincing.)

Only we appreciate and understand how dear and vital the Mosdos are to us. Just to protest that “the Markey Bill is no good” and to throw back to the secularists the assignment to find a different solution without having developed and vigorously pursued a viable alternative, which takes the sting out of their Ta’ana that we do not care, is woefully insufficient.

It could be that in New York State it is already too late. The Markey Bill will become law and that the Midas Hadin will be Mesucha k’Negdenu, Rachamono Litzlon. Perhaps Rachamei Shomoyim will prevail and the shenanigans in the state senate will delay or postpone passage of the Bill and give us a reprieve.

But whether we can still rescue the situation in New York State or whether this is for other states to be forewarned, we need to be much, much more proactive.

I do also respectfully offer my services (my experience in working in this field and my suggestions on how to navigate this quagmire) to the Roshei Yeshivos so that Kovod HaTorah in the eyes of the public could possibly be enhanced and at least not be further denigrated.

I hope and pray that the Roshei Yeshivos will forgive my impudence. The pain of so many victims and the Chillul Hashem that is occurring in the public arena are what motivates me. V'Ain Odom Nitfas Al Tzaaro.

Talmidchem, Mechabedchem u'Mokirchem,
Yehoshua Kaganoff

Prelude to Edison Rosh Yeshiva Correspondence

Dear Rabbi Eidensohn,

In your recent email you wrote the following:

“My concern is in what sense is mental illness pikuach nefesh. If a person's actions cause psychosis or depression does that make him a rodef? If a molested person has trouble expressing emotion does that mean that saving him from that state is pikuach nefesh? If a molested person has a 20% greater likelihood of committing suicide in 20 years - is that pikuach nefesh? Can I kill a person to prevent him from causing some form of mental illness in another person? Finally when the Rema or Rashba say that custody is determined by what is best for the child - does that include psychological or emotional factors? By and large the responsa literature does not address psychological factors.”

Before responding directly to the queries that you posited, I believe it would be helpful to clarify some Halachic parameters. This will give some context for my responses.

Halachic Principle (HP) 1) Is the concept of Rodef applicable even in a case of Gromo (Indirect causation in contrast to direct tort)?

A: The Ohr Someach (Rotzeach 1:8), Achiezer (1:19), Galye Maseches (YD 5) and Rivosh (# 238) all bring proof from the Halachos of Mosur and Malshin that Rodef applies even in a Gromo case. Ohr Someach and Achiezer also extend and prove that this applies to all cases where the perpetrator is designated as a Rotzeach; even though he is exempt from Misas Bes Din. see below HP #5.

[Ohr Someach and Achiezer also cite a Rashbo (Bovo Kama 22b) that seems to infer that there is no din of Rodef in a Gromo case. However, Rashbo himself (ibid) expresses consternation in understanding the Sugya and concludes "Adayin Tzoruch Talmud". Moreover, Talmid of Rashbo learns the Sugya

differently, as does Rosh and other Rishonim, in a way which makes that Sugya inapplicable to the question of Rodef Gromo. Conclusion: that Rashbo is at most a Daas Yochid on this issue and Mesupok at that. We can comfortably conclude that Rashbo's commentary is not of concern in establishing normative Halacha.]

HP 2) What are obligations of intervention in case of Rodef?

A: The minimum intervention that is necessary to stop the occurrence and save the life of the intended victim. If no other alternative is available, then even taking the life of the Rodef is required. But this is the action of last resort. Reporting to the secular authorities depending on the prevailing circumstances may fall into this last category. (Rambam Rotzeach 1:6-16 and Shulchon Aruch CM 425 and 388.)

HP 3) If it is not a case of Rodef (just injury, but no life endangerment), is there any obligation of intervention and if so what are the parameters?

A: The minimum intervention that is necessary to stop the occurrence and save the victim from being injured. If no other alternative is available, even physical restraint or force may be used to stop the crime (This is called L'Afrushei m'Isuroh - to stop a person from doing an Aveira.) BUT it is prohibited to endanger the perpetrator's life. (Rambam Avodim 3:5 from B.K 28a; Shulchon Aruch CM 388:7 Ramo and Gro #46)

[This is for a onetime event. In a case of a habitual attacker, he is classified as a Rodef (CM 388 Shach #45)]

HP 4) How clear does the danger need to be in order to invoke the rule of Rodef?

A: To the contrary, there must be absolute clarity that there is no life endangerment at all to the victim, in order to refrain from acting under the rubric of Rodef. (see Rambam Gneiva 9:10 re: Machteres which is a classic clear example of Rodef.) Even if such clarity exists, we would nevertheless still be obligated under the rubric of Afrushei m'Isuroh.

(This is contrary to the Chakira posed by Chazon Yechezkel to Tosefta 11:5. Based on the above Rambam, I see no room for any doubt.) (Even according to opinion of Galya Maseches discussed elsewhere, this proof remains in force; because if even by Machteres which Galya Maseches opines is only reshus to intervene; the rule of clarity is as above, Kal v'Chomer by a regular Rodef which he opines is a Mitzva to intervene etc.)

HP 5) If treatment is available, does that minimize or mitigate the determination of Rodef and if so, to what extent?

A: Sanhedrin 77b discusses the case where someone shoots an arrow at an intended victim but the victim has medicaments that can heal the wound. There are various variations on the case in the Gemoro. Most Rishonim explain the Gemoro and its conclusion that this availability is only a P'tur in the Misa Bes Din aspect, which means that as a result of this loophole Bais Din will not execute. However the perpetrator is still categorized as a Rotzeach. Consequently, this will be the same as HP#1 and the rules of Rodef would nevertheless still apply. (Ohr Someach and Achiezer ibid say this explicitly. Ohr Someach also quotes from Ohr Zoruah that concerning plain Mazik (simple damages with no endangerment to life) that this is certainly the rule. I.e. that the damages need to be paid for, as if there is no treatment available; and afterwards the treatment is a separate obligation of Ripui.)

[There is a Machlokes on the intent of the Rambam Rotzeach 3:11, who deletes the cases of medicaments that are cited in the Gemoro. The commentaries are split. Some say that Rambam holds like the other Rishonim just deleted it because it is included in other cases already cited or because it is self evident. Others opine that the Ramban explained the Gemoro differently and reached a different conclusion. Be that as it may, it once again will not affect normative Halacha; because in worst case scenario, Rambam would be only Daas Yochid; and it is possible, according to the first group of commentators, that he doesn't even dissent!]

HP 6) Is the determination of a Rodef situation something that follows standardized parameters or is it subjective?

A: See Rambam (Rotzeach 3:1-7) and Aruch HaShulchon (CM 425:23, 24) that whether an event is considered a murderous attack is very subjective. The following parameters are all calculated into the determination: Strength of attacker, resilience and health state of victim. Implement used in attack. Area of body penetrated etc. A weak person, a sick person etc. who is attacker, how much force was used etc. (The same guidelines are also applicable in all lesser tort (Chovel) cases. CM 420:28)

HP 7) Is Mental illness considered Choleh SheYesh Bo Sakana that falls under the rubric of Pikuach Nefesh?

A: I believe the sources in Shearim Metzuyonim b'Halacha (Kitzur chap # 165 footnote #6 and chap #133 footnote #10 second paragraph) give adequate sources that indeed Mental Illness does fall into this category. [The terminology “Ruach Ro'oh” utilized by Chazal is identical in symptomology as the condition of Hysteria as described by Freud. Today we call Freud’s “Hysteria” by a different name - i.e. Acute Trauma Reaction or PTSD. A little research reveals that most of the Mental illnesses listed in the DSM IV have trauma in their etiology.]

Of course a qualification is in order. Just as in heart disease, diabetes etc after it has been contracted whether at any particular moment is Pikuach Nefesh in regards to Chillul Shabbos or eating Treif etc, is dependent on the severity of the symptoms at the moment. If the Choleh is under medical treatment and the conditions are under control then we deem the situation at that moment not Pikuach Nefesh. However, were someone to have the ability to “infect” someone with these conditions and would attempt to do so, he would be classified in his attempt as a Rodef . as per HP #5

HP 8) to be determined a Rodef, do we require intentionality on part of perpetrator?

A: see CM 525: Gro #11 that from Bovo Kama 117b, it is clear that we do not require intentionality; just a disregard of appropriate protocol and behavior.

Another proof would be from Machteres itself. The thief's intent is to fulfill his 'need' for someone else's property (greed); however since to fulfill his Taavoh ('need') he may "just have to eliminate" someone standing in his way; that suffices to be classified as a Rodef.

HP 9) Is a time delay in the onset of effects of the lethal act, a consideration in the determination of Rotzeach/Rodef?

A: any length of time-elapse after the occurrence that brings to death is irrelevant except in case of Eved Canaani at the hands of his master, and then also only in limited application. (Rambam Rotzeach 2:14 and Aruch HaShulchon CM 425:19)

So now to your questions:

- 1) "My concern is in what sense is mental illness pikuach nefesh".

A: Please see HP #7

- 2) If a person's actions cause psychosis or depression does that make him a Rodef.

A: based on HP #1,4,5,6 above, even if the action just could cause these conditions he would be classified as a rodef. See also HP #8

- 3) If a molested person has trouble expressing emotion does that mean that saving him from that state is pikuach nefesh?

A: Trouble expressing emotion is only the very "tip of the iceberg" that is caused by molestation. A molester is a true Rodef in every sense of the word

- 4) If a molested person has a 20% greater likelihood of committing suicide in 20 years - is that pikuach nefesh?

A: see previous answer

- 5) Can I kill a person to prevent him from causing some form of mental illness in another person?

A: see HP # 2 above and my response to your second question

- 6) Finally when the Rema or Rashba say that custody is determined by what is best for the child - does that include psychological or emotional factors? By and large the responsa literature does not address psychological factors.

A: Please see Aruch HaShulchon YD 240:33 where he discusses the concept of a parent being a Rosho; or even if not a Rosho - but just with bad Midos , sociopathological or addictive behaviors.

The Psak: that if a parent qualifies as Rosho then there is no Mitzva of Kibud Av v'Em

If the parent does not qualify as Rosho but falls into one of the lesser categories above: then Aruch HaShulchon's ruling is that the child should keep his/her distance from them!

I believe that these guidelines will most adequately take care of custody determination when dealing with psychological and emotional issues.

Pinchos Yehoshua HaKohein

18 Sivan, 5769 (10 jun,'09)

RABBI YEHOShUA KAGANOFF
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12 Elul, 5769

Lichvod Rav Eichenstein, shlit'a, Rosh Yeshiva of Rabenu Yaakov Yosef - Edison

Kodem Kol, I want to apologize for using English. Unfortunately, my handwriting is, for the most part, illegible and I was in the middle of composing my response in Loshon Kodesh, when my Hebrew computer program “crashed” and it is unclear when it will be “up and running” again. So as not to delay my response indefinitely, I am using what I have available. I ask for the Rosh Yeshiva's forbearance.

I also want to express my great Hakoras HaTov to the Rosh Yeshiva for taking out the considerable time from his busy schedule to review and critique my Teshuva. The insights and additional Mareh Mekomos were very edifying and have benefitted me in many ways. I also feel very fortunate that my son has the Zechus of learning with, and has a Shaychus with K'vod Toraso HaRom. May you be Zocheh to continue to be Marbitz Torah so effectively!

- 1) Mahara'am Horwitz (Pesachim 2b)– I did not understand the Ra'aya that the Rosh Yeshiva was trying to bring from the Mahara'am Horwitz. Indeed at the end, he states that a Sofek Rodef is not to be treated like a Vadai Rodef but he is clearly only referring to the rules that apply to a Ben Noach. Earlier, concerning a Yisroel, he says that Shfichas Domim, both Sofek and Vadai, follow the same rule as all other Mitzvos that they are overridden by Pikuach Nefesh

as long as there isn't opposition (in the case of Shfichas Domim) by the Sevoros of "Mai Chozis etc." (Which is the underlying reasoning for the Halocho of "Ain Dochin Nefesh m'Pnai Nefesh").

He then continues, "K'gon Machteres" and, in my opinion, he means precisely "K'gon" that this is only a well known obvious example, but only an example nevertheless. The same application of the rule equally applies to all cases where indeed we have an adequate response and refutation to "Mai Chozis"

Insofar as the Bo b'Machteres is either the Gorem; or in the Ran's terminology, "Hischil b'Meriva Techila"; or according to the Rosh Yeshiva's interpretation of "he is a Ganov"; we have more than adequate reason to respond "my blood is redder; because I didn't cause, start or am not guilty of the crime/circumstance!" and therefore Pikuach Nefesh is Docheh even Shfichas Domim - even Sfeiko. I do believe that this is the real intent of Mahara'am Horwitz. In which case, he is in agreement with the Minchas Chinuch.

- 2) Tosefta – Albeit that the Chazon Yechezkel explains the Tosefta in his manner, Please see the Chasdei Dovid (new printing) and the Minchas Bikurim who explain the Tosefta in a completely different manner. Therefore it is impossible to draw any Halachic conclusions from the Tosefta. If anything, the Chasdei Dovid and the Minchas Bikurim are in agreement with the Minchas Chinuch.
- 3) Ran – I was M'Dakdek the following: The Braisa (73a) brings 3 cases: Drowning, attacked by a wild animal, Listim (gangsters/mafiosi). The Chiyuv to rescue in all of these cases is derived from "Lo Saamod". My question: what is the intent of these Listim?

Are they only after property? If so, the cases of the Braisa are incongruent.- Drowning and attack by wild animal are certainly Sakonas Nefoshos! Are they coming to murder? Then this is precisely the case of the Mishna and first Braisa, and if so the Shakla v'Tarya of the Gemoro is incomprehensible. So we are forced to say that the Listim that we are dealing with in the Braisa, it is a Sofek as to their intention: perhaps they are after property, perhaps after Nefoshos. Upon this case, the Ran remarks that from the Pesukim of Nitán l'Hatzilo b'Nafsho we would only know that if it's Borur re: Nefoshos then I am obligated to rescue; but a Sofek would not be known. Comes the Posuk of "Lo Saamod" etc.

Earlier in the same piece, the Ran brought Tosfos' Kasha: why do we need the posuk of Nitán l'Hatzilo, we already know this from Machteres (v'Huko). He gives Tosfos' answer in a more expanded form that Machteres only teaches Reshus, but Nitán L'Hatzilo teaches that it is a Mitzvo.

Now, returning to the end part of the Ran, I would ask, "Is it reasonable to assume that the Chazoko that exists by Machteres does NOT equally apply to Listim?" I believe that they are one and the same. And therefore the Ran in his conclusion is merely stating that there is no Mitzvo (from Posuk of Nitán l'Hatzilo) to kill him; but "Lo Saamod" obligates me to rescue him just as I am obligated to rescue the Baal HaBayis from the Bo b'Machteres. Namely, that even though it is just a Sofek it is certainly Reshus to kill him if necessary. Therefore, the Ran also agrees with what I wrote before in the name of Mahara'am Horwitz - that if necessary, it is permitted to kill a Sofek Rodef, which for all practical purposes coincides with the P'sak of my earlier Teshuva.

The Reshus/Mitzvo differentiation is only semantics as to the profundity of the degree of the obligation - as in

“Mitzvo l’Gabai Chiyuv; Rershus Kori Lai”. NOT that there is any practical difference in l’Maaseh.

- 4) This last exposition on the Ran, however, is only according to that which is commonly accepted in the Yeshivos that Tosfos, the Ran, and Rambam etc are indeed differentiating between Machteres and Rodef. I personally do not believe that this is the intent of any of the Rishonim. I believe the entire conversation of the Ran and Tosfos, as well as the purported Dikdukim in the L’shonos HaRambam are of a different thrust and nature entirely. Please let me explain:

I discovered in the Pirush “Halacha l’Moshe” (in the new - 5766 -publication called Meforshei Yad HaChazoko l’HaRambam (Gneiva 9:7), quoting the Tosfos Yom HaKipurim (Ba’al Kapos Temorim) on Yoma 82a, (pg 25 col 2 of traditional edition) the following:

How can Tosfos differentiate and say that for others to kill the Bo b’Machteres is only a Reshus, but a “true” Rodef is a Chiyuv? The Gemoro (72b) itself says very specifically, in its discussion of others being allowed/obligated to kill in order to rescue, that the Bo b’Machters is a Rodef! The Gemoro doesn’t say K’Rodef but Rodef. The two are identical!

What Tosfos means is, “what would have been the status, if we would not have had both pesukim?” but now that we do have the full complement of Pesukim, in regards to executing the Halachic requirements, they are the same.

I believe that the Ran’s intent is also the same. In the piece of the Ran following ours, in regards the Gemoro’s discussion comparing Lo Saamod and v’Hasheivoso Lo, the Ran states that one verse does not intrinsically reveal any more information than the other, but it is m’Yituro d’Kro that exists between the 2, that adds the sought after extra dimensions of the Halocho. It is my belief that

likewise this is the theme of the Ran's conversation in regards to our Pesukim as well. Each question is addressing the point, "why do we need so many Pesukim?" And the responses are that with one Posuk alone we would have learned out only the minimum (Reshus, Borur etc.) but each additional Posuk allows me to include more information and that the Pesukim in symphony all together, reveal the one set of rules and parameters that apply in all of the cases - Rodef, Sofek Rodef and Machteres . I base this assertion on the following Dikdukim:

a. The Ran on the Mishna (72a) says, since the Mishna brought the case of Machteres which is Chayov "Mishum Rodef", it now digresses and brings the other cases that Matzilin Oso b'Nafsho. He says "Mishum Rodef", – not K'mo Rodef .

b. In the following piece, the Ran concludes, " v'Hu sh'Hischil b'Meriva Techila u'Bo b'Machteres Asohu HaKosuv Rodef - NOT k'Rodef

c. Within the previous quoted expansion of Tosfos (73a), the Ran says that the Bo b'Machteres is Chayov "l'Fi SheHu Rodef"

The same holds true of the differences in the L'shonos HaRambam. The following Meforshei Rambam, Avrohom Yogel (Rotzeach 1:7), Machane Yehuda brought in Kovetz Al Yad (Rotzeach 1:14), Halacha l'Moshe (Gneiva 9:7) (all in Meforshei Yad HaChazoko l'HaRambam) all comment on the Rambam's system of distribution and assignment of the 3 Mitzvos and their Pesukim among the variety of the cases that he brings. Their conclusion is that after all the Droshos, all of the Pesukim equally apply. I believe a paradigm for this approach is the Rambam's Loshon (also quoted in Shulchon Aruch CM 388:10) when he formulates the Din of Moser (Chovel u'Mazik 8:10). He begins with Mutar and ends with Mitzvo, v'Kol HaKodem Zocho.

All agree that it is a Mitzvo to kill a Moser. That is really not so. The Mitzvo is to save the victim. If we need to resort to killing the Moser then it is Mutar to do so and M'meila it becomes the Kiyum Mitzvo because there is no alternative. But it remains initially only Mutar because I need to consider alternatives first. I believe that this is the precise formulation that is to be applied to Machteres and Rodef as well and thereby adequately resolves all the nuances of Loshon.

The outcome of this position is as I stated in my earlier Teshuvo, that all cases of Rodef, Sofek Rodef and Machteres operate under one set of rules in Halocho l'Maaseh. I.E. if it's possible to rescue the victim and spare the perpetrator's life we are obligated to do so. If rescuing the victim is only possible at the expenditure of the life of the perpetrator, then we are obligated to kill the perpetrator. In the bottom line, there is no situation where it is only a "Reshus" (i.e. If I want to, I can; if I don't want to, I don't have to) to kill the perpetrator. Either I am Mechuyov to kill him or it is murder! Nor for that matter is there any difference in profundity of degree of Chiyuv as in the earlier approach. If no other alternative exists, I am Mechuyov to kill him; if another alternative exists then killing him constitutes murder.

I believe that a Ra'aya to either of these 2 approaches is the fact that in Shulchon Aruch (CM 425, Mechaber, Ramo and commentaries) we find no differentiation, Halocho l'Maaseh, made between Rodef and Bo b'Machteres.

- 5) A Heoro that came to me while learning the Sugya. According to the Rambam , who quotes Tanna Kamma of Sifrei, the original Mitzvo source for Rodef is v'Hechzika b'M'vushav v'Katzosa Es Kapo. A difficulty: What Sakono is there in v'Hishlico Yodo etc? At most she is attempting

to make the victim a P'tzuah Daka. The Beitzim (or the Gid for that matter) are NOT Eivorim sh'Nafsho Shel Odom T'luyim Bohem. They are not even one of the Treifos. So what constitutes the Sakonas Nefesh? The only answer that I could find was in a Pirush called Binas Hamikro (from the Baal Otzar HaTefilos) but not substantiated from any source reference in any way, is that the extreme pain could cause death. (This is correct according to modern medicine, as well.) If my position is correct that causation of a Sofek of Pikuach Nefesh warrants implementation of the Rodef Halochos then the question is resolved.

But if only a Vadai Rodef brings about the implementation of these Halochos, The question remains where is the Vadai Sakono here?

Until now I have been responding to the theoretical part of our conversation. I would like to address now the more practical aspects and applications:

- 6) The term Molester requires clarification. As it is used, in the criminal and mental health sense it does not refer to a one time occurrence. A molester is one who cultivates and grooms his/her victim until he/she gains the confidence of and sufficient control over the victim. Then they begin their molestation and it is carried out with regularity. ("The Routine of Abuse")

Also, the molester can have more than one victim at a time and is always looking for more "opportunities".

The Shach (Choshen Mishpot 388 #45) quotes Maharam m'Rizburk (also quoted Halocho l'Maaseh by Ramo and Aruch Hashulchon) that someone who regularly and repeatedly strikes another, or others, is a Rodef and all means at disposal need to be implemented to save the victim(s), even at the expenditure of the perpetrator's life. (Although Maharam m'Rizburk does not explicitly explain

his reasoning, most likely it is another application of “Toh Michmor” as per Bovo Kama 117a.) Accordingly, for the majority of molesters we need not look for a Sakonas Nefesh for the individual victim. Just the frequency and regularity of repetition of the attacks and the fact that they are constantly “shopping” for more victims, constitute a determination of Rodef and a full application of its Halochos.

- 7) As a basis for the balance of this Teshuva, (which continues on page 316), I would like to share with the Rosh Yeshiva the following material. The purpose of sharing this is to demonstrate that the molestation events or even a single event causes damage that ~~begins~~ a downward spiral that ~~inexorably~~ leads, M’meila, on its own, to death. I have underlined the pertinent parts that support this. Subsequent data and research confirm that this is the ~~overwhelming majority~~ of cases; (not just a Chazoko). *[ed. note – at the time this letter was composed (fall ’09), I based the statements “inexorably” and “overwhelming majority” on literature published in ’97, and believed it to be accurate. In Winter ‘09-’10, Dr. James Hopper of Harvard modified this misperception based on more current and precise research. Consequently the word “inexorably” should be replaced with “good probability” and “overwhelming majority” should be replaced with “significant percentage”. In fact, these modifications do not impact in the slightest, the Halachic thrust and conclusions within this letter, because we adequately demonstrate elsewhere within this volume that a Sofek Rodef (“good probability”, “significant percentage”) has the same Halocho as a Vadai Rodef]*

This (~~inevitability of this~~ – ed. note – remove as per above) downward spiral remains in place, unless interrupted by: 1) proper treatment or 2) the victim taking his/her own life

due to the unbearable psycho emotional pain or 3) the victim going insane.

Dr. Judith Herman is one of the primary researchers in this field. She is a world-renowned authority. I quote from her chapter on Child abuse (from her book, “Trauma and Recovery”, considered the primer for Trauma Therapy). I maintain that every Rav and Posek needs to read this chapter before undertaking to issue any opinion or P’sak Halocho on these matters.

Pg 97:

The author and incest survivor Sylvia Fraser recounts her journey of discovery. In her wide array of symptoms , her fragmented personality, her severe impairments and extraordinary strengths , Fraser typifies the experience of survivors.

She writes: “I have more convulsions as my body acts out other scenarios, sometimes springing from nightmares, leaving my throat ulcerated and my stomach nauseated. So powerful are these contractions that sometimes I feel as if I were struggling for breath against a slimy lichen clinging to my chest.....in a more superstitious society , I might have been diagnosed as a child possessed by the devil.....”

In earlier times, Fraser notes, she might well have been condemned as a witch. In Freud’s time she would have been diagnosed as a classic hysteric. Today she would be diagnosed with multiple personality disorder. She reports numerous psychiatric symptoms, which include hysterical seizures and psychogenic amnesia beginning in childhood, anorexia etc. and [severe] depression. [this last symptom should not be minimized. People suffering with this will sit or lay in bed as if paralyzed and will not attend to any body function, the most life-threatening of which, being no eating or drinking – yk]

Pg 114:

Eventually, often in the 3rd or 4th decade of life, the defensive structure [for survival that was created in childhood] begins to break down. The façade can no longer hold, and the underlying fragmentation becomes manifest. When and if a breakdown occurs, it can take symptomatic forms that mimic virtually every category of psychiatric disorder. Survivors fear that they are going insane or that they will have to die. Fraser describes the terror and danger of coming face to face as an adult with the secrets of her childhood:

Did I truly wish to open the Pandora's box.....how would I feel to discover that the prize, after 4 decades of tracing clues and solving riddles, was the knowledge that [I had been] sexually abused? Could I reconcile myself without bitterness to the amount of my life's energy that had gone into the cover-up of a crime....?

I believe many unexpected deaths occur when a person finishes one phase of life and must become a different sort of person in order to continue. The phoenix goes down into the fire with the best intention of rising, then falters on the upswing. At that point of transition, I came close to dying along with my other self.

The following is an excerpted letter of mine which the Yated published after Pesach. The *comments in italics* are corrections and updates made by a very prominent traumatologist and Trauma therapy trainer, to whom I refer the victims that come to me, in order to match them up with suitable therapists.

28 Nisan, 5769/22 April, '09

Dear Rabbi Lipschutz,

I am sure that you have been inundated with letters in response to your Editor's View article "Lifting the Veil of Silence" in the 2 Nisan issue of Yated;

The troubling statements are underlined below:

"The overwhelming majority of survivors suffer in silence, unless they are lucky enough to endure agonizing, arduous, expensive therapy. However, even a lifetime of therapy doesn't ensure that

the victim can ever be fully healthy again. Not every young victim's psyche can be healed."

However, depending on the many factors, trauma therapy can often be prolonged but very much shortened by some of the new therapies.

Trauma therapy is about 1) restoring a person's sense of safety in the world 2) reprocessing and desensitizing the traumatic event and its resulting sequelae 3) creating a new template for living a fulfilled life.

The factors which influence the length of therapy include the developmental age at which the trauma (s) occurred; the severity of the trauma; the resilience and resources of the client; the client's current circumstances; and the presence of concomitant biological psychiatric disorders such as bi-polar disorder. If this is a "single incident" trauma such as surviving a terrorist attack or a car accident, it can usually be resolved very quickly. But, if we are dealing with ongoing childhood sexual abuse in which the client has developed a dissociative disorder, then the treatment takes much longer, indeed it can take years if the person has developed multiple personality disorder.

Trauma profoundly influences our neurophysiology on every level from behavioral patterns in the brain to physical symptoms such as fibro-myalgia and other chronic disorders. EMDR and the other neurobiologically based therapies like Somatic Experiencing and mindfulness address these issues in ways that have never been used before in psychotherapy.

I would like to elaborate upon some of my above statements:

- 1- I have attached an article that published (Science News, Vol. 168 #10, Sept 3, 2005 pgs.155-163) the findings of the most current medical research. MRI brain scan studies have proven that there are physiological changes in the brain function of these afflicted people. By the way I have shared, within the past year, with Rav Yisroel Belsky, Shlita (Torah v'Daas, Camp Agudah, OU Kashrus) and Rav Dovid Cohen, Shlita (G'vul Yaavetz, Brooklyn, Ohel, Nefesh) this article and they responded to me that they found it very informative and enlightening. The Halachic and Hashkafic

consequence is that to assert that addictive behaviors are just bad midos or Ta'avos is contrary to these findings and that, quite to the contrary, those afflicted are truly Cholim; in most cases, if left untreated SheYesh Bo Sakana.

- 2- Even more recently (November '07), Dr. Bessel Van der Kolk presented more updated research at a Nefesh Professional Training to 130 attendees in Manhattan. His most salient point - that the MRI research demonstrates that the part of the brain effected by trauma is NOT amenable to rational or cognitive modification but that ONLY non-cognitive therapies will be effective. Primary among this genre of therapy that he recommended highly was "EMDR". I am attaching a short article describing this type of therapy (www.emdr.com/briefdes.htm) *For the most part, psychoanalytically based therapies are useless here.*

On Sun, 02 Aug 2009 21:00:23 -0400 "vt"

<vt@verizon.net> writes:

> Dear Rabbi Kaganoff,

Attached are my comments on your letters. The comments speak for themselves. One overriding comment is to not "sell" EMDR as a short miracle cure. Many of the people you have referred to me are definitely longer term clients.

Unfortunately the overwhelming majority of Mental Health professionals in the USA in general and NY metro area in particular, are burdened in this area by misunderstanding and resistance. This is due to the fact that the attitudes, protocols, policies and training of the Mental Health field is predicated on their "bible" – The Diagnostic and Statistical Manual of Mental Disorders, 4th Edition ("DSM IV"). The most critical problem is that most of current research data and efficacious treatment modalities for trauma and its aftermath postdate the publication of the DSM IV which was in '94.

Consequently, unless a mental health professional has especially studied and experienced the most recent up-to-date research-based

Trauma training and appropriate-therapy training, he or she are totally incapable of making any judgment call or giving any guidance concerning trauma and the recovery therefrom. *This is absolutely true. In fact, if someone is not trained in the current trauma therapies they can at best maintain the status quo and at worst be harmful.*

[continuation of my Teshuva from pg 311]

Although Fraser and Herman are reporting about the aftermath of numerous occasions of childhood sexual abuse (or, as other literature demonstrates, other ongoing abuse/severe neglect scenarios), I have seen and heard the testimony of many, many survivors in which they report that the same despairing despondency settles over them after a onetime event of sexual violation. The overwhelming feelings of “I feel so dirty” “a piece of trash” “I am unsalvageable” become obsessive. They state that from that moment on, a “Battle for Survival” began. As documented before, these are not “just feelings” but an actual change in the physiology of the brain has occurred. A measurable and verifiable life threatening injury, whose resultant mortal development and course can be predicted.

- 8) Now to return to the Rosh Yeshiva’s Heoro regarding “Ones” - that we see that m’Din Torah that this is merely a case of damages but not a Sakono that precipitates application of the Rodef rules.

I would like to respond with the following 3 counterpoints.

A: This could be another example of Nishtane HaTeva which Tosfos and M’Forshim posit in many other instances. The Chazon Ish (Noshim 27:3) lists many examples of physiological changes between what existed in the times of Chazal/Tanach and our times. A most notable parallel is his citing of Hakoza Hadam. “Earlier

generations had excess blood that required “Letting” for good health; today it is a Sakono to undergo this procedure.”

This could, even more so, be applied to our situation.

Some very critical elements that come to bear in our situation are: 1) the value of life and the will to live –which is predicated on the convictions of 2) the value of self and 3) the right to survive and thrive. It is well recognized that these basic attitudes and convictions have been severely eroded in today’s world. The Chazon Ish (Emuna u’Bitachon (4:12, 14) and Rav Wolbe describe and document the malady of Shiflus HaNefesh in the general population and how this impacts on Chinuch today.

When I was a child the rhyme “Sticks and stones can break my bones, but names will never hurt me!” was a very effective means of deflecting nasty remarks. For most of the population at that time, good self –esteem was intact and a little ditty of a reminder did the trick. NOT so today! The words spoken by a peer can eat away at the soul of the target and can cause all sorts of discomfort and even dysfunction.

All the more so, for someone who has experienced a soul-shattering interaction of sexual abuse. The above 3 critical elements are severely impaired to the point of utter negation and the despairing despondency described above becomes overwhelming and obsessive.

B: However, I do not believe that we must resort to the use of Nishtane HaTeva to reconcile the apparent inconsistency.

I believe that another excerpt of some recent correspondence will once again be helpful.

(Traumatologist’s comments are in italics.)

The assertion is frequently made that in order for the victim to achieve proper healing; the perpetrator must be punished (*by*

whom? The law?) and apologize and the community must be compassionate and supportive. This was even recently reasserted by Asher Lipner, PhD in a post. It has been known for years (at least 8-15, for those who are current in the field) that these are NOT critical elements in the victims' recovery.

A compassionate and supportive community are definitely helpful, but by no means required. *Agreed.*

And perpetrators hardly ever are punished or apologize; and even when this does happen it does little to soothe the victim. The victim needs an internal healing which only non-cognitive therapies can provide. and when effected, makes the perpetrators' punishment or apology basically irrelevant. *It is certainly helpful for the perpetrator to acknowledge, apologize and, if possible, atone. However, as you point out, this rarely happens and is not necessary for the victim's recovery.*

To summarize: there are 2 major components that can neutralize the damage and arrest and even reverse the advance of the downward spiral: a- the validation of a compassionate and supportive community and b- the perpetrator being punished. Until recently these were thought to be absolute essential prerequisites for healing. Now, it is understood that although not critical because of the efficacy of the new therapies, nevertheless they are very helpful. Either one of the components, on its own, can make a difference in the coping capacity of the victim and the 2 together can counteract very considerably the effects of the damage.

Unfortunately in our time, instead of any of the above greatly mitigating factors, there is, generally speaking, a lack of validation that would promote and support healing and the perpetrator isn't made accountable. For the most part, there are hardly any just deserts or punishments, and almost never does he/she apologize or atone. The victim is

left exploited and oppressed, the community reacts as if no one cares; or even worse protects and defends the perpetrator and the resultant bottom line is the victim is left feeling like a veritable piece of trash. This outrageous miscarriage of justice and the injustice of being abandoned by family, friends and community just reinforces the initial damage of the despairing despondency, “I am subhuman and unworthy to survive”, to continue to develop in its lethal course.

The Torah’s case of Ones and M’Fateh is within an entirely different milieu than ours today. Community support for the victim is present. Witnesses are available and testify; Father (and Mother) is involved and protective. Overall there is the rule of fair justice administered by Torah Authority. Justice is served and proclaimed and well-known. Victims know that they are not alone and justice will be served. Therefore they do not despair.

So we need not resort to Nishtane HaTeva to reconcile the seeming difference in assessment as to the severity of the ramifications between the Torah’s description and what occurs today. It is just another manifestation and part and parcel of our Golus Tzoros.

C: and finally, if we examine the punishment of the Me’Anes as the Torah prescribes it, we may find that the punishment fits the crime in such a way, that the situation is transformed, by prescribing a Refuah that heals the Sakonas Nefoshos, into Efshar l’Hatzilo b’Ofan Acher which negates the Rodef aspect.

1. Rav SR Hirsch deduces an interesting insight on the K’nas of the Me’Anes: By comparing the monetary systems and the cost of living as described by the Mishna, he demonstrates that the 50 Shekel of the K’nas will

provide at least 8 years income. This is if it is not invested as principle. Would it be invested as principle then it would provide income for an entire lifetime. We can infer from this insight that the Torah is anticipating that the result of this attack will cause full lifelong impairment of the possibility of holding adequate gainful employment or of marrying and being provided for by a husband. At the very least the Torah anticipates 8 years of such impairment. And this is with the Torah justice system intact!

2. Moreover, the Me'Anes is Shoseh b'Atzitzo – he must marry and remain married to his victim and treat her with all the dignity and respect of the Torah and Kesuba requirements, and nurture her back to health (mental and physical) or live with the defect or any of its residual effects. In effect he must very personally oversee her healing from this devastating attack. Justice is served and support and healing are provided in one fell swoop - what better way to counteract and arrest the advance of this insidious disease that he perpetrated.

I once again want to express my appreciation to the Rosh Yeshiva for taking time from his busy schedule to engage with me in this Shakla v'Tarya.

B'Birchas Kesiva v'Chasima Tova
With highest esteem,
Mechabdo, Mokirot, u'Ma'aritzo
Pinchos Yehoshua HaKohain

על גמולו של האדם קודם כל האדם עצמו וכן הדבר שמשמש כאלו באופן גמולו
גבי יאיר נעזר המנהל לפי פירוש אלו עם איך יאיר לקבץ המנהל ולא הקנה מלך כגון האלו ודו
אלו שיש להם הזכות והשליטה לקבץ המנהל.

כמו שבארנו במבוא הראשון שכתבתי אותו נראה לפרש השלש שאלות בן כמה נאמרו ומהם הן ששאלו
אם יש נראה במנהל אם יש כוונתו לא גמולו הריש ונכסיו וכן במש לש בו בן אלו וכן.
אשר אין מלך נאמרו לא המנהל הראשון שכתבתי אותו אלא גמולו שכתבתי אותו "מלך" וכן.

ואם שיהיה נראה שיש פה שאלה הן שכתבתי בקובץ ספר המעשה ואם אמר מישהו נראה שכתבתי את אלו
נראה.

בן כמה מקבץ דבריו בכתב יד יאיר של "מלך" ומהם הן? אלו הם הנה

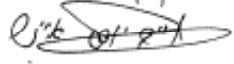
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הגדה של פסח



היום יצאנו מן הארץ מצרים
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כ"א עזרת תש"ע

ה' פ' שנת

לכבוד הגר"י אייכנשטיין שליט"א ראש ישיבת רבינו יעקב יוסף דעדין

אחדשוכנו"ם בכל הכבוד הראוי בחתי בתשובת המשקל על הערותיו השניים שבהם כיצד כתר"ה אותי. וידוע תדעו נאמנה שלא היה לי שום קפידא על איחור תשובתכם הג'ל. ואדרבא רק מוחזק אני לכם כל מיני עוצה על ערחתכם בעדי בהערכת הדברים, בגלל שידוע לי שכתר"ה עמום מאד בהכנת והגדת השיעורים והטיפול והמשא ומתן עם התלמידים, והא חילו צרוך. ובאמת אף אני אחרתי בחילופי דברי אלו שחשתי שכעת אינו לנכון להפריע לכתר"ה. שהרי כשרבי צמ"ס א' אל תשאלו צמ"ס אחרת. ורק בגלל שאלו שני העיכובים לא היה לפני כתר"ה בהתחלת המשא ומתן, שהישיבה הקד' היתה עסוקה אז באותן העניינים צפ' בן סורר וכתר"ה הראש ישיבה לא היה כ"כ מועד בהכנת השיעור יום יום ולכן נכנסתי אז להליע דברי.

ואף עכשו אני רק צא ליישר הדורים וכן מה שמוגע לצ"ק שעסוקים בה עכשו. ולכן לא אשיב על ראשון ראשון אלא אחיל בעוצי הקורה מה שנלפע"ד עיקריים ביותר ואח"כ לצ"ק ואח"כ פטופטים לא כ"כ מטרדיים, ותנא ושייר. וכן מראש אגיד שאין לי שום לפייה לתשובת דברים בקרוב מאת כתר"ה שאין צרלוי להטריד על כתר"ה בשעת עבודתו בקדש.

1. על מש"כ כתר"ה "ועודי מחזיק בדיבורי שגם התופעיות הנפשיות כשלעלמן אינן נחשבות שהוא עשאן אלא דהן תולאיות מהדכאון וההרגשה השלילית של הנפגע ואף מה שהביא שיש תופעיות מוחיות פיזיות וכו' וכו' ובע"כ דהן נגרמות ע"י ההרגשות השליליות של הנפגע" עכ"ל וציוסודם של דברי כתר"ה קושייתו הראשונה איפה יש ה"כדי להמית" צמטשה התעתועים האלו.

מיומא פ"ד: מוכרח להצעת אדם יש צו כדי להמית, ובגלל זה מחללים השבת כדי לפקח על הנפש מחשש הצעתה. וז"ל הגמ' "ואי אשמועינן צור משום דקא מייבטית (והאריז הרי זה משובה וא"ל ליעול רשות מצ"ד) אבל נעלה דלת (פרש"י והתימוק נבעת) אפשר דתיב צהאי גיסא ומשביש ליה באמגוזי (פרש"י מפתחו ומקרקש לו אגוזים) לריבא (ואף בזה האריז הרי זה משובה וא"ל ליעול רשות מצ"ד). וכן הוא לשון הרמב"ם והמאירי "שמא יבעת וימות" (ולא שמא יבעת ושמא ימות) וכן הוצא צמ"כ שכ"ח ס"ק ל"ח. ובעה"ש ס"ק ח' גם הוסיף עליו דברים ע"ש.

תמבעית=Terrify (synonym-frighten) = to fill with extreme
terror;

Terror =an overwhelming impulse of fear, fright or dread

Trauma=2) *psychiatry* a severe emotional shock having
a deep often lasting effect.....

(Standard College Dictionary)

[Although this following paragraph was recently published by
Israel 21c - October 29, 2009), because it is awaiting peer review
and critiquing, I am basing the balance of the Teshuva on the
earlier, universally-accepted, findings that sexual abuse
(molestation) is on par with other traumas.]

*“While American and European researchers have already found
that rape can cause severe psychotrauma , this new study builds on
existing literature. The main point of this research is that rape
victims are different from all other trauma victims. Even when
compared with the trauma of war, a serious car accident,
prolonged illness and the death of a loved one, the experience of
being raped appears to have a more lasting effect than all other
forms of psychotrauma, including terrorism, Israeli researchers
found in a recent study.*

*The research is now being prepared for publication in an
international peer-reviewed journal.”*

Bessel A. van der Kolk, M.D.

Onno van der Hart, Ph.D.

Jennifer Burbridge, M.A.

*Originally appeared in S. Hobfoll & M. de Vries (Eds.), Extreme
stress and communities: Impact and intervention (NATO Asi
Series. Series D, Behavioural and Social Sciences, Vol 80).*

*Norwell, MA: Kluwer Academic. Note that this online version may
have minor differences from the published version.*

*Trauma Clinic, 27 Babcock Street, Brookline, MA 02146,
Associate Professor of Psychiatry, Harvard Medical School*

Terrifying experiences that rupture people's sense of predictability and invulnerability can profoundly alter the ways that they subsequently deal with their emotions and with their environment.....

Over the past few years it has become increasingly evident that the intensity of the initial somatic response to a potentially traumatic experience is the most significant predictor of long term outcome. If the stress is sufficiently overwhelming, the resulting trauma sets up a conditional emotional response in which the body continues to go into a fight, flight, or freeze responses at the least provocation: traumatized people keep experiencing life as a continuation of the trauma, and remain in a state of constant alert for its return. Many traumatized people who have consciously put the trauma behind them continue to experience anxiety and increased physical arousal when exposed to situations that remind them of the trauma, or even to unexpected events such as loud noises, and go into fight/flight reactions, without necessarily being aware of the origin of these extreme behaviors.

Though the biological underpinnings of response to trauma are extremely complex, forty years of research on humans and **other mammals** have demonstrated that trauma (particularly trauma early in the life cycle) has long term effects on the neurochemical response to stress, including the magnitude of the catecholamine response, the duration and extent of the cortisol response, as well as a number of other biological systems, such as the serotonin and endogenous opioid system. (for an extensive review on the psychobiology of trauma, see van der Kolk, 1994).

On Wed, 6 Jan 2010 12:23:57 -0500 "Jim Hopper"
<hopper@nmr.mgh.harvard.edu> writes:

Dear Rabbi Kaganoff,

This article from Bessel [van der Kolk] is from the late 1990s, and rather dated. There's increasing evidence that it is a vast oversimplification, not only in terms of the more widespread deficiencies in awareness and regulation of emotions and bodily arousal, but also because it ignores the profound effects trauma can have on what is referred to as the brain's 'reward' circuitry.

This impairment of multiple brain circuitries involved in fear, reward, and other fundamental aspects of organismic regulation significantly disrupts the biological foundations of:

- meeting basic physiological needs like food/nutrition
- regulating states of physiological arousal, emotions and impulses
- wanting and seeking constructed needs (for the latest mobile phone) and objects of addiction (not only alcohol and drugs but also pornography, gambling, etc.)
- wanting, seeking and being able to enjoy truly fulfilling goals and experiences that promote genuine wellbeing, including experiences of autonomy/freedom, competence and relatedness
- wanting, seeking and being able to enjoy spiritual needs, including alignment of oneself with God's law.

Another important aspect to keep in mind is that the extent of dysregulation and/or impairment cannot be predicted with precision because of many factors (besides those mentioned by Bessel) that have been shown to modify the effect.

Among these are:

- social/relational context of the trauma - who perpetrator was; how others responded to the trauma;
- how important the meanings people assign to traumatic events are, especially meanings about their worth and capacities as human and moral beings (which are not merely disembodied cognitions)

Jim

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ואין לדחות דכוונת הצרייחא דדווקא צתימוק יש בהצעתה צכדי להמית אצל לא צגדול, דודאי אינו כן דהא צרישא דצרייחא שמה צנפל לים ג"כ נקט הצרייחא צתימוק ושם גדול ג"כ יהיה צסכנה, אלא שהצרייחא דיצר צהווה דהא מצתמחא צגדול יכול לשחות מעט ולכן לפחות יש שהות להמלך וליטול רשות מצ"ד איך ומה לעשות, וכיוצ"צ בהצעתה דיצר הצרייחא צהווה שצתימוק אין לשהות כלל וכלל אצל צגדול ציני ציני יכול לדבר על לבו ולנחמו מציעתותו עד שימלכו מצ"ד איך לעשות, וכן היה הקס"ד דגמ' אפילו צתימוק צצצא דנעלה הדלת ע"ש. וכן ציאר הר"ן וז"ל "להכי נקט הגי משום דצכולהו לא לריך אומדנא (היינו כמצואר צא"ח ס' שכ"ח סע' ד' וה' מע"ז כ"ח). דכל אדם צקי ויודע שיש צהס סכנה" עכ"ל. וממילא מפורש הדבר צהדיא דלצני קטן הצעתה דיליה יש צו משום סכנה וצנד"ד איירינן צקטון, ואפילו צגדול יתכן שיש צו סכנה כדי להמית, אלא שצגדול לריך אומדן שיכולים לנחמו ולדבר על לבו וכו' וכו' (ובצ"ד ידוע לדאצונו שאין מנחמים, וכמעט אף שאין מדברים עליו, וכולי האי ואולי).

ושמה לצני חילול שבת לפקח על הנפש אין שום חילוק צביצת ההצעתה צין מרדפי ליה משמיה צין צידי אדם צין ע"י עצמו מחללים עליו השבת כדי להצילו.

אמנם טענת כת"ה היתה שלצני דיני רודף אדרצא צגלל שהצנפט צר דעת הרי הוא גורם לעצמו כל היצקו ולכן לא ייחשב המציעתו למציקו או לרודפו אלא הוא המציק את עצמו.

הרי טענה זו הוא דצרי הגמ' צצ"ק ל"א. וצקיודשין כ"ד: דז"ל "הא איהו אצעיית אנפשיה" וצגלל זה לצני יציאת עצד לחירות וכן לצני תשלומי מצקן הריהו גרמא ופטור צדיני אדם וחייב צד"ש כדמצואר צצרייחא (תוספתא) שמה. ולכאורה זהו צדיוק טענת כת"ה.

מ"מ זהו גופא שוצרו של הטענה, דהא צבר נצצאר שלקצושי דינא דרודף לא צעינן מציק ישיר צדיים אלא מספיק גורם. וא"כ זהו דאצעיית אנפשיה אינו מסלק ממציקו מצדרי רודף על אף שאינו אלא גרמא.

ועוד ייתר, דאף צמצעיית גופא אינו פטור רק בשלא נגע צגופו או צצגדו אצל אצח צו או נגע צו חייב כלל מציק צדיים כדמצואר צש"ע ת"כ סע' ל"צ מרמז"ס (חוצל פ"צ ה"י) ועור (ת"כ) מצ"ק ל"א. וצנ"ד מוגעים צהנפגע ולכן אינו גרמא אלא הצעתה צדיים.

וע' בחזון יחזקאל על צ"ק פ"ז ה' שביאר שנגע או אחז בו, דבין לפרש"י דבין לפ' יד רמ"ה צפוגחתם צביאור מהותו של הגרמא כשלא נגע או אחז בו, דבין צאופן של מר דין צאופן של מר כיון שנגע או אחז לכ"ע שוב אינו גרמא אלא ההצעתה גיריה דידיה הוא. ואפילו אם בעל דין יחלוק על ביאורו של החזון יחזקאל ויראה לומר דצמחלות שמויה, אטע"כ כבר פסק הסמ"ע ת"כ ס"ק כ"ז צמס דרכי משה צמס המרדכי (והוצא להלכה צמס"ש ס"ק ל"ג) שכיון שאחזו, ככל אופן הצעתה איך שהוא, חייב משום מזיק ואינו גרמא.

ועוד פרט א' נוגע צנדוננו, דהיינו דבין צנפשות דין צנזקין (צ"ק ל"א). ג"כ אמדין ליה להמטשה אם ראוי לאותה החולאה. ולכן ככל הצעתה והצעתה לריך אומד. דיש ויש, יש הצעתה דיש זה צכדי להמית כיומא פ"ד; ויש שאין זה צכדי להמית אלא יש זה צכדי להזיק כצ"ק ל"א. ויש שאפילו צכדי להזיק אין זה, ממש כמו שאמדין ככלי או צאבן.

וצרור ופשוט דחלק מהאמדין הוא צמהותו ואיכותו של הנפגע, האם הוא אדם חלש או חזק, או חולה או בריא, או גוסס צידי שמים וכו' וכו' וע"פ מיזוגו ושאר דברי האומד יכריעו הצ"ד אם יתחייב או יפטור. (רמב"ם רולח פ"ג, חובל פ"א הי"ח, ח"מ ת"כ ס' כ"ח)

והנה ידוע שרוב רובם של אלו שנפגעים צמטשה התפתושים של נד"ד כבר לפני כן הם מחלושי המיזוג (וכדמוצא למטה ACE (Study) בגלל אסויים אחרים כעין אלו שאירעו להם צחייבם. וצכן פגיעה שאולי היתה נחשבת לקטנות הערך לגבי אחר, עלול להזיקם פי כמה מאדם רגיל וצכן המצעית אותם קרוב יותר וחשש יותר גדול שצמטשו יזיקם וירדפס נפש

וממילא כל שיש זה חשש שמא יש זה כדי להמית כבר צאים לגדרי רודף וכדיצבאר עוד לפנינו אות 2,4,5,6 למטה

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The relationship of exposure to childhood sexual abuse to other forms of abuse, neglect, and household dysfunction during childhood

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Objective: This study assesses the relationship of childhood sexual abuse (CSA) to nine other categories of **Adverse Childhood Experiences (ACEs)**, including childhood abuse, neglect, and multiple types of household dysfunction.

Conclusions: CSA is strongly associated with experiencing multiple other forms of ACEs. The strength of this association appears to increase as the measures of severity of the CSA increases. The understanding of the interrelatedness of CSA with multiple ACEs should be considered in the design of studies, treatment, and programs to prevent CSA as well as other forms of ACEs. © 2003 Elsevier Science Ltd. All rights reserved.

Discussion

Our findings suggest that CSA rarely occurs as an isolated event and clearly overlaps with other types of negative childhood experiences. In our study, CSA was significantly associated with experiencing each of the other nine ACEs. Our findings support and expand on previous studies that have reported associations between CSA and other types of childhood abuse, neglect, and household dysfunction.

Biological plausibility of the reported effects of childhood experiences is supported by recent findings from the neurosciences suggesting that early life experiences, whether negative or positive, contribute to the neurological development of children.

Specifically, child abuse, neglect and other stressors can adversely affect the developing brain in ways that result in emotional, social, and cognitive impairments, increasing the risk for substance abuse, depression, suicide, and a variety of other problems (Bensley et al., 2000; DeBellis et al., 1999; Perry, Pollard, Blakely, Baker, & Vigilante, 1995; van der Kolk & Fisler, 1994).

Practitioners who treat sexually abused children should be aware that the families of these victims need assessment for child abuse and neglect, and forms of household dysfunction. This approach could unite what are traditionally considered categorically different

health and social disciplines. Specifically, improved coordination of adult and pediatric health care and related social and legal services may lead to earlier recognition, treatment and prevention of CSA and numerous other types of ACEs.

In summary, adults who reported CSA were far more likely to have suffered multiple other adverse experiences during childhood.

Thus, the tendency to focus on CSA alone in research studies about the effects of abuse clearly needs to move in the direction of assessing the other experiences that commonly co-occur with CSA. This is important to consider when identifying and treating children exposed to sexual abuse. Alternatively, children who have been identified as being exposed to abuse, neglect, or household dysfunction must also be screened for possible sexual abuse. The strength of the relationships we report and the dose-response relationship between exposure to CSA and the number of ACEs further underscores this need. The common co-occurrence of CSA with other adverse experiences and the cumulative negative impact of multiple ACEs have important implications for the development of health, social and legal systems which address the needs of CSA survivors for therapy, support and redress their victimization.

ואין לטעון בגלל זה שזה כעשרה שהכו שכולם פעורים (רמז"ס פ"ד רולח ה'ו) כרצון דריב"ב, דהא מ"מ הביא רמז"ס (שם ה"ז) שאם צראשונים אין זו צכדי להמית רק בשל האחרון יש זו צכדי להמית, האחרון חייב. והקשו עליו צמעשה רוקח וצעה"ש פשיעא כקושית הגמ' צסנהדרין ע"ח. ותירלו דכוונת הרמז"ס צזה דאפילו אם הראשונים החלישוהו ומחמת חלישותו שלט צו מעשיו של האחרון אעפ"כ האחרון חייב.

וציארנו הטעם דהרי אמדין ליה, וצראשונים לא היו צהם כדי להמית ולא עשוהו גוסם צידי אדם, ואף לא הכוהו צדצר שיש צו צכדי להמית רק החלישוהו, ועכשו כשצא האחרון מלא אדם חלש והכוהו צכדי להמית, וצכן הוא לצדו המיתו ומתחייב.

וממילא צנ"ד כ"ש הוא שהרי כל מעשיו ACE אחרים אף שכולם מצעיתים מ"מ כיון שלא נגעו צהגפגע צשעת הצעתם דין גרמא לצד להם ופחותים וגרועים צצחינת השתייכותם לעושיהם להתחייב צהם מהכוהו ממש צדצר שאין צו צכדי להמית והחלישוהו. ולכן עול אחריות התולאות והגזק הרי הם על זה שהצעיתו והציקן צידיים ולא על אלו שרק גרמו.

ולכן אך ורק המציעות שאחזו בו ונגע בו הוא החייב, ואע"פ שמחמת חלישות הנפגע שמכבר, שלטה הצעתו זו עד "כדי להמית" הרי כדברי הרמב"ם ע"פ ה"ה"ש ומעשה רוקח אמדין ליה ומתחייב. (ובכן לו היה צעדים והתראה ושאר התנאים היה חובשים אותו עד שגראה אם יתרפא זה וכו' וכו' כדברי רש"י (שמות כ"א, י"ט) מכתובות לג: דאם מת היה מתחייב מיתה צ"ד אבל אין זה נדונו)

אבל מתבאר היעב ממילא דודאי העומד לעשות מעשה התעוטים כאלו ודאי דין רודף לו בכל גדריו.

(ודרך אגב השתא דאתין להכי יש לנו תירוץ מרווח על הקושיא שנתקשינו צומתב השני דאיפה ה"כדי להמית" בהחזיקה צמוצויו ועכשו מיושב דחשש הצעתה עד כדי להמית צמעשה הוא הוא המחשיב לה לרודף)

2. זה שחזר וגשנית כדברי כתר"ה שצא צמחתרת חידוש הוא ועקורה, ואין למדים הימנו לשאר היכי תמלי דספק רודף נלפע"ד דלא למדו כן רוב הראשונים וכמעט כולם. וכן הסיק להלכה הגר"א דלא כדברי כתר"ה.

דחא צהגהות מיימוניות סוף הל' גניבה הציא מסמ"ג שם ספר יראים שהמקור שמשור כרודף נלמד מ"זה העעם" של צא צמחתרת וז"ל ספר יראים אחר הציאו דינא דצא צמחתרת "והמוסר חצירו ציד עוצד כוכבים אפי' צדצור נקרא רודף מזה העעם כיון שאם יעמוד אדם עלמו על ממונו יהרגבו כאלו להורגו מסרו. והיינו דתיגין וכו'. ואמרינן צצ"ק (ק"יז) ר' כהנא שמעיה וכו'" וכן הוצא אף צסמ"ג.

וצר"ח אור זרוע (ס' קמ"צ) העיר על פ' הרא"ם צצ"ק שמה דלא מסתבר שיהודי ירים יד ויתנגד כנגד המלכות ומי"מ על אף שיש לו קושי צהסברת דברי הרא"ם אעפ"כ לא זו מהסברא שמקור הדברים ממתרת, אלא חיפש אופן אחר דהיינו "ושמא היה גראה לו (לר' כהנא) שהגוסר יצא לנקום עלמו מן המסור ומתוך כך שמא יצואו לידי שפיכות דמים ועל כן החשיבו כמו רודף והרגו" עכ"ל

וממילא אף ר"ח אור זרוע כהג"מ ומס"ג וספר יראים שצא צמחתרת אינה עקורה וחידוש לגרמיה אלא אדרצא צנין אצ הוא ולמדים הימנו היעב.

ולעומת זה, הפ' המורגל צמסור צצ"ק שם דהיינו שהעכו"ם ירצה ויוסיף מלד עלמו ולכן הוי כמו גיריה דיליה דמסור או כאלו המסור משם כלצ בו ואין כאן שום לירוף התערבות של התנגדות הגרדף, הרי פירוש זה מנאל צרא"ש (סוף ס' כ"ז). ולפי הרא"ש ודאי אין הכרח שיש שום שייכות מסור למחתרת. מי"מ מאידך גיסא אין שום ראייה משיעתו שמחתרת עקורה היא, רק שגדרי מסור אחרים הם.

ומדברי החום' שם ד"ה כיון שכתבו שצרו הדברים ולא ספק ולכן שפיר מיקרי מסור, דברי החום' אממונאל קאי, וכן כתבו "שיקחו אחר שהראה" היינו ממון

(וכמו שפ' הסוגיא צנמוקי יוסף), ואילו כוונתם שהצריחות היינו צנפשות וכפירושו של הרא"ש היה להם לכתוב "שיהרגו אחר שהראהו" וא"כ אף להתוס' לריכוס עדיין לאיזה מקור לר' כהנא מנא ליה שמוחר להרגו. ואולי תוס' כשאר הראשונים שהמקור ממתרת, אבל צודאי א"א לומר שסצרי תוס' כהרא"ש דא"כ היה להם לכתוב שיהרגו כמו שדקדקו.

ואף מה שמוצא צמדכי (הגוזל צתרא סוף אות קל"ה) צס מהר"ם מרענברג יש לדקדק צדצרייו. דהא כתב רק "הרצה פעמים צא לידי סכנת נפש" ואין זה כמשמעות הרא"ש דתמיד כן הוא (לשון הרא"ש "ולצסוף מייסרין את גופו והורגים אותו" וכו').

ועוד ע' צתשובות מהר"ם מר"צ המוצאים צמהר"ח אור זרוע ס' קמ"א וקמ"צ שיש ציניהם ג' מהלכים למקורו של דין מסור. צס' קמ"א כתב צמהלך הא' שהמסור כהורגו צידים וגרוע מאומר לשלוחו לא והרוג את הנפש דשמה קרוצ לודאי שהשליח לא ישמע משא"כ צבי גוים ע"ש עוד. וצמהלך השני כתב דהוא מציק ופושע שציא עליו כצא צמתרת. וצס' קמ"צ כתב שהוא רק קנסא דרצן דהא אינו אלא גרמא. וכצר תמה עליו שמה המהר"ח א"א תלמידו על הסתירה שצדצרייו.

ואף שיש לייצב צברי המהר"ם ר"צ צכמה אופנים, מ"מ אין להאריך כאן דלנדוננו אינס נוגעים, אבל מה שכן נוגע לנד"ד דלפחות אין להסיק צמסקנת דעתו של מהר"ם מרענברג שום הכרע מהו המקור למסור. וצאמת יותר מטיס הדברים שמוצאים צמדכי צשמו שמקורו ממתרת ולכן מספיק שרק 'הרצה פעמים' צא לידי סכנת נפש ואין לריכוס לרוצ ותמידיות כפ' הרא"ש.

וכן מפרשי' ד"ה ואין מרחמים אין הכרע כרא"ש או כשאר ראשונים.

ועכשו נצוא למנין שהרי ראינו שדעת רוצ הראשונים, הרי הם הר"ח אור זרוע הג"מ סמ"ג וספר יראים ואף מהר"ם מרענברג לחד מהלך, שצא צמתרת אינו עקורה שאין למידים הימנו אלא אדרצא דמסור נלמד ממתרת, וכן כיוול"צ כל מקום שיש חזקה דאין אדם מעמיד עלמו וכו' דינו של גורס המלצ נלמד מצא צמתרת והריהו רודף כמוהו.

וכן הצין הגר"א שמתרת אינה עקורה אלא אצ לצנות הימנו. נא לע' צס' שפ"ח ס"ק ע"ד על מי שעוסק צזיופים וכו' וז"ל הגר"א צביאורו "דג"כ רודף הוא, ואף שאין מתכוון כמ"ש צהיהא חמרא צצ"ק שס וצסנהדרין ע"צ צ' איתציה כו' ילא ראשו כו', ואף שאינו רק גרמא כמו צמסור שאף ע"י ממון קל כמו תיצנא, ואף שאינו רק חששא כמו מסור וכן מתרת וכיוולא ועסוי תכ"ה ס"א צהג"ה וס"צ" עכ"ל, הרי שהגר"א הציא למקור שאף רק חשש ג"כ יכול להיות רודף מצ' מקורות א'- מסור וצ'- וגם מתרת, ועוד הוסיף "וכיוולא" ללמדנו שלומדים הימנו דצנין אצ הוא ואינה עקורה.

3. נקודה שיייה שעולה מהנ"ל - שלפי אלו הראשונים (היראים, הסמ"ג, הג"מ, ומהר"ם מרענברג מהלך צ' שצמהר"ח א"א) שלמדו דמסור מקורו ממתרת, הרי

מוכרח שפירושו שאף מה שהגויס אין מרחמים על ישראל וצאים לסכנת נפש אף הוא צגלל התנגדות ישראל כנגד לחלם. והרי פירשו בן אע"פ שהגמ' קמיייתי דהסברא הוא משום תוא מכמר. ומוכרח מזה דהם הבינו דסברת תוא מכמר וסברת חזקה דרצא שבמחירת א' הם (וזה דלא כתפיסה השטחי המורגל צסוגיא). דהיינו שהם סוצרים ש"תוא מכמר" כולל כל מלצ שעלול היצ קטן להתגדל ולהתרחצ למלצ יותר קשה של סכנת נפש, לא רק צאופן שהרודף ירצה מלצ עלמנו וצלי התערבות התנגדות הנרדף וכמו שפירש הר"ש הג"ל, אלא אפילו אם מעשי הנרדף ג"כ גורמים להחמרת הענין כמו צמחירת. וצין כך וצין כך נכלל צציעוי "תוא מכמר" וחותף התורה דינו להגורם הראשי והמתחיל צמריצה שהוא הרודף. (ויחכן לומר שהציו סברת "נידון ע"ש סופר" דנאמר צמתני' אינו אלא רק לישנא דחז"ל צפירושו דתוא מכמר דקרא, ושייחם אינס עקורות אלא כללים אצל אין כאן המקום להאריך)

ולדברי הר"ש הג"ל נהי דפליג צפ' סברת תוא מכמר צמוגע לפ' הסוגיא דמסור, דהיינו שכל החמרת הענין צא אף ורק מלצ הגוי הרודף, אצל מנלן להוציא מזה שפליג ש"תוא מכמר" לא יכלול ג"כ אופנים אחרים כגון 1) לגבי אחרים יהודים ולא דווקא רק לגויס וכגון 2) כשהחמרת הענין ג"כ נגרס ע"י התנגדות הנרדף כגון צמחירת. דשפיר יש לפרש דזה שהציו הגמ' לפי דעת הר"ש דיני מסור לגבי עכו"ס אינה חק עקורה שדווקא להם יש הנהגה כזה ולא צשום היכי תמלי אחר. אלא כוונת הגמ' שלגבי גויס זהו הרגילות ועלול כ"כ דכוודאי הוא, אצל אם יש התצארות שיש מלצ כזה אפילו אלל יהודי ג"כ גדרו של תוא מכמר צמקומו עומד. וכמו בן אולי מודה הר"ש דתוא מכמר ג"כ שייך כשהתנגדות הנרדף ג"כ מן הגורמים להתפתחות של המלצ של סכנה.

רק צר"ח אור זרוע מלינו שלא התחשב עם הפסוק של תוא מכמר להטעמת סברת הענין, שהרי דחה שרצ רק "קרא מקרא עליו" מ"מ ציאר הסוגיא דשמטיה לקועיה כסברת מחירת כ"ל.

4. צענין דחייית כתר"ה למה שהצאתי דברי הש"ך צס' שפ"ח צשס מהר"ס מירצורק

דהלא צרורים דברי המהר"ס מירצורק שמי שמכה חצירו צאופן רגיל ותמיד 'דין רודף לו', דכן הוא צהדיא צלשונו המוצא צסוף שו"ת מהר"י (לירפתי העתק). ועוד כתב 'אפילו להרגו' וכן הציו מסנהדרין ג"ח: דר' הוגא קץ ידא וציארנו מהר"ס מירצורק דהא דקץ ידא היה צגדר 'יכול להצילו צא' מאצרי' וכל אלו ידות מוכיחות שדעתו שהמכה חצירו צאופן רגיל ותמיד רודף הוא צכל דיני רודף.

והלום מלאתי שכל דברי מהר"מ מירצורק צענין זה הווי אף ורק קילורי דברים מתשובת מהר"ח אור זרוע ס' קמ"צ (ולירפתי העתק מהתשובה שהרי דברי שמה קילורין לעניס להצין על הוגן כל גד"ד כמו שעוד יתצארו הדברים לפנינו). ושמה מסיק צהדיא וז"ל 'ועל בן נראה שכל אדם הרגיל ומועד להכות דינו כמסור המועד למסור' עכ"ל ואלו דברים צרורים.

ועוד יש לדקדק בלשונו שמה וז"ל צא"ד יכעוצדה דר' כהנא דשמטיה לקועיה וכו' שכנגד המלכות לא ילחם וגם רב לא תלה בזה וכו' ושמא היה נראה לו שהמסר יצא לנקום עלמנו מן המסור ומתוך כך שמא יצואו לידי שפיכות דמים ועל כן החשיבו כמו רודף והרגו וכו' עכ"ל ויש לדקדק מהלשון "שמא יצואו לידי שפיכות דמים" דמשמעותם, צין מהלשון רבים ד"יצואו" ועוד יותר מלישנא "לידי שפיכות דמים" – דיש לשאול למה לא כתב בהדיא שיהרגו – אלא שהמשמעות הוא, שהחשש של השפיכות דמים (שגורם מחמתו לחלות דין רודף), הוא צין מלד הראשון וצין מלד השני. דהיינו דהחשש הוא שמתוך המלה והמריצה שצייניהם או שהראשון המתחיל יהרג השני או שמא הנרדף יהרוג את הראשון וצין כך וצין כך יצואו לידי שפיכות דמים, ואעפ"כ הראשון נחשב להרודף שהרי הוא התחיל, ועליו חל כל דיני רודף ולא על השני על אף שחלי החשש הוא שיהרג הרודף ע"י הנרדף.

וכן לפני כן וגם אחרי כן השתמש המהר"ח א"ז בצאתו ציעיו לשון "לידי שפיכות דמים" ואף ששמה כתב יצוא בלשון יחיד כוונתו על הריב, שהריב יצוא לידי שפיכות דמים שהרי כולל גם התערבות קרוב וגואל שיחמו לצבס לנקום ואף הם או שיהרגו או שיהרגו. (ואף שיש לדחות ד"יצוא" על הרודף דווקא קאמר, ויצואו הלישנא דרבים טעות סופר הוא, אף שיש לדחוק כן מ"מ כל א' יודה שלפי פ' הראשון – שה"יצואו" דווקא היינו על כולם, וה"יצוא" על הריב – הלשון מרווח ביותר ולזה שומעים, שיותר פשוט ומתקבל, שצזה הלשון מתקיים והכל על מקומו יצוא בשלום.)

ובכן יולא שמכיון שהסבה לחלות דין רודף על מכה את חבירו היא שמא יצוא הריב לידי שפיכות דמים אף שהוא, נראה פשוט דאף אם מעשיו של הראשון יגרם שע"י המריצה שהשני יהרוג את עלמנו ג"כ וכלל בהגדרת המהר"ח א"ז (וממילא נכללת ג"כ בפסק מהר"ם מירוצבורק וש"ך) שהרי מאדד עלמנו לדעת ג"כ רוצח הוא וחייב משום שפיכות דמים כמבואר בגשר החיים (ח"א פכ"ה ע"ש המקורות) והרי סוף סוף ע"י הכאתו התמידי גרם לשפיכות דמים מה לי שפך דם רודף לנרדף או נרדף לרודף או קרוב לרודף או רודף לקרוב או א' מהם לעלמם הרי הכל שפיכות דמים ונגרם ע"י מעשיו שלו שהוא המתחיל ועליו חל כל דיני רודף.

5. וראיה לדברי שכן הוא ממה שמסיק מהר"ח א"ז בתשובה לקמן בס' רנ"ה דשמה דן על נוסר שהיה יכול להשמט ולא נשמט, אם המוסר עדיין חייב, ומתחילה הוכיח מסוגיא דצ"ק קי"ז עלמנו דמ"מ המוסר חייב, וכן הוסיף ראה מהניח גחלת על גבי בגדו של חבירו (צ"ק כ"ז) שג"כ חייב. ואח"כ יאל לדון אם חייב המוסר אף בצנקי גופו של נוסר (כשיכול להשמט) ומתחילה כתב לחלק דצנקי גופו היה לו להמסר להסירו כמו צמניה גחלת על צשרו דכמו שאין הצמניה חייב בצנקיין או ברליחה צמה שפשע הצנקה בעלמנו מלהסירו כמו כן המוסר ג"כ יפטר כשיכול המוסר להשמט. אבל אח"כ חזר והוכיח ממלכות (צ"ק קי"ד) שישראל המוסר לעכו"ם על מילך ישראל חצרו שמשמתיין ליה עד דקביל כל פסידא דאתי מחמתיה ואע"פ דמעיקר הדין פטור (כרוב הראשונים

שמה ודלא כהר"ש ע' צ"י ורמ"א צס' קע"ה) וממשיך ומסיק וז"ל "זכ"ש האי מסור דמשמתינן ליה עד דקביל עליה כל פסידא דאתי מחמת מסירה זו ואפילו היזק גופו דאין לך אריא ארבעי אמלריה גדולה מהאי". ושם ממשיך וז"ל "ולא דמי כל כך להניח גחלת על צפרו דתתם יכול להסירו ולא יזק כלום אצל כאן א"א לו להשמט צלי הפסד" עכ"ל וקמונה ומסביר ג' טעמים למה א"א לו להשמט צלי הפסד

היולא מדצרו דאף צכגון דצר שרגילים לומר עליו שאין דרך צני אדם לעשות כן היינו להניח להרגו או להזיק את גופו ולכן לא היה לו למניח הגחלת להעלות על דעתו שלא יסיר הניזוק והגרדף את הגחלת מעליו ושלא יאיל את עצמו ולכן פטור מ"מ לגבי מסור לא אמרינן שבגלל כן ששצ אינו אחראי על התולאה ופטור, אלא מכיון שא"א לו להשמט צלי הפסד נחשב כל תולאה שהיא, כנגרם מחמתו וחייב עליו אחר המעשה בתשלומין, ולפני כן לאחשובי מסור. כיו"צ ומאותו העטם המסור יהיה אחראי אף צגרם להגמסר לאצד עצמו לדעת שהרי הוא גרם ע"י האריא דארבעי עליה שזה יערף צדעתו עד כדי איבוד עצמו ואין חילוק בין זה לזה דאיבוד עצמו לדעת עולה צקנה אחד עם מניעת הסרת גחלת ששניהם יולאים מגדרי הגהת העולם ואעפ"כ המסור יהיה אחראי דאריא ארבעי עליה ומשמתינן ליה עד דקביל עליה כל פסידא דאתי.

ומכיון שכבר הורה מהר"ח א"ז שא' מסור וא' מכה צצירו צתמידיות לגבי חלות דין רודף אחרים הם וז"ל "ועל כן נראה שכל אדם הרגיל ומועד להכות דינו כמסור המועד למסור" עכ"ל ממילא יולא שאיבוד עצמו לדעת ג"כ מן התולאות שעליה אחראי המכה צתחילת הכאותו ושם רודף שפיר חל עליו וכדציארנו למעלה

וצנ"ד נראה דק"ז הם הדצרים דהא צנ"ד הניזוק והגרדף הם קטנים, ולגבי מניח גחלת על צבו של קטן דו"ד הוא צמפרשים ופוסקים אם דינו כגדול או לא לגבי פטור דהיה לו לסלקו (ע' סוף ס' תי"ח צרמ"א וסמ"ע דרישה). והצאר הגולה ס' שפ"ג אות צ' הוכיח שהמחצר (וממילא ג"כ הרמ"א ס' תי"ח) פסקו כרש"י (ודלא כסמ"ע וצ"ח) וכן הוא צגר"א ס' שפ"ג ס"ק א'. וצ"ח תי"ח ס"ק מ' הוסיף הגר"א דאפילו לפי שיטת התוס' דאמרינן על צבהמה וקטן סצרת "היה לו לצרוח" כדי לפטור מ"מ כצבו הרשצ"א והג"י דאפילו לשיטת תוס' דהיה לו לצרוח אמרינן מ"מ "היה לו לסלקו" לא אמרינן.

ועוד יש להוסיף צצקטנטן מאד (עד צגיל שתיים או שלש), החוש והסצרא מעידים שאין לקטנטן כזה שום שכל אפילו כדי ל"היה לו לצרוח" ואפילו ג"כ ל"היה לו לסלקו" (רק צוכים) וממילא אף לפי שיטת תוס' סמ"ע וצ"ח יתחייב מניח הגחלת (אי לאו דיח שומר להקטנטן שמומד על גציו לסלקו כמוצן).

ויותר כ"ש הוא לפי חילוק האחרון שחילק מהר"ח א"ז בין מניח גחלת למוכר לעכו"ם על מצרו וז"ל ד"כיון דהוא (היינו הניזק) צטוח לתקן צממון שלא יזק צגופו שמה אין לו להשמט וחייב המסור כל נזקיו" עכ"ל וממילא צנ"ד ודאי כן הוא דהא צבהאת התעללות מיני אף אחד מן הניזוקים (צין גדול בין קטן)

מכירים כח הגחלת שיש צפוגיות המתעלל בשעת המעשה אלא רק אח"כ מכיר שכבר גחלת הולכת וצוערת זו.

6. נחזור למסקנת מהר"ח א"ז צם' קמ"ב (ואחריו הסכימו לדינא המהר"ם מירצבורק והש"ך)

זודאי ברור שה'להכות' דאיידי ציה מהר"ם מירצבורק ומהר"ח אור זרוע היינו ודאי צהכאה שאין צו כדי להמית מלד עלמנו דאי יש צו כדי להמית איזה חידוש דין יש בכל דברי מהר"ם מירצבורק ומהר"ח אור זרוע ולמה הצטרכו לכל הגידונים.

וג"כ ודאי ברור דלאו דווקא צהכאת יד או צמקל אלא כל אצריי של אדם נכללים צזה צין ציד צין צרגל צין צאצב קטן, דהרגיל לעשות כן צאופן שיש חשש (כלשון הגר"א שפ"ח ס"ק ע"ד הג"ל) שיתרחצ ויתגדל עד שיצוא לידי שפיכות דמים הרי המתחיל רודף הוא ויתן להצילו צנפשו אלא אם יכול להצילו צאופן אחר היינו או צא' מאצריי שיקון אצרו המזיק או אצב אחר או שימסרוהו לעכו"ם וכו' וכו'.

ולכן ברור שהוראת מהר"ם מירצבורק שייך היטב לmolester שהרי מכה את חצירו צאופן רגיל ותמיד. ולכן כל דיני רודף לו

7. זה שהצאתי ראיה מהחסידי דוד והמנחת ציבורים על התוספתא סנהדרין

(י"א, ה') הוא צגלל צצאמת פשוטו של הגירסא שלפנינו של התוספתא נראה ברור כפי' החזון יחזקאל דעל ספק נפשות הוא צא ואין מליים. ולכן יש לשאול למה ניידי החסידי דוד והמנחת ציבורים מלפרש כפשוטו של הדברים ואדברא דחקו לפי' צאופן אוקומתא ואף הגיבו אותו ל"מליין אותו" ומחקו למלת "אין" ואמאי כל הדוחקא. אלא מוכרח דסוצרים כהמנ"ח. ולפי דעתם הדבר כ"כ פשוט דספק רודף כרודף שא"א צשום אופן שהתוספתא יגרום דבר כ"כ מוזר כזה ולכן פירשוהו צדוחק לשון ואף הגיבו.

ואחרי ככלות הכל סוף דבר הכל נשמע שודאי molester דין רודף לו בכל מלא מוצן המלה ובכל הגדרותיו, וצגלל כל אלו העעמים:

(1) שמצעיית צהצעתה שאינו גרמא אלא צידים והצעתה יש צה כדי להמית וגיריה דידיה הוא, כדנתצאר 1#3

(2) ע"פ הגר"א צם' שפ"ח ס"ק ע"ד צציאורו "דרודף הוא, ואף שאינו רק גרמא כמו צמסור שאף ע"י ממון קל כמו חיצנא, ואף שאינו רק חששא כמו מסור וכן מחתרת וכיואל, כדנתצאר 2#3

(3) שהרי סוף סוף ע"י הכאתו התמידי גורם לשפיכות דמים מה לי שפך דם רודף לנרדף או נרדף לרודף או קרוב לרודף או רודף לקרוב או א' מהם לעלמם הרי הכל שפיכות דמים ונגרם ע"י מעשיו שלו שהוא המתחיל ועליו חל כל דיני רודף, כדנתצאר 4#3

(4) כמו שהמסור אחראי אף צגרם להגמסר לאצד עלמנו לדעת שהרי הוא גרם ע"י האריא דארצעי עליה שזה יערף צדעתו עד כדי איצוד עלמנו ואין חילוק צין זה

לזה דאיבוד עלמו לדעת עולה בקנה אחד עם מניעת הסרת גחלת ששיהם
יולאים מגדרי הנהגת עולם, כדנתבאר 3#5

(5) וספק רודף כודאי רודף כשיעת המנחת חימוך שהרי דכן פסק הגר"א הנ"ל,
ומרוצ ראשונים נלמד כן מבא במחמת, וכן סברי החסדי דוד והמנחת זיכורים,
ואין שום הכרח שהגר"א מ הלוי הורוין או הר"ן חולקים עליהם כדציארתו
במכתבי השני, ואפילו את"ל שחולקים וסברי כהחזון יחזקאל (סנהדרין י"א,ה)
הרי בטלים צרוב לענין הכרעת ההלכה למעשה כדנתבאר 3#7,2

מוקירו מכבדו ומעריכו
פינחס יהושע הכהן

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ר"ט ענת תשע"ח
ח' פ' וארא

לכבוד הגר"י אייכנשטיין שליט"א ראש ישיבת רבינו יעקב יוסף דעדיסן.

I want to thank the Rosh Yeshiva for the correspondence of this past 11 Menachem Av. I had intentionally delayed my response in anticipation of the publication of a Sefer on our topic. I had wanted to include some quotations from the Sefer that I feel are very pertinent and elucidating.

R' Doniel Eidensohn (author of *Yad Moshe* on *Igros Moshe* and *Yad Yisroel* on the *Mishne Berura*) has B"H finally been able to publish the Sefer, *Child & Domestic Abuse [in the Orthodox Jewish community]*, about 6 weeks ago. (It is available at Amazon).

Volume II is a comprehensive compilation of the Halachic resource material and Volume I contains:

- 1) a digest of the pertinent Halocho I'Maaseh (pgs. 72-81) that include Piskei Din of Rav Yehuda Silman, Shlit'a, senior member of Rav Nisson Karelitz's Beis Din in Bnei Brak,
- 2) a synopsis (pgs. 104-112) that was reviewed and annotated by Rav Moshe Sternbuch, Shlita (Ra'avad, Eidah Chareidis) and
- 3) relevant scientific and legal background information.

The following quotations are from Vol I:

Pg 78 - Rav Silman has poskened that there is no distinction regarding reporting an abuser or an uncertain abuser. A sofek rodef is treated as a certain rodef. Similarly if there is a question whether someone did teshuva or whether after a number of years he seems to have controlled his lusts – it is better to make the

choice which protects the child – and the molester is not trusted again with children. It is important to understand that the sickness of pedophilia is a lifelong condition and therefore even with old age his desires are not necessarily diminished. Even those who have been imprisoned and received psychotherapy have been found to sometimes renew abusing even 20 or thirty years later! Therefore it cannot be presumed that an abuser has learned his lesson and is now controlling his lusts. He is to be considered a danger to children unless a careful psychological/physiological evaluation verifies that his lust has disappeared.

Pg 72 - *Rav Sternbuch said that present or future victims must be protected even if it hurts the reputation of a community, family or individuals. He also said that the centrality of this concern for the victim also means that even if institutions such as yeshivos will suffer financial damage because of the disclosure - the victim's welfare still takes precedence..... The halachic imperative to save the victim simply means that the well-being of the victim is not sacrificed to protect the reputation or financial well being of others.*

Pg 73 - *The protection of the victim is the halachic imperative. Therefore Rav Sternbuch told me that if a person receives a psak from a rabbi which clearly doesn't protect the victim – that rabbi's psak should be ignored. Rav Sternbuch told me that such a rabbi is not acting as a rabbi and that one should find another rabbi whose advice will protect. Thus one is not allowed to accept a psak from a talmid chachom - and is required to ask another rabbi - if the psak will not protect the children. There is no requirement to show respect to the first rabbi's psak if it means sacrificing your child. It is a well established principle, that if a rabbi errs in a dvar mishna (a clear cut halacha) that one does not have to listen to him. Therefore if a child is being molested, and a rabbi says not to call the police – you should find another rabbi who will say to go to the police or social services. Your responsibility is not simply to*

report the matter – but to actually bring about protection for the victims.

Pg 74 - *Rather the prime concern in abuse is how to protect the individual and community from harm. At the same time, it is important to involve and utilize rabbinic and community leaders since they have unique and valuable resources and authority. There is no reason – in Jewish or secular law - that the religious and secular authorities can't form a partnership. This has been in fact done by Rav Yehuda Silman – member of Rav Nisson Karelitz's beis din – in Bnei Brak.*

Pg 74 - *In contemporary society, dealing with a molester is simply an issue of how to protect the victim – not a judiciary issue in which rabbis must judge the guilt or innocence of the accused and decide on punishment. This is a point that Rav Yehuda Silman has repeatedly made. In a non-judicial framework there is no halachic requirement of first seeking the guidance of a rabbi, beis din or even proper witnesses. Knowledge of the facts do not have to be absolute in order to act. This knowledge can come from rumors, the testimony of women and children as well as non-Jews. Rav Sternbuch told me that the reason for consulting a rabbi is basically, “so that the world is not hefker (lawless).” However, this consideration is not more important than obtaining protection. When seeking protection, there is no need to utilize only observant religious Jews. This is clearly stated in the classic Torah literature and there is no dissenting opinion. If a rabbi claims that nothing can be done to protect the victim because of the prohibition against informing (mesira) or chilul hashem or lashon harah – Rav Sternbuch told me that his view should be ignored. Such a psak for inaction and passivity is unequivocally wrong because it is contrary to the mainstream Torah authorities throughout history - as is obvious from the sources cited in this sefer.*

The following are from the synopsis reviewed and annotated by Rav Sternbuch:

pg 108 - However there is no question that mesira does not apply in the case of rodef when someone's life is in danger or the perpetrator is committing a sin that is punished by kares or capital punishment. There are many poskim who permit turning for protection to the police or government agencies. These include Rambam (Hilchos Chovel u'Mazik 8: 11) the Rema (388:7), the Shach (388:45), the Sema (388:30) and many others. The Chasam Sofer (Gittin 7a) also permits informing the police or social agencies even when the abuse is only monetary or not life-threatening. This is also agreed upon by Minchas Yitzchok (8: 148)..... In sum the majority of poskim permit going to the police when there is a clear threat of physical or sexual abuse.

Pg 109 - In addition, a dangerous person -such as a wild driver -is also required by the poskim to be reported to the police because of the law of rodef. A child molester is also a dangerous person.

Pg 109 - Despite the fact that the halacha is clear that a child molester should be reported to the police and in fact it is often required by secular law -the poskim generally state that a rabbi should be consulted first. It is obvious of course that if waiting to consult a rabbi results in danger or harm to the child -that the police should be informed without consulting a rabbi. In the normal case where there is time, however, why should it be necessary to consult a rabbi? Rav Sternbuch commented that where there are serious consequences of making a mistake -it is required that a rabbi be consulted for the sake of objectivity. Even if there is little chance of making a mistake, he said that a rabbi needs to be consulted "so the world should not be hefker (without structure and authority)."

Pg 110 – We don't sacrifice innocent people for the sake of negative consequences to others. Rav Moshe Sternbuch

commented that any rav who would say such a thing is not practicing as a rav. A rabbi has an obligation to provide protection to the victim. By definition it seems it is an unjust ruling. Any rabbi who makes such a ruling may be ignorant of either the halacha or he doesn't understand what the molesting or wife abuse causes. Therefore if there is time ~ another rabbi should be consulted.

Pg 111 - *The law of rodef is that he is to be stopped from his crime with the minimal intervention. Thus if physical force is needed - one cannot use more than is needed and if he is killed when he could have been stopped by lesser means -the one who killed him is viewed as having done the sinner of murder. Rav Sternbuch commented that if the only way to stop him from rape is castration maybe he could be castrated. It is preferred to use chemical castration rather than surgical castration. However this is a serious problem and a rav must be consulted.*

Pg 111 *The rabbi of the community could publicize that he is a molester so that children can be kept away from him. Sanctions include not counting him as part of minyan or honoring by calling him up to the Torah or allowing him to lead prayers. He should not be allowed to be a witness or serve as a judge. Rav Sternbuch commented that he is not eulogized.*

2) וצנוגט לשאר הערות כתר"ה צמכתצו האחרון:

The Rosh Yeshiva correctly pointed out that in my emphasis at the end of part # 2 of my last Teshuva, where I quote the GRO 388:74 that "even a Chshosho can be a rodef - source: Mosur and Machteres" that I had incorrectly added the word (Chshash) **Rochok** to the words of the GRO. The Rosh Yeshiva has understood this, that I had wanted to say that even the farthest, "way out", Chshash also constitutes a rodef ! This is, of course, absolutely absurd and the Rosh Yeshiva correctly objected to such an absurdity. Indeed this was not my intent at all, even though the

written presentation was fraught with ambiguity. In reality my intent was that even a chshash, which is more rochok than a gromo in ascribing culpability,.... nevertheless can constitute a rodef. Indicative that this was in reality what I had in mind, is that I did not 'tamper' with the actual quotation of the Gro but I only added this word in my interpretation. Nevertheless, I have taken the Rosh Yeshiva's הערה to heart and have notified all others with whom I have shared this Teshuva to just delete the word "Rochok" so that it shouldn't give opportunity for others to misunderstand. The thrust of my argument, however, still remains intact without the distracting word "Rochok"

3) צמה שהציא כתר"ה דקדוק לשון מהרמז"ס צמנין המלוות שצריש ספר הי"ד דצא במחחרת הוא גזה"כ מחיוצא דגנב. דקדוק זה יש לדחות ממה שכתב הרמז"ס בספר המלוות.

והרמז"ס בהקדמתו לספר המלוות מצאח שיעקר הגדרתו להמלוות הוא מה שכתב בספר המלוות. ואח"כ מה שמציא בהתחלת הי"ד הוא קילור נמרץ כזכר דצריש בעלמא. וצכן יש להעדיף לדקדק בלשונו צספר המלוות ולא לסמוך בקילורי הדצריש בהתחלת הי"ד או לפני כל סדר הלכות.

והרי שמה צספר המלוות דרכו צרוצ מלוות עשה להשתמש צסגנון "שלונו ל...." רק כידוע שיש אלו מלוות שכתב "שלונו לדון...." או "שלונו דדין...."

והרי צב' מלוות (צ"ה, ק"ח, רל"ט, ר"מ, רמ"ג, רמ"ד, רמ"ה, רמ"ח) כתב "היא התורה שהורנו דדין....". ונראה שכוונתו צזה השינוי הוא להדגיש שאלו המלוות כוללים "תורה" לעלמס. ופירוש הדצריש הוא, דכמו תורת משה רצנו צן עמרס כוללת הרצו מלוות, כמו כן מלוות אלו מלצד לווי הישיר על ענינו הפרטני העיקרי, נוסף על זה נגרת עמה וצקיומה, התעסקות צמלוות אחרות נפרדות או שנכללו צה עניימס שוניס. וצצא:

צנ"ד רל"ט – תורה שהורנו דדין גנב: עיקר לוויי הפרטני הוא הקנסות של כפל וד' וה'. אצל נגרר אתה (א' צחיריק) אף למכרו לעצד שהוא מלוות עצד עצרי הנמנית לצדה צמנין המלוות, וכן להרגו אס צא במחחרת שהוא מלוות הללת נרדף שג"כ נמנית לעלמה וצזה מתיישב השגת הראצ"ד על מלוות גנב בהקדמת הי"ד

ר"מ – הצער כולל נזקי שן ורגל שני עניימס נפרדים לגמרי. ולכן המלוה הכוללס יחד הרי היא "תורה שהורנו דדין...."

רמ"ח - העצרת נחלה הרי הוא גזל שנמנית צפני עלמה, ולכן ציעול פי שניס דצכור הוי גזל, ולכן נחלות ג"כ "תורה שהורנו דדין...."
וצזה מחיישב השגות הרמז"ן צלא חעשה שכתבס הרמז"ס לא חעשה י"צ

רמ"ב-רמ"ד – דיוני שומרים וכללים שבועות וכל דיניהם ושבועה מלזה צפוי עלמה וכו'
 רמ"ה - מקח וממכר כולל הרצה עניינים נפרדים וקניינים שונים וכן היא "תורה שהורנו
 דין..."
 ק"ח - שפחה אדומה מטהר את הטמאים ומעמא את הטמאים היו עניינים קלויים
 נפרדים וכו' וכו'
 ל"ה - הפרת הצעל והאז והתרת חכם ג"כ עניינים נפרדים וכו' וכו'

נחזור לג"ד דממילא אין להציא ראי' מקולור לשונו גל מלות גנב בהתחלת הי"ד: א- שאין
 לשונו שם בדקדוק ב- שלשונו בספר המלוות משמע אחרת.

(ואל תטעה בלשונו "זכרון מוחלט" - שמציא ג' פעמים בהקדמתו לספר המלוות - דכוונתו
 שמה צמלת 'מוחלט' כלשון חז"ל מלורע 'מוחלט' דפירושו precise and exact, דאיו
 כן! דנא לעיין בהולאת שבתי פרנקל צלויים שאין זה פירוש נכון בהערצי המקורי של ספר
 המלוות. ולכן הגם שאבן תבון תרגמו כן, אחרים נדו ולא תרגמו כמותו דהיינו או שתרגמו
 'זכרון סתם' או שתרגמו 'זכרון מוחלט'. בכל אופן המובן brief notes. וכן קרוב לודאי
 שאף אבן תבון לא כיוון בתרגומו כפירוש המלה בלשון חז"ל הנ"ל אלא כגון לחם חלוב
 היינו parboiled. וכן מלאתי בתרגומים על ספר הכוזבי וספר מורה נבוכים
 שהשתמשו צמלת מוחלט ככוונת casual, imprecise, inexact, indefinite

4) הערתו עלי מדברי הר"ן בחדושויו צמחילת כתר"ה כבר השבתי לו צמכתאי השני
 (העחקתי פה למטה) ואחזור על הדברים בקולור נמרץ. כל דברי החוס' וכן הר"ן
 בפירושים על הסוגיא הרי הם בגדר 'דקארי' והיו אמינא'. ז"א כל עניינים ופריקתם הוא
 אילו לא היה לנו כל הפסוקים וכל הדקדוקים וכל הדרשות, דאילו היה חסר א' מהם היה
 מוליאים צבא חדא או תרתי מלהכלל (מ"ם בחיריק, למ"ד בשוא, ה"א בחיריק, כ"ף
 קמולה) דין רודף. אבל עכשו שיש לנו כל הפסוקים וכו' כל הצבות נכללו דין והלכה א',
 אע"פ שבמליאות הצבות שונים זה מזה. וכן פירש צ'חוס' יום הכיפורים" לצעל כפות
 תמרים שמה.

ואסיים בצרכת כהן הדיוט שכתר"ה יעלה ויללה מחיל אל חיל בהמשך העמדת תלמידים
 יקרים ונבונים וצרוז הודות על הזקקותו אלי צמשא ומתן הנ"ל.

מוקירו מכדו ומעריאו
 פינחס יהושע הכהן

beginning of quote

"This last exposition on the Ran, however, is only according to that which is commonly accepted in the Yeshivos that Tosfos, the Ran, and Rambam etc are indeed differentiating between Machteres and Rodef. I personally do not believe that this is the intent of any of the Rishonim. I believe the entire conversation of the Ran and Tosfos, as well as the purported Dikdukim in the L'shonos

HaRambam are of a different thrust and nature entirely. Please let me explain:

"the **Tosfos Yom HaKipurim (Ba'al Kapos Temorim) on Yoma 82a**, (pg 25 col 2 of traditional edition) the following:

"How can Tosfos differentiate and say that for others to kill the Bo b'Machteres is only a Reshus, but a "true" Rodef is a Chiyuv? The Gemoro (72b) itself says very specifically, in its discussion of others being allowed/obligated to kill in order to rescue, that the Bo b'Machters is a Rodef! The Gemoro doesn't say K'Rodef but Rodef. The two are identical!

What Tosfos means is, "what would have been the status, if we would not have had both pesukim?" but now that we do have the full complement of Pesukim, in regards to executing the Halachic requirements, they are the same.

"I believe that **the Ran's intent is also the same**. In the piece of the Ran following ours, in regards the Gemoro's discussion comparing Lo Saamod and v'Hasheivoso Lo, the Ran states that one verse does not intrinsically reveal any more information than the other, but it is m'Yituro d'Kro that exists between the 2, that adds the sought after extra dimensions of the Halocho. It is my belief that likewise this is the theme of the Ran's conversation in regards to our Pesukim as well. Each question is addressing the point, "why do we need so many Pesukim?" And the responses are that with one Posuk alone we would have learned out only the minimum (Reshus, Borur etc.) **but each additional Posuk allows me to include more information and that the Pesukim in symphony all together, reveal the one set of rules and parameters that apply in all of the cases - Rodef, Sofek Rodef and Machteres** . I base this assertion on the following Dikdukim:

"a. The Ran on the Mishna (72a) says, since the Mishna brought the case of Machteres which is Chayov "Mishum Rodef", it now digresses and brings the other cases that Matzilin Oso b'Nafsho. He says "Mishum Rodef", – not K'mo Rodef .

b. In the following piece, the Ran concludes, “ v’Hu sh’Hischil
b’Meriva Techila u’Bo b’Machteres Asohu HaKosuv Rodef -
NOT k’Rodef

c. Within the previous quoted expansion of Tosfos (73a), the Ran
says that the Bo b’Machteres is Chayov “I’Fi SheHu Rodef”
end of quote

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י"ח תשרי תשע"ג

ד' דחול המועד סכות

לכבוד הגר"י אייכנשטיין שליט"א ראש ישיבת רבינו יעקב יוסף דעדיסן.

מראות נפלאות איך יתכן שעלה על דעת כתר"ה שכוונת הגר"מ ש"צ להתיר סירוס
(וכיו"צ כל חיליה ב"ד) הוא משום לאפרושי מאיסורא:

1. הא קיימא לן כהלכה קצועה כשאלה פשע ועשה עבירה דאין אומרים לו לאדם

חטא כדי שזכה חזק (מ"צ ס' רנ"ד ס"ק מ' וס' ש"ז ס"ק ר"ו) והרי ב"ד ודאי
molestor פושע הוא (ע"ש ס' רנ"ד בשעה"ל אות מ')

ולסרם אדם אפילו רק בצמנים הוי דאורייתא לפי הגר"א (אבה"ע ס' ה' אות
כ"ח) ושאר אחרונים (ונהי דיש חולקים וסוצרים דאינו אלא מדרבנן מ"מ מידי
ספיקא דאורייתא לא נפקין) וכ"ש לסרם בצמנשה דודאי מדאורייתא הוא

ומה שהותר לאפרושי מאיסורא הוא רק להלקותו ולחבול בו או להזיק ממונו.
ואלו לבד הם שנלמדו ונפקו מן הדרשא ב"ק כ"ח. לא תקחו כופר לשו, לשב
וכו'. וכן מן הצרייתות המוצאות שמה (כן הוצא צריב"ש ס' ש"ז וחוות יאיר ס'
קס"ה).

ואיסור סירוס איסור ולא אחר לגמרי הוא (ואינו תולאה או תולדה מחבלה או
פן יוסף) ומי התיר איסור סירוס כדי לאפרושי מאיסורא. ולפי דברי כתר"ה
איך ומה היא ספיקתו של הגר"מ ש"צ. אחתהא.

אבל להגיל נדף על חייו, מידי הבא להרגו ודאי פשוט שהותר סירוס כשאר
איסורי תורה כדי להגיל נפש ישראל. ומקום ספיקתו של הגר"מ ש"צ יתבאר
לקמן 3#

2. ועוד מי התיר מסירה כדי לאפרושי מאיסורא. דהא הרא"ש צם' י"ג פ' המניח

(שהוצא דבריו להלכה בעור וש"ע ח"מ ס' תכ"א סע' י"ג) שהזכיר כתר"ה רק
התיר להכות ולחבול כדי לאפרושי מאיסורא כזכר לעיל. והרי מסירה ציד

עכו"ם יותר חמור הרבה מלחבול בו, והרי אלו לשון הרמב"ם (פ"ח חובל ומזיק
ה"ע) והש"ע (ח"מ שפ"ח סע' ע') אסור למסור (לישראל ציד עכו"ם וכו' ואפילו
היה רשע ובעל עבירות וכו'.

והרי ב"ד הגר"מ ש"צ התיר למסור לעכו"ם. ואם לאפרושי מאיסורא
מנין לו זה.

אבל להגיל נדף על חייו, מידי הבא להרגו ודאי שהותר מסירה ציד עכו"ם
שהרי ניתן להגילו אף בצנפשו וע"ע לקמן 3#

ואין להעמיס שכוונת הגר"מ ש"צ (בשנת תשע"א) כדברי הגר"ש אלישיב
 בתשובתו משנת תשס"ד (שצשעת השו"ע בין הגרש"פ כהן ובין מרן הגר"ש
 אלישיב לא נתגלה עדיין כל חומר ותוקף ההיזק שנטשה ע"י עלילות אלו) ששמה
 התיר רק "משום תיקון עולם שיש כח לחכמי ישראל שצכל דור ודור לגדור גדר
 ולעמוד צפרץ וכו'" ולכן הותר לענוש.
 וא"א להשוות דבריהם לדברי הגר"מ ש"צ, שהרי ברור מלשונות שהועתק בשמו
 של הגר"מ ש"צ וכן מהגר"י סילמן שמדוין 'שמירה' מרודף' אחרו עליו ולא מדוין
 'עושים ותיקון עולם ועמידה צפרץ'.

3. דבר ברור ומפורסם מאד שאף לרודף ודאי וברור, אין שום רשות בעולם ואסור
 בהחלט להרגו אם אך אפשר להציל הגרדף באופן אחר (בא' מאצבריו או פחות
 וכו')

וממילא מתבאר דברי הגר"מ ש"צ הנ"ל לגבי סירוס דהא מכיון שבג"ד שע"י
 סירוס מזליים הגרדפים, אסור להרוג רודף זה, ומ"מ אינו מסתלק ממנו שם
 רודף אלא הריבו רודף שאפשר להציל הגרדף בא' מאצבריו של רודף הוא. מ"מ
 מסתפק הגר"מ ש"צ דאולי מסירה לערכאות בזמנה"ו עדיפא (וכענין ספיקותו של
 מהר"ם מירצבורק לקון ידו של מכה או למסרו לשם), ולכן הסירוס ג"כ יהיה
 אסור. ומ"מ ה"מתיר" לכל אלו בין הסירוס בין המסירה הוא השם והדוין רודף
 שעליו. והדוין אך ורק מה הפחות והמיעוט צמטשים כדי להציל הגרדף.

ועל פי זה ג"כ אין שום ראייה מכל סוגית גדליה בן אחיקם לג"ד (מה שהביא
 כתר"ה בתחילת מכתבו האחרון) וכן להמנחת חינוך (דברי כתר"ה שהביא בסוף
 3.3).

שהרי היה לו לגדליה חיל כשדים בעוזרו כמבואר בקרא (ירמיהו מ"א:ג) ועוד
 הרבה אופנים (למה חבל לבדו עם ישמעאל ואנשיו, ולמה השאיר עליהם כלי
 זיונס, ולמה לא העמיד בחדר הסעודה מחיל הכשדים בכלי זיונס וכן מאנשי
 המלחמה של היהודים שבסייעתו, ועוד ועוד עלות) להציל עצמו בלי לפגוע אף
 בשערה א' בראשו של ישמעאל בן נתניה. ובכן לזק מאד כשאסר על יוחנן בן
 קרח להרוג לישמעאל (שם מ:ט"ו-ט"ז) אפילו אם היה מקבל הלשון הרע (שלא
 כדוין) ויחשוב שישמעאל רודף גפשו ממש ויש לו דוין רודף במלוא מוצן המלה
 מ"מ היה אסור להרגו. ולכן השמיט רש"י עלת הכאה של יוחנן שהרי היה אסור
 אפילו קיבל הלשון הרע ממש כפשוטו. וכל דיון הגמ' לקבולי או לחשושי אינו אך
 ורק על חלק "שמעתי שישמעאל בא להרגך" כמו שדקדק רש"י.
 ולכן אין צוה שום שייכות לדיון המנחת חינוך. דנהי דספק רודף כרודף ואפילו
 חשש רודף כרודף מ"מ אינס גדול מרודף ודאי וברור, דמכיון שאפשר להציל
 ולשמור באופן אחר בודאי אסור לעשות לו "שום רעה או ציוס" כדברי הח"ח
 אפילו היה רודף ודאי שהרי אפשר להציל באופן אחר.

ולו ילווייר מליאות (ברודף ודאי או צחשש רודף) שהעוצדא היא שהפחות והמיעוט כדי להליל ולשמור הגרדף הוא לבייש את הרודף או שום רעה אחר ודאי חייב לעשותו שהרי זה חיוצו של רודף שחייצים להליל הגרדף מידו צמעשה הכי פחות שמספיק להלילו.

וכן מוכח מדברי הח"ח עלמו שהרי מליע שגדליה היה לו לחשוש ולשמור עלמו ואנשו ע"י שיגיד לכולם "שמעתי אומרים שהוא חושב עלינו רעה ע"כ נשמור את עלמינו ממנו" שודאי יש בזה ביוש גדול לשר חשוב צמלכות יהודה מזרע המלוכה כישמעאל בן נתניה שהיה לו שם נאמן לעמו (ע' מלודת דוד ירמיהו מ"א:א) וע"י הלעת הח"ח לגדליה שיאמר דיבורים אלו יתחשב כבוגד ומורד, כמעט אין לך ביוש גדול מזה. (ולולי דמסחפינא הייתי אומר שההלעות שכתבתי למעלה ג"כ מספיקים לשמרם, ואינם כ"כ מתציישים, וממילא הלעת הח"ח יהיה אכור לטעות)

מכדו מעריצו ומצקש שלומו,
פינחס יהושע הכהן

PS (ואין לדחות שהגר"מ ש"צ ראה לסמוך על דעת תשובות הגחלת שצעה ס' פ"ג המוצאים בבאר היטב א"ח ס' ש"ה ס"ק ה' דאפילו בפשיעה לפעמים אמרינן חטא כדי לזכות חברך דהא א- שיעת הג"ש נדחית מהלכה ע"י הא"ר ע' סוף ס' ש"ז ואף המ"צ השמיטו לגמרי אף לא הזכירו לסמוך עליו בשעת הדחק ועוד יותר דהג"ש עלמו סובר דסכנה לגפש רוחי כסכנת הגוף, ע"ש בתוך דבריו

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Rabbi Pinchos Lipschutz, Publisher/Editor
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28 Nisan, 5769
22 April, '09

Dear Rabbi Lipschutz,

I am sure that you have been inundated with letters in response to your Editor's View article "Lifting the Veil of Silence" in the 2 Nisan issue of Yated; but I am Davening very intensely that my message should not be lost in the din of the deluge.

Perhaps you may remember me. I had contacted you about 8 years ago concerning advertising and publicity for the then recently opened drug rehab for frum kids. It was under the direction and auspices of Rabbi Dr. Avrohom Shia Twerski. It was called The Yatzkan Center (It has now metamorphosed and for all practical purposes it is now, de facto, defunct). Our request for publicity and advertising space, at that time was denied. I even spoke to Gedolim to override your decision but as your recent article indicated, that was not the Daas Torah at that time.

I am not writing here to gloat, Cholila voChas, but rather in a spirit of once again attempting to make my Hishtadlus in sharing the latest findings on these matters. It would be a shame and only further add insult to injury, if our community would still lag 8-10 years behind, in guiding these unfortunate victims of molestation and abuse in getting the help and assistance that they so sorely need.

Your article was very poignant and meaningful. And you deserve many accolades and kudos on articulating such difficult

information and the reversal of attitude and policy with such sensitivity and aplomb. I am in a certain sense gratified by this “coming out of the closet”.

However, one aspect of the information that was presented caused me concern. There were two sentences that are woefully inaccurate, even though, they are, unfortunately, maintained as operational by too many so-called experts in the field. I speak about cutting edge research that has surfaced in the last 2-3 years.

The troubling statements are underlined below:

“The overwhelming majority of survivors suffer in silence, unless they are lucky enough to endure agonizing, arduous, expensive therapy. However, even a lifetime of therapy doesn’t ensure that the victim can ever be fully healthy again. Not every young victim’s psyche can be healed.”

I too believed these statements to be true until a year ago. However these statements are only accurate if one chooses to ignore the most recent research.

Since learning of the newest findings last spring, I have substantially modified my activities as a pastoral counselor in this field. Since then I have referred 1-2 people weekly for therapy consistent with this new data and the results have been no less than astounding. People who have suffered for 20-30 years and more and have been through many, many therapists (10+) have experienced soothing and healing in a manner that they have never experienced before. This therapy is not new; but it has for the most part been rejected by the New York Metro Therapy Establishment.

All of these phenomena will be explained in more detail below:

Trauma therapy done correctly is absolutely not “agonizing”. Moreover, even though trauma therapy, depending on many factors outlined below, can often be prolonged; it is very much shortened by some of these new therapies.

I, for one, have voted with Dr. Bessel Van der Kolk, one of the leading world experts in trauma and its treatment. I quote:

“If I have a choice between –

Looking professional in my administration of treatment and the patient will take years to heal - if at all; And in the process line my pockets with lots of money at the client’s expense; -

OR

I can use a procedure which may leave me looking less than fully professional and expert; But the patient will show improvement and relief in a more reasonable time frame; -

Hey!! I vote for the clients’ welfare and not for my own ego and income!“

And as a result of my following Dr. van der Kolk’s advice, I have seen many people, former clients’ of mine, turn around their lives.

This treatment methodology is in wide spread use in Eretz Yisroel. When you hear in a news report that as a result of a terror attack, someone was treated ‘for severe emotional trauma’ and released, this is therapeutic modality that they are referring to.

My sole purpose and intent in communicating is to strongly urge you that in your stating of the new public position adopted by the Chareidi community (The Gedolim) that you should disseminate up-to-date information. I am hopeful that my attempts will be more successful this time that they were 8 years ago; Even if not, I can, at least, come before Hashem with a clear conscience that I tried to bring this healing to the attention of the “Powers That Be”.

Yodai Lo Shofchu es HaDam HaZeh.

I would like to elaborate upon some of my above statements:

- 3- I have attached (pg 416) an article that published (Science News, Vol. 168 #10, Sept 3, 2005 pgs.155-163) the findings of the most current medical research. MRI brain scan studies have proven that there are physiological changes in the brain function of these afflicted people. By the way I have shared, within the past year, with Rav

Yisroel Belsky, Shlita (Torah v'Daas, Camp Agudah, OU Kashrus) and Rav Dovid Cohen, Shlita (G'vul Yaavetz, Brooklyn, Ohel, Nefesh) this article and they responded to me that they found it very informative and enlightening. The Halachic and Hashkafic consequence is that to assert that addictive behaviors are just bad midos or Ta'avos is contrary to these findings and that, quite to the contrary, those afflicted are truly Cholim; in most cases, if left untreated SheYesh Bo Sakana.

- 4- Even more recently (November '07), Dr. Bessel Van der Kolk presented more updated research at a Nefesh Professional Training to 130 attendees in Manhattan. (The 2 CD or cassette tape set recording, which I received a little more than a year ago, of his presentation is available for \$25 plus \$2 for shipping by contacting Umlas at 718-252-5274 or zalmanumlas@netzero.net.) His most salient point - that the MRI research demonstrates that the part of the brain effected by trauma is NOT amenable to rational or cognitive modification but that ONLY non-cognitive therapies will be effective. Primary among this genre of therapy that he recommended highly was "EMDR". I am attaching a short article describing this type of therapy (www.emdr.com/briefdes.htm) and also a flyer re: a training in Eretz Yisroel about an outgrowth of EMDR called "Brainspotting" - (www.biolateral.com) also based on the principle of bilateral stimulation of the brain (the basis of EMDR). EMDR and the other neurobiologically based therapies like Somatic Experiencing, Mindfulness, and IFS (Internal Family Systems Model) address the needs of the patients in ways that have never been used before in psychotherapy.
- 3- The factors which influence the length of therapy include the developmental age at which the trauma (s) occurred; the severity of the trauma; the resilience and resources of the

client; the client's current circumstances; and the presence of other psycho-emotional disorders.

If this is a "single incident" trauma such as surviving a terrorist attack or a car accident, it can usually be resolved very quickly. But, if we are dealing with ongoing childhood abuse in which the client has developed a dissociative disorder, then the treatment takes much longer.

Unfortunately the overwhelming majority of Mental Health professionals in the USA in general and NY metro area in particular, are burdened in this area by misunderstanding and resistance. This is due to the fact that the attitudes, protocols, policies and training of the Mental Health field are predicated on their "bible" – The Diagnostic and Statistical Manual of Mental Disorders, 4th Edition ("DSM IV").

The most critical problem is that most of current research data and efficacious treatment modalities for trauma and its aftermath postdate the publication of the DSM IV which was in '94.

Moreover, please see the attached articles from US News and World Report

(<http://www.usnews.com/articles/health/2007/12/20/whos-behind-the-bible-of-mental-illness.html>) and from http://www.wired.com/magazine/2010/12/ff_dsmv/all/1

that adequately describe the bias and prejudice upon which the DSM IV was developed and the DSM V is being developed. Consequently, the attitudes, information and treatment modalities upon which Mental Health professionals have been operating are based on data that is far from rigorously honest and therefore even at its moment of publication was undependable and unreliable.

Consequently, unless a mental health professional has especially studied and experienced the most recent up-to-date research-based Trauma training and appropriate-

therapy training, he or she are totally incapable of making any judgment call or giving any guidance concerning trauma and the recovery therefrom. In fact, if someone is not trained in the current trauma therapies they can at best maintain the status quo and at worst be harmful.

So I write to beg of you to utilize your platform, K'Chochmosecha, to overcome the resistance that exists in significant parts of our community by disseminating up-to-date information and to raise awareness of the needed retraining by our professionals so that so much unnecessary suffering can be avoided and alleviated.

Thank you for your time and attention.
Please feel free to contact me for any clarification or comment.
Tizku L'Mitzvos Rabbos!

Bichvod Rav,
Yehoshua Kaganoff



The relationship of exposure to childhood sexual abuse to other forms of abuse, neglect, and household dysfunction during childhood

The Adverse Childhood Experiences Study was supported under a cooperative agreement #TS-44-10/11 from the Centers for Disease Control and Prevention through the Association of Teachers of Preventive Medicine and is currently funded by a grant from the Garfield Memorial Fund.

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Abstract

Objective: This study assesses the relationship of childhood sexual abuse (CSA) to nine other categories of Adverse Childhood Experiences (ACEs), including childhood abuse, neglect, and multiple types of household dysfunction.

Methods: Retrospective cohort study data were collected from 17,337 adult health plan members who responded to a survey questionnaire. Regression models adjusted for age, race, and education were used to estimate the strength of the association of CSA to each of the other nine ACEs and a graded relationship between measures of the severity of CSA and the number of other ACEs (ACE score).

Results: CSA was reported by 25% of women and 16% of men. In comparison with persons who were not exposed to CSA, the likelihood of experiencing each category of ACE increased 2- to 3.4-fold for women and 1.6- to 2.5-fold for men ($p < .05$). The adjusted mean ACE score showed a significant positive graded relationship to the severity, duration, and frequency of CSA and an inverse relationship to age at first occurrence of CSA ($p < .01$).

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Conclusions: CSA is strongly associated with experiencing multiple other forms of ACEs. The strength of this association appears to increase as the measures of severity of the CSA increases. The understanding of the interrelatedness of CSA with multiple ACEs should be considered in the design of studies, treatment, and programs to prevent CSA as well as other forms of ACEs.

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Keywords: Child abuse; Sexual; Child neglect; Household dysfunction

Introduction

Childhood sexual abuse (CSA) is a major public health concern because it increases the risk of a wide range of subsequent behavior problems, mental health disorders and adjustment difficulties in childhood as well as the serious long-term sequelae in adult life. Although most CSA goes unreported (Leventhal, 1998; Smith et al., 2000), in 1997, about 130,000 children were identified as victims of substantiated CSA (US Department of Health and Human Services, 1999). In the last two decades, epidemiologic studies of CSA and its adverse effects on human health have received broad attention (Beitchman et al., 1992; Bensley, van Enwyk, & Simmons, 2000; Finkelhor, Hotaling, Lewis, & Smith, 1990; Fleming, Mullen, Sibthorpe, & Bammer, 1999; Leventhal, 1998; Molnar, Buka, & Kessler, 2001; Neumann, Houskamp, Pollock, & Briere, 1996).

Most CSA studies have focused on the CSA experience alone. In the 1980s, however, Finkelhor and his colleagues pointed out that it is possible that the long-term effects of CSA are not solely a function of the sexual abuse but include other pathological elements, such as psychological abuse, neglect, or family disorganization (Finkelhor, Araji, Baron, Peter, & Wyatt, 1986). Thus, simplistic, single-factor approaches to predicting abuse (including CSA) and neglect are incorrect because they do not address the complicity of the events and their multiple determinants and modifiers (Sedlak, 1997).

In the past decade, an increasing number of studies have reported that children exposed to CSA were also physically and emotionally abused (Fergusson & Mullen, 1999; Finkelhor & Dziuba-Leatherman, 1994; Fleming, Mullen, & Bammer, 1997; Madu & Peltzer, 2000; Mullen, Martin, Anderson, Romans, & Herbison, 1996). In addition, psychological disorders and other complicating problems in adulthood have been linked to CSA (Beitchman et al., 1992; Davis & Petretic-Jackson, 2000; Fleming et al., 1999; Molnar et al., 2001; Mullen et al., 1996; Neumann et al., 1996).

In a study of the impact of CSA on its victims, Burkhart and Fromuth (1996)

found an association of CSA with other forms of interpersonal violence in adulthood. Children who have been neglected, have a parent with a problem of alcohol abuse, or have a battered mother have been reported to be at significantly increased risk of CSA (Dube, Anda, Felitti, Croft, et al., 2001; Finkelhor, Moore, Hamby, & Straus, 1997; Fleming et al., 1999; Vogeltanz et al., 1999).

Previous reports from the Adverse Childhood Experiences (ACE) Study are consistent with the assertion of Finkelhor et al. (1986) that the effects of CSA need to be considered in concert with other traumatic or developmentally disabling exposures. Such Adverse Childhood Experiences (ACE) are a complex set of highly interrelated experiences (Anda et al., 1999; Felitti et al., 1998). In fact, where multiple ACEs were considered, strong graded relationships to many health-related problems, such as smoking, adult alcohol problems, unintended pregnancies, sexually transmitted diseases, and suicide attempts, as well as to leading causes of death in the United States have been reported (Anda et al., 1999; Dietz et al., 1999; Dube, Anda, Felitti, Chapman, et al., 2001; Dube, Anda, Felitti, Croft, et al., 2001; Dube, Anda, Felitti, Edwards, & Croft, 2002; Felitti et al., 1998; Hillis, Anda, Felitti, Nordenberg, & Marchbanks, 2000).

In this paper, we used data from the ACE Study to provide a detailed description of the relationship between CSA and nine other forms of ACEs. Specifically, we quantified the strength of the associations between CSA and exposure to childhood emotional or physical abuse, emotional or physical neglect, and multiple forms of household dysfunction, including having a battered mother, substance abusing, mentally ill, or criminal household members, and parental separation or divorce. In addition, we tested for a graded relationship between characteristics that may indicate the severity of the CSA (type of sexual contact, perpetrators' relationship, frequency and duration of CSA) and the number of other ACEs. We assessed these interrelationships to identify factors that may contribute to the apparent negative long-term effects of growing up with CSA, and to highlight circumstances that may increase the likelihood of experiencing multiple ACEs which may provide directions for the development of prevention and intervention strategies.

Methods:

The data were collected as a portion of the ACE Study, a collaboration between Kaiser Permanente (San Diego, CA) and the Centers for Disease Control and Prevention, Atlanta, Georgia. The overall objective of this study is to evaluate the association of numerous, interrelated ACEs to a wide variety of health behaviors and health conditions that are of national importance. A more complete description of methods for the ACE Study has been published elsewhere (Felitti et al., 1998). The study was approved by the institutional review boards of Kaiser Permanente, and the Office of Protection from Research

Risks at the National Institutes of Health. Potential participants received letters that accompanied the ACE study questionnaire, informing them that their participation was voluntary, and their answers would be held in strictest confidence, and would never become part of their medical records.

Study sample selection and data collection

The study population included adult members of the Kaiser Health Plan who received a standardized medical and biopsychosocial examination at Kaiser's Health Appraisal Center in San Diego, CA. Kaiser is a large health maintenance organization (HMO) whose subscribers represent a broad range of the general population. Each year more than 50,000 members receive such an examination, and in any 4-year period, 81 % of adult members have received it. The ACE study consisted of two survey waves (Wave I and Wave II). The sample for Wave I was drawn from 13,494 members who received an evaluation at the Health Appraisal Center between August 1995 and March 1996; the Wave II sample was drawn from 13,330 members who received their evaluations between June and October 1997. The primary purpose of the evaluation is to perform a complete health assessment rather than provide symptom- or illness-based care. The response rate was 70% ($n = 9,508$) for Wave I and 65% ($n = 8,667$) for Wave II, which resulted in an overall response rate of 68% (18,175/26,824).

The ACE questionnaire was mailed to members two weeks after their evaluation and contained detailed questions about childhood abuse (sexual, emotional or physical), neglect (emotional or physical), growing up with family and household dysfunction (domestic violence, parental separation or divorce, mental illness, substance abuse, or crime) as well as information about health-related behaviors from adolescence to adulthood. The Wave II questionnaire added questions about emotional and physical neglect and to obtain more thorough information about health topics shown to be important during the analysis of Wave I data (Dietz et al., 1999; Felitti et al., 1998).

Assessment of representativeness, and response or reporting bias

As part of the Wave I study design, the standardized health examination data were abstracted for both respondents and nonrespondents to the ACE Study questionnaire; this enable a detailed assessment of the study population in terms of possible bias in demographic characteristics and health-related issues (Edwards et al., 2001). Although nonrespondents tended to be younger, less educated, or from racial/ethnic minority groups, the probabilities of both psychosocial and health problems were remarkably similar between respondents and nonrespondents after controlling for demographic differences.

In addition, assessment of the strength of the relationships between CSA and numerous health behaviors, diseases, and psychosocial problems showed that

their strength was virtually identical for respondents and nonrespondents (Edwards et al., 2001). Thus, there was no evidence that respondents were biased toward attributing their health problems to childhood experiences such as sexual abuse (Edwards et al., 2001).

Definition of childhood sexual abuse

CSA was assessed using four questions adapted from Wyatt (1985) that assessed the progression in severity of sexual contact from fondling to attempted and completed penetration. The subjects were asked whether an adult, relative, family friend, or stranger who was at least 5 years older than themselves had ever (1) touched or fondled their body in a sexual way, (2) had them touch his/her body in a sexual way, (3) attempted to have any type of sexual intercourse with them (oral, anal, or vaginal), or (4) actually had any type of sexual intercourse with them (oral, anal, or vaginal). Subjects were classified as sexually abused during childhood if they responded affirmatively to any one of these four questions and were 18 years of age or younger when the abuse occurred.

For each of the four questions about CSA, persons who responded yes were asked to provide further information, including age at the first occurrence of the abuse, the number of times it occurred, the relationship of the perpetrator to the respondent, and whether force or coercion was employed.

Definitions of other forms of ACEs

All questions about ACEs referred to the respondents' first 18 years of life. To assess emotional and physical neglect we used the Childhood Trauma Questionnaire (CTQ; Bernstein et al., 1994), which is scored on a Likert scale (1-5) (response categories of *never true*, *rarely true*, *sometimes true*, *often true* and *very often true*). Some items from the CTQ were reverse-scored to reflect the framing of the question (Bernstein et al., 1994). Questions used to define emotional and physical abuse and growing up with a battered mother were adapted from the Conflict Tactics Scale (CTS; Straus & Gelles, 1990) with the response categories of *never*, *once or twice*, *sometimes*, *often*, or *very often*.

Emotional abuse. Participant were defined as being emotionally abused during childhood if they responded *often* or *very often* to either of the following two questions: "How often did a parent, stepparent, or adult living in your home swear at you, insult you, or put you down?" and "How often did a parent, stepparent, or adult living in your home act in a way that made you afraid that you might be physically hurt?"

Physical abuse. Two questions were used to ascertain childhood physical abuse: "Sometimes parents or other adults hurt children. While you were growing up, that is, in your first 18 years of life, how often did a parent, stepparent, or adult

living in your home (1) push, grab, slap, or throw something at you? or (2) hit you so hard that you had marks or were injured?" A respondent was defined as being physically abused if the response was either *often* or *very often* to the first question or *sometimes*, *often*, or *very often* to the second.

Emotional neglect. To measure emotional neglect, five questions were used: (1) "There was someone in my family who helped me feel important or special." (2) "I felt loved." (3) "People in my family looked out for each other." (4) "People in my family felt close to each other." (5) "My family was a source of strength and support." For each respondent all responses were reverse-scored and summed to determine the CTQ clinical scales. A respondent with a score of ≥ 15 (moderate to extreme) was defined as having experienced emotional neglect. This information was available only in Wave II data.

Physical neglect. To determine physical neglect, response to five statements were requested: (1) "I didn't have enough to eat." (2) "I knew there was someone there to take care of me and protect me." (3) "My parents were too drunk or too high to take care of me." (4) "I had to wear dirty clothes." (5) "There was someone to take me to the doctor if I needed it." Responses to all five items were scored and summed for each respondent. Questions 2 and 5 were reverse-scored. A respondent with a score or > 10 (moderate to extreme) was defined as having experienced physical neglect. This information was collected only in survey Wave II.

Battered mother. We used four questions from the CTS to consider childhood exposure to a battered mother, all of them preceded by the following statement: "Sometimes physical blows occur between parents. While you were growing up in your first 18 years of life, how often did your father (or stepfather) or mother's boyfriend do any of these things to your mother (or stepmother): (1) push, grab, slap, or throw something at her, (2) kick, bite, hit her with a fist, or hit her with something hard, (3) repeatedly hit her for at least a few minutes, or (4) threaten her with a knife or gun, or use a knife or gun to hurt her?" A response of *sometimes*, *often*, or *very often* to at least one of the first two questions or any response other than *never* to at least one of the third and fourth questions defined a respondent as having had a battered mother.

Household substance abuse. Two questions were used to determine whether respondents, during their childhood, lived with a problem drinker or alcoholic (Schoenborn, 1991) or anyone who used street drugs.

Mental illness in household. A respondent was defined as being exposed to mental illness if anyone in the household was depressed or mentally ill or had attempted suicide during the respondent's childhood.

Parental separation or divorce. This adverse experience was defined as an affirmative response to the question "Were your parents ever separated or divorced?"

Criminal household member. The respondent was defined as having childhood exposure to a criminal household member if anyone in the household had gone to prison during the respondent's childhood.

Exclusions from the study cohort

Given the many thousands of persons seen at the Health Appraisal Center, it was inevitable that some respondents underwent examinations during both waves ($n = 754$). Thus, the unduplicated number of respondents was 17,421. After the exclusion of 17 respondents due to missing information about race and 67 due to missing information about education, the final study sample included 95% of the respondents (17,337/18,175); (Wave 1= 8,708, Wave 11=8,629).

Statistical analysis

Adjusted odds ratios (ORs) and 95% confidence intervals (CIs) were obtained from multivariate logistic regression models that estimated the associations between CSA and each of the other nine categories of ACE. The ACE score was calculated by summing the number of ACEs (except CSA) reported for each respondent (range: 0-9). Adjusted mean ACE scores by indicators of severity of CSA were obtained using a multiple linear regression. Covariates in all models included age at time of the study, sex, race (other vs. White), and education (high school diploma, some college, or college graduate vs. less than high school).

Persons with incomplete information about an ACE ($n = 172$; 1% of respondents) were considered not to have had that experience. Theoretically, this exclusion would result in conservative estimates of the relationships between CSA and ACEs, because persons who had potentially been exposed to an experience would always be misclassified as unexposed. To assess this potential effect, we repeated our analyses after excluding any respondent with missing information on anyone of the ACEs but found no differences in the final results.

Results:

Characteristics of the study population

The study population included 9,367 (54%) women and 7,970 (46%) men. The mean age (\pm standard deviation) was 55 (\pm 15.7) years for women and 57 (\pm 14.6) years for men (data not shown). Percentage for women and men for other variables were white race, 73% and 76%; college graduate, 35% and 45%; some college education, 37% and 34%; and not a high school graduate, 8% and 6%.

Prevalence and characteristics of CSA

Overall, 21% of respondents reported being sexually abused during their childhood (25% of women and 16% of men) (Table 1). By each categories of ACE, women had a higher prevalence than men for all but physical abuse and physical neglect (Table 1).

The mean age (in years, \pm standard deviation) at the onset of sexual abuse was 10.2 (\pm 4.2), with the age of onset for female victims younger (9.3 ± 3.9 years) than for males (11.3 ± 3.9 years). Among 1,523 CSA victims who responded to the question about their relationship with the perpetrator, 34% described the perpetrator as someone (a relative or non-relative) who lived in their home.

CSA and the likelihood of other types of ACEs

We found strong relationships between CSA and each of the other nine ACEs. Overall, for each category, the presence of CSA increased the likelihood of experiencing the ACE significantly, with ORs of 2.0 to 3.4 for women and 1.6 to 2.5 for men (Table 2). The association was highest for emotional abuse, with physical abuse, physical neglect, and having a battered mother during childhood also having strong associations (Table 2).

CSA and the ACE score

Because the prevalence of the ACE Score is not substantially different for men and women (Dube et al., 2001), we present the distribution of unadjusted ACE scores for men and women combined. As revealed in Figure 1, the distribution of the ACE score differed remarkably by a history of CSA. The prevalence of 0 ACEs was 22% for respondents who had CSA versus 41% for those who had not; the prevalence of ≥ 4 ACEs was 29% and 10% for persons who had experienced and who had not experienced CSA, respectively (Figure 1).

The adjusted mean ACE scores for persons who had and had not experienced CSA were 2.5 and 1.3, respectively ($p < .0001$). We also found a statistically significant graded relationship between the indicators of the severity of CSA and the adjusted mean ACE score ($p < .01$) for all indicators of severity (Table 3). This graded relationship did not differ for men and women.

Table 1

Prevalence of childhood sexual abuse and other adverse childhood experiences by gender

Category of ACE	Prevalence (%)		
	Women (<i>n</i> = 9,367)	Men (<i>n</i> = 7,970)	Total (<i>n</i> = 17,737)
Childhood sexual abuse	24.7	16.0	20.7
Other adverse childhood experiences			
Abuse			
Emotional abuse	13.1	7.6	10.6
Physical abuse	27.0	29.9	28.3
Household dysfunction			
Battered mother	13.7	11.5	12.7
Parental separation or divorce	24.5	21.8	23.3
Mental illness in household	23.3	14.8	19.8
Household substance abuse	29.5	23.8	26.9
Criminal household member	5.1	4.1	4.7
Neglect ^a	(<i>n</i> = 4,674)	(<i>n</i> = 3,955)	(<i>n</i> = 8,629)
Emotional neglect	16.7	12.5	14.8
Physical neglect	9.2	10.8	9.9

a Data about neglect were available for the ACE Study Wave II survey only.

Table 2

Prevalence and adjusted odds ratio for each adverse childhood experience by history of childhood sexual abuse, stratified by gender

Category of ACE (dependent variable)	Childhood sexual abuse	Women (n = 9,367)		Men (n = 7,970)	
		%	Adjusted odds ratio (95% CI) ^{a,*}	%	Adjusted odds ratio (95% CI) ^{a,*}
Emotional abuse	No	8.8	1.0 (Referent)	6.3	1.0 (Referent)
	Yes	26.1	3.4 (3.0-3.8)	14.3	2.5 (2.1-3.0)
Physical abuse	No	21.0	1.0 (Referent)	27.4	1.0 (Referent)
	Yes	45.5	3.0 (2.7-3.3)	42.7	2.0 (1.7-2.2)
Battered mother	No	10.4	1.0 (Referent)	9.8	1.0 (Referent)
	Yes	23.6	2.6 (2.3-2.9)	20.5	2.3 (2.0-2.7)
Household substance abuse	No	24.9	1.0 (Referent)	21.8	1.0 (Referent)
	Yes	43.4	2.1(1.9-2.3)	34.3	1.9 (1.7-2.2)
Household mental illness	No	18.8	1.0 (Referent)	13.3	1.0 (Referent)
	Yes	37.0	2.3 (2.1-2.6)	22.5	1.9 (1.7-2.3)
Parental separation/divorce	No	20.7	1.0 (Referent)	19.6	1.0 (Referent)
	Yes	35.9	2.0 (1.8-2.2)	33.2	2.0 (1.8-2.3)
Criminal household member	No	3.6	1.0 (Referent)	3.7	1.0 (Referent)
	Yes	9.9	2.3 (2.3-3.3)	6.2	1.6 (1.3-2.1)
Emotional neglect ^b	No	12.6	1.0 (Referent)	11.0	1.0 (Referent)
	Yes	29.6	2.8 (2.4-3.3)	19.9	2.0 (1.6-2.5)
Physical neglect ^b	No	6.8	1.0 (Referent)	9.4	1.0 (Referent)
	Yes	16.6	2.9 (2.3-3.5)	17.3	2.1(1.6-2.6)

a In a logistic model adjusting for age at survey, race, and educational attainment.
b ACE Survey Wave II data only, which included 4,674 women and 3,955 men.
* $p < .05$.

Table 3 (next Page)

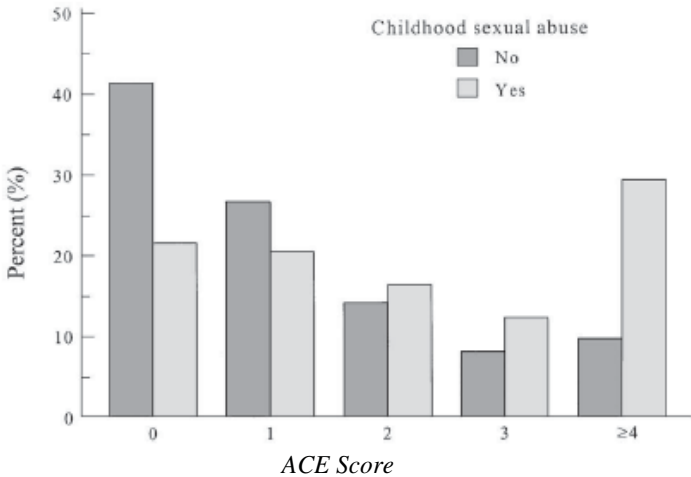
Crude and adjusted means of ACE score by severity of childhood sexual abuse for participants in Wave II

Severity of childhood sexual abuse (<i>N</i> = 8,629)	%	ACE score		
		Crude mean	Adjusted mean ^a	<i>SE</i>
No sexual abuse	79.0	1.3	1.3	.02
Fondling only	12.6	2.2	2.2	.05
Attempted intercourse	2.4	3.0	2.8	.11
Completed intercourse	6.0	2.8	2.7	.07
Age at onset of sexual abuse (years)				
No sexual abuse	82.2	1.3	1.3	.01
12-17	5.7	2.2	2.2	.08
< 12	12.1	2.8	2.7	.05
Severity by age group (years)				
No sexual abuse	82.0	1.3	1.3	.02
Fondling only				
12-17	2.9	2.0	2.0	.11
< 12	7.5	2.5	2.4	.07
Attempted/completed intercourse				
12-17	3.5	2.7	2.6	.10
< 12	4.0	3.2	3.0	.09
Number of times of sexual abuse experienced				
0	82.8	1.3	1.3	.02
	5.3	2.1	2.1	.08
2-4	6.0	2.4	2.4	.07
~5	5.9	3.0	2.8	.08
Number of perpetrators				
0	81.1	1.3	1.3	.02
	13.3	2.4	2.3	.05
2	3.4	2.8	2.7	.10
~3	2.3	3.6	3.4	.12
Duration of abuse (years)				
No sexual abuse	82.6	1.3	1.3	.02
Fondling only				
<3	8.3	2.2	2.2	.07
~3	1.8	2.9	2.8	.13
Attempted/completed intercourse				
<3	5.7	2.9	2.8	.08
~3	1.5	3.4	3.2	.15
Perpetrators' relationship				
No sexual abuse	81.9	1.3	1.3	.02
Stranger/relative/caretaker who did not live at home	12.0	2.2	2.2	.05
Relative/non-relative who lived at home	6.2	3.4	3.3	.07
Coercion or violence by perpetrator				
No sexual abuse	79.0	1.3	1.2	.02
Abused, no coercion	9.2	1.9	1.9	.06
Abused with trick or given alcohol or drugs	6.3	2.5	2.4	.07
Threatened with harm, or physical force used	5.5	3.4	3.2	.08

a The trend for increasing mean ACE scores was statistically significant ($p < .01$) for every measure of severity of sexual abuse based upon multiple linear regression adjusted for age, race, sex, and educational

Figure 1. Distribution of ACE score by history of childhood sexual abuse for participants in Wave II.

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Discussion:

Our findings suggest that CSA rarely occurs as an isolated event and clearly overlaps with other types of negative childhood experiences. In our study, CSA was significantly associated with experiencing each of the other nine ACEs. Our findings support and expand on previous studies that have reported associations between CSA and other types of childhood abuse, neglect, and household dysfunction.

We found that the likelihood of enduring multiple ACEs, as demonstrated by having a high ACE score, is considerably elevated among persons who reported CSA. Thus, children who are sexually abused are more likely to experience various forms of abuse, neglect, and household dysfunction. The common co-occurrence of CSA and other ACEs is important because the negative short- and long-term influences of ACEs on behaviors, emotional and social well-being and physical health have repeatedly been shown to be cumulative (Anda et al., 1999; Dietz et al., 1999; Dube, Anda, Felitti, Chapman, et al., 2001; Dube et al., 2002; Felitti et al., 1998; Hillis et al., 2000).

Biological plausibility of the reported effects of childhood experiences is supported by recent findings from the neurosciences suggesting that early life experiences, whether negative or positive, contribute to the neurological

development of children. Specifically, child abuse, neglect and other stressors can adversely affect the developing brain in ways that result in emotional, social, and cognitive impairments, increasing the risk for substance abuse, depression, suicide, and a variety of other problems (Bensley et al., 2000; DeBellis et al., 1999; Perry, Pollard, Blakely, Baker, & Vigilante, 1995; van der Kolk & Fisler, 1994).

In the present study, we found that CSA is more likely to occur in children younger than 12 years of age. Victims who are age 9 or 10 (our average age of onset for female was 9.3 years) are unequivocally children, not young women. Hence, further study of when ACEs occur, such as early age at onset of sexual abuse in childhood and their relation with health outcomes in adulthood, may help to clarify how the central nervous system is affected by these exposures at various developmental stages.

We found a strong dose-response relationship between the severity of CSA and the mean ACE score. Adults who reported multiple occurrences of CSA, more severe CSA, or multiple and intrafamilial perpetrators were more likely to have experienced multiple ACEs. Multiple ACEs are indicative of a disordered social environment and social ecology in which children are not adequately protected against such incidents (Fleming et al., 1999). This may also explain why CSA victims who reported earlier age of onset, longer duration, and higher levels of physical intrusion were more likely to report multiple other forms of ACEs. Thus, additional factors such as the severity of CSA and co-occurring ACEs should be considered in future studies of the effects of CSA.

Because severity of CSA has been reported to be strongly related to long-term disorders (Johnson, Pike, & Chard, 2001), negative sequelae of CSA may be more common or more severe because the burden of ACEs intensifies with increasing severity of CSA. For example, a child who is coping with an existing problematic family background or emotional abuse, may be more vulnerable to the additional trauma of CSA. In fact, this may help to explain the graded relationship between the number of ACEs and health-risk behaviors in adulthood, previously shown from the ACE Study (And a et al., 1999; Dube et al., 2002; Felitti et al., 1998).

Practitioners who treat sexually abused children should be aware that the families of these victims need assessment for child abuse and neglect, and forms of household dysfunction. This approach could unite what are traditionally considered categorically different health and social disciplines. Specifically, improved coordination of adult and pediatric health care and related social and legal services may lead to earlier recognition, treatment and prevention of CSA and numerous other types of ACEs.

A potential weakness of the present study is the retrospective reporting of childhood experiences. Longitudinal follow-up of adults who suffered well-documented CSA, however, has shown that their retrospective reports of childhood abuse are likely to underestimate actual occurrence (Della Femina, Yeager, & Lewis, 1990; Williams, 1995). Other issues that may result in underreporting are the sensitive or socially "taboo" nature of the experiences and memory impairments that can be a consequence of these exposures (Fish & Scott, 1999; Shin et al., 1999; Smith et al., 2000). Thus, both CSA and the other ACEs we studied are prone to underreporting. If both the exposure (CSA) and the outcome (other ACEs) are underreported, results become biased towards the null (Rothman, 1986). Thus, the relationships between CSA and other ACEs that we report probably underestimate their true strength.

It is possible there is differential recall, depending upon the nature and significance of the events (e.g., sexual abuse compared with emotional neglect). Despite the debate that problems in adult life, which stimulate a focus on the negative aspects of childhood, would increase the reporting of CSA or other ACEs, our study setting was based on a general population, and the data were collected from HMO members receiving a health evaluation. This approach could serve to clarify some aspects on recall experience.

Another potential limitation is uncertainty about the temporal sequence of experiences that we studied. We do not intend to infer that CSA causes the occurrence of other ACEs. Rather, our findings support our assertion that regardless of the temporal sequence of events, when examining CSA, other forms of abuse, neglect, and household dysfunction must be considered.

Our estimates of the prevalence of childhood exposures are similar to estimates from large population based surveys (Finkelhor, 1994; Wyatt, Lobe, Solis, Carmona, & Romero, 1999), indicating that the experiences of our participants are comparable to the larger population of adults. For example, in our study we found that 16% of the men and 25% of the women met the case definition for contact sexual abuse; a national telephone survey of adults in US conducted by Finkelhor et al. (1990) using similar criteria for sexual abuse estimated that 16% of men and 27% of women had been sexually abused. Of the men from our study, 28% had been physically abused as boys, which closely parallels the percentage (31%) found in a recent population-based study of Ontario men in Canada that used questions from the same scales (MacMillan et al., 1997). The similarity in estimates of the prevalence of these childhood exposures between the ACE Study and other population-based studies suggests that our findings are likely to be applicable in other settings.

In summary, adults who reported CSA were far more likely to have suffered multiple other adverse experiences during childhood. Thus, the tendency to

focus on CSA alone in research studies about the effects of abuse clearly needs to move in the direction of assessing the other experiences that commonly co-occur with CSA. This is important to consider when identifying and treating children exposed to sexual abuse. Alternatively, children who have been identified as being exposed to abuse, neglect, or household dysfunction must also be screened for possible sexual abuse. The strength of the relationships we report and the dose-response relationship between exposure to CSA and the number of ACEs further underscores this need. The common co-occurrence of CSA with other adverse experiences and the cumulative negative impact of multiple ACEs have important implications for the development of health, social and legal systems which address the needs of CSA survivors for therapy, support and redress their victimization.

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Resume:

Objectif: Cette etude examine la relation entre les agressions sexuelles des enfants et neuf autres types d' experiences nocives en enfance, y compris les mauvais traitements, la negligence et une gamme de problemes familiaux

Methodes: On a recueilli des donnees retrospectives sur 17.337 membres d'un programme d'assurance sante, a qui on a administre un questionnaire. Des modeles de regression ont servi a juger de l' importance des liens entre les agressions sexuelles et chacun des neuf facteurs, puis on a utilise une cote graduee pour mesurer la gravite des agressions et le nombre d'autres experiences nocives.

Resultats: Vingt-cinq pour cent des femmes et seize pour cent des hommes declarent avoir ete victimes d' agressions sexuelles. Lorsqu' on les compare a des personnes qui n' ont pas ete agressees, la probabilite que ces victimes connaissent aussi d' autres experiences nocives augmente de 2 a 3,4 fois pour les femmes et de 1,6 a 2,5 fois pour les hommes. La cote graduee, ajustee pour le sexe, l'age, la race et la scolarite indique une importante relation directe graduee entre les neuf facteurs et la gravite, la duree et la frequence des agressions sexuelles. Les auteurs notent une relation inverse en ce qui a trait a l'age au moment de la premiere agression.

Conclusions: Les agressions sexuelles augmentent la probabilite que l' enfant connaissa d' autres experiences nefastes, Plus l' agression est grave, plus la probabilite augmente. Ces constats devront etre pris en consideration lorsqu' il s'agit de concevoir des etudes, des therapies et des programmes de prevention des agressions sexuelles et de prevention d'autres problemes touchant l'enfance.

Resumen:

Objetivo: Este estudio evalua la relacion del abuso sexual a los ninos (CSA) con otras nueve categorias de experiencias infantiles adversas (ACSs), incluyendo abuso a los ninos, negligencia, y multiples tipos de disfunciones familiares.

Metodos: Se recogieron los datos retrospectivos de 17,337 adultos pares, miembros de un plan de salud quienes respondieron a una encuesta. Se utilizaron modelos de regresión ajustados por edad, raza, y educación para estimar la fuerza de la asociación del CSA con cada uno de los otros nueve ACEs y una relación corregida entre las medidas de la gravedad del CSA y el número de los otros ACEs (puntuaje ACE).

Resultados: El 25% de las mujeres y el 16% de los hombres reportaron CSA. En comparación con personas que no habían estado expuestas al CSA, la probabilidad de experimentar cada categoría de ACE aumentó de 2 a 3.4 veces para las mujeres y de 1.6 a 2.5 veces en los hombres ($p < .05$). La media ajustada de los puntajes de ACE presentó una relación corregida positiva significativa con la

severidad, duración, y frecuencia del CSA y una relación inversa con la edad en que ocurrió la primera experiencia de CSA ($p < .01$).

Conclusiones: El abuso sexual a los niños (CSA) está fuertemente asociado con la presencia de múltiples formas de experiencias adversas en la infancia (ACE). La fuerza de esta asociación parece aumentar según aumentan las medidas de la gravedad del CSA. Debe considerarse la comprensión de la interrelación entre el CSA con múltiples ACE en el diseño de estudios, tratamiento, y programas para prevenir el CSA así como otras formas de ACEs.

Marsha Linehan “CBT for BPD” pgs 56-58

THEORY AND CONCEPTS

..... The environment outside the home does little in these cases to ameliorate the problem, since the same values are held across the culture. It is difficult to imagine how such a child could not grow up believing that there must be something wrong with her.

In my clinical experience, just this state of affairs seems to be common among borderline patients. We have been struck in our clinic with the number of patients who are talented in areas valued highly in men but little in women, such as mechanical and intellectual pursuits. Our borderline group therapy is entirely female, and a frequent topic of discussion is the difficulties the patients experienced as children because their interests and talents appeared more masculine than feminine. Another common experience seems to have been growing up in families that valued the boys more than the girls, or at least gave them more leeway, more privileges, and less punishment for the behaviors that led the girls to grief. Although sexism is clearly a fact, its relationship to BPD as I have described here is just as clearly speculative. We simply need more research data on this point.

Types of Invalidating Families:

My colleagues and I have observed three types of invalidating families among patients in our clinic: the "chaotic" family, the "perfect" family, and, less commonly, the "typical" family.

Chaotic Families: In the chaotic family, there may be problems with substance abuse, financial problems, or parents who are out of the home much of the time; in any case, little time or attention is given to the children. For example, the parents of one of my patients spent almost every afternoon and evening at a local tavern.

The children came home from school each day to an empty house and were left to fend for themselves for dinner and structure in the evenings. Often they wandered over to a grandmother's for dinner. When the parents were home, they were volatile; the father was often drunk; and they could tolerate few demands from the children. Needs of the children in such a family are disregarded and consequently invalidated. Millon (1987a) has suggested that the increase in chaotic families may be responsible for the increase in BPD.

Perfect Families: In the "perfect" family, the parents for one reason or another cannot tolerate negative emotional displays from their children. Such a stance may be the result of a number of factors, including other demands on the parents (such as a large number of children or stressful jobs), an inability to tolerate negative affect, self-centeredness, or naive fears of spoiling a child with a difficult temperament. In my experience, when members of such a family are asked directly about their feeling toward the borderline family member, they express a great deal of sympathy. However, without meaning to, these other members often express consistent invalidating attitudes—for example, expressing surprise that the borderline individual can't just "control her feeling." One such family member suggested that his daughter's very serious problems would be cured if she just prayed more.

Typical Families: When I originally observed the invalidating environmental style, I called it the 'American way syndrome'; since it is so prevalent in American culture. However, when I gave a lecture in Germany, my German colleagues informed me that I could have called it the "German way syndrome." It is most likely a product of Western culture in general. A number of emotion theorists have commented on the tendency in Western societies to emphasize cognitive control of emotions and to focus on achievement and mastery as criteria of success. The individuated self in Western culture is defined by sharp boundaries between self and others. In cultures with this view, the behavior of mature

persons is assumed to be controlled by internal rather than external forces. 'Self-control;' in this context, refers to the people's ability to control their own behavior by utilizing internal cues and resources. To define oneself differently—for example, to define the self in relation to others, or to be field-dependent—is labeled as immature and pathological, or at least inimical to good health and smooth societal functioning (Perloff, 1987). (Although this conception of the individual self pervades Western culture, it is universal neither cross-culturally nor even within Western culture itself.)

A key point must be kept in mind about the invalidating family. Within limits, an invalidating cognitive style is not detrimental for everyone or in all contexts. The emotion control strategies used by such a family may even be useful at times to the person who is temperamentally suited to them and who can learn attitude and emotional control. For example, research by Miller and associates (Efran, Chorney, Ascher, & Lukens, 1981; Lamping, Molinaro, & Stevenson, 1985; Miller, 1979; Miller & Managan, 1983; Phipps & Zinn, 1986) indicates that individuals who tend to psychologically "blunt" threat-relevant cues when faced with the prospect of uncontrollable aversive events show lower and less sustained physiological, subjective, and behavioral arousal than individuals who tend to monitor or attend to such cues. Knussen and Cunningham (1988) have reviewed research indicating that belief in one's own behavioral control over negative outcomes, instead of blaming others (a key belief in the invalidating family), is related to more favorable future outcomes in a variety of areas. Thus, cognitive control of emotion can be quite effective in certain circumstances. Indeed, this approach got the railroad across the United States, built the bomb, got many of us through school, and put up skyscrapers in big cities!

The only problem here is that the approach "only works when it works."

That is, telling persons who are capable of affect self-regulation to control their emotions is quite a different proposition from telling this to an individual who does not have this capability. For

example, one mother I was working with who had a 14-year-old daughter with a "difficult" temperament and a 5-year-old daughter with an "easy" temperament. The older daughter had difficulty with anger, especially when her little sister was teasing her. I was trying to teach the mother to validate this daughter's emotional reactions. After the 5-year-old pushed a complex puzzle of the 14-year old's onto the floor, the older child screamed at her sister and stormed out of the room, leaving the sister in tears. The mother happily reported that she had "validated" the older daughter's emotions by saying, "Mary, I can understand why you got angry. But in the future, you have got to control your explosions!" It was difficult for the mother to see how she had invalidated the daughter's difficulties in controlling her emotions. In the cases of emotionally reactive and vulnerable persons, invalidating environments vastly oversimplify these person's problems. What other people succeed in doing-controlling emotions and emotional expression - the borderline individual can often succeed at only sporadically.

Emotion Dysregulation and Invalidating Environments: A Transactional Vicious Cycle

A transactional analysis suggests that a system that may originally have consisted of a slightly vulnerable child within a slightly invalidating family can, over time, evolve into one in which the individual and the family environment are highly sensitive to, vulnerable to, and invalidating of each other. Chess and Thomas (1986) describe a number of ways in which the temperamental child, the slow-to-warm-up child, the distractible child, and the persistent child can overwhelm, threaten, and disorganize otherwise nurturing parents. Patterson (1976; Patterson & Stouthamer-Loeber, 1984) has also written extensively on the interactive behaviors of child and family that lead to mutually coercive behavior patterns on the part of all parties in the system. Over time, children and caregivers shape and reinforce extreme and coercive behaviors in each other. In turn, these coercive

behaviors further exacerbate the invalidating and coercive system, leading to more, not fewer, dysfunctional behaviors within the entire system. One is reminded of a Biblical quotation: " ... for anyone who has will be given more; from anyone who has not, even what he thinks he has will be taken away" (Luke 8:18; The Jerusalem Bible, 1966).

There is no question that an emotionally vulnerable child puts demands on the environment. Parents or other caregivers have to be more vigilant, more patient, more understanding and flexible, and more willing to put their own wishes for the child on temporary hold when these wishes exceed the child's capabilities. Unfortunately, what often happens is that the child's response to invalidation actually reinforces the family's invalidating behavior. Telling a child that her feelings are stupid or unwarranted does at times quiet the child down. Many people, including those with emotional vulnerability, sometimes withdraw and appear to feel better when their emotions are made light of. Invalidation is aversive, and thus suppresses the behavior it follows.....

ORIGINAL PAPER

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The enduring effects of abuse and related adverse experiences in childhood

A convergence of evidence from neurobiology and epidemiology

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Abstract

Background: Childhood maltreatment has been linked to a variety of changes in brain structure and function and stress-responsive neurobiological systems. Epidemiological studies have documented the impact of childhood maltreatment on health and emotional well-being.

Methods: After a brief review of the neurobiology of childhood trauma, we use the Adverse Childhood Experiences (ACE) Study as an epidemiological "case example" of the convergence between epidemiologic and neurobiological evidence of the effects of childhood trauma. The ACE Study included 17,337 adult HMO members and assessed 8 adverse childhood experiences (ACEs) including abuse, witnessing domestic violence, and serious household dysfunction. We used the number of ACEs (ACE score) as a measure of cumulative childhood stress and hypothesized a "dose--response" relationship of the ACE score to 18 selected outcomes and to the total number of these outcomes (comorbidity).

Results: Based upon logistic regression analysis, the risk of every outcome in the affective, somatic, substance abuse, memory, sexual, and aggression related domains increased in a graded fashion as the ACE score increased ($P < 0.001$). The mean number of comorbid outcomes tripled across the range of the ACE score.

Conclusions: The graded relationship of the ACE score to 18 different outcomes in multiple domains theoretically parallels the cumulative exposure of the developing brain to the stress response with resulting impairment in multiple brain structures and functions.

• **Key words:** child development · neurobiology · stress - childhood abuse - domestic violence - substance - mental health

Introduction

The organization and functional capacity of the human brain depends upon an extraordinary set and sequence of developmental and environmental experiences that influence the expression of the genome (Perry and Pollard 1998; Teicher 2000, 2002). Unfortunately, this elegant sequence is vulnerable to extreme, repetitive, or abnormal patterns of stress during critical or circumscribed periods of childhood brain development that can impair, often permanently, the activity of major neuroregulatory systems, with profound and lasting neurobehavioral consequences (Teicher 2000; Heim and Nemeroff 2001; Repetti 2002; Gutman and Nemeroff 2002; Gorman 2002; De Bellis and Thomas 2003a; Bremner and Vermetten 2001). Now, converging evidence from neurobiology and epidemiology suggests that early life stress such as abuse and related adverse experiences cause enduring brain dysfunction that, in turn, affects health and quality of life throughout the lifespan.

An expanding body of evidence from rodent, primate, and human research suggests that early stressors cause long term changes in multiple brain circuits and systems (Sanchez 2001; Bremner 2003a). The amygdala mediates fear

responses, and the prefrontal cortex is involved in mood as well as emotional and cognitive responses (Bremner 2003b). The hypothalamic-pituitary-adrenal (HPA) axis plays a critical role in the stress response. There is an important interaction between development and stress, e. g., young infants do not have a fully developed glucocorticoid (cortisol in humans) response to stress, although other markers such as *c-fos* show that they do respond to stressors (Smith 1997). Substantial research has focused on the relationship between development, early stress, the HPA axis, and the hippocampus, a stress-sensitive brain region that plays a critical role in learning and memory (McEwen 1992; Sapolsky 1990, 1996; Gould and Tanapat 1999). The hippocampus has the capacity to grow new neurons in adulthood (neurogenesis), but stress inhibits neurogenesis (Nibuya 1995; Duman 1997; Gould 1997) and memory function (Diamond 1996; Luine 1994). Early stressors cause long-term increases in glucocorticoid responses to stress (Plotsky and Meaney 1993; Ladd 1996) as well as decreased genetic expression of cortisol receptors in the hippocampus and increased genetic expression of corticotrophin-releasing factor in the hypothalamus, both of which may contribute to dysregulation of the hypothalamic-pituitary-adrenocortical (HPA) system (Ladd 1996; Liu 1997). Early environmental deprivation inhibits hippocampal neurogenesis; conversely, neurogenesis is enhanced by enriched environment (Kempermann 1997), learning (Gould 1999a) and, at times, some antidepressant treatments (Malberg 2000; Czeh 2001). The noradrenergic/locus coeruleus system also plays a key role in stress (Bremner 1996a) and early stressors lead to long-term decreases in genetic expression of alpha-2 noradrenergic receptors in the locus coeruleus, which may lead to loss of feedback inhibition of noradrenergic activity with associated increases in noradrenergic responses to subsequent stressors (Sanchez 2001; Caldji 2000; Francis 1999). Alterations in serotonergic (Rosenblum 1994; Bennett 2002) and GABAergic (Caldji 2000) receptors also contribute to deficits in social attachment and regulation of mood and affect following early stress. Cognitive problems have also been identified in children with PTSD (Beers 2002).

Studies in clinical populations of abuse survivors with posttraumatic stress disorder (PTSD) are consistent with animal studies. Smaller hippocampal volume is found among adults with early abuse-related PTSD (Bremner 1997, 2003a; Stein 1997), adult women with early abuse and depression (Vythilingam 2002), and borderline personality disorder (Driessen 2000; Schmahl 2003) but not in children with PTSD (De Bellis 1999a, 2002; Carrion 2001) suggesting that early abuse with chronic long-term stress-related psychiatric disorder is required for this finding. Consistent with deficits in hippocampal function are deficits in verbal declarative memory (Bremner 1995) and failure of hippocampal activation with memory tasks (Bremner 2003a) in adult women with early abuse-related PTSD. Children with PTSD have smaller whole brain and corpus callosum volume (Carrion and Steiner 2000; De Bellis 2002) and alterations in structure of the cerebellum (Anderson 2002) and frontal cortex. (De Bellis and

Thomas 2003b; Carrion 2001). Abused children also show alterations in EEG activity in the frontal cortex (Teicher 1994, 1997; Ito 1998). Studies in adult women with early abuserelated PTSD have shown altered function in the anterior cingulate/medial prefrontal cortex while they were remembering their childhood trauma (Bremner 1999; Shin 1999). Similar to animal studies there is evidence of dysregulation of the sympathetic nervous system in humans; early abuse and PTSD is associated with increased cortisol and norepinephrine levels in children (Carrion 2002; De Bellis 1999, Gunnar 2001), down-regulated platelet alpha-2 adrenergic receptors (Perry 1994), and increased resting heart rate (Perry 2001) while adults with early abuse and PTSD have low baseline (Bremner 2003b) and increased stress-induced cortisol responses (Elzinga 2003; Bremner 2003c) and increased norepinephrine at baseline (Lemieux and Coe 1995; El-Sheikh 2001). Women with early abuse and depression also have increased cortisol reactivity to stress (Heim 2000, 2001).

Deprivation of developmentally appropriate experience may reduce neuronal activity, resulting in a generalized decrease in neurotrophin production, synaptic connectivity, and neuronal survival (Gould and Tanapat 1999; Nibuya 1995; Duman 1997; Gould 1997) resulting in profound abnormalities in brain organization and structure (Perry 2002; Read 2001). Thus, childhood abuse and exposure to domestic violence can lead to numerous differences in the structure and physiology of the brain that expectedly would affect multiple human functions and behaviors (Perry and Pollard 1998; Teicher 2000, 2002).

Numerous studies have established that childhood stressors such as abuse or witnessing domestic violence can lead to a variety of negative health outcomes and behaviors, such as substance abuse, suicide attempts, and depressive disorders (Brodsky 1997; Kingree 1999; van der Kolk 1991; Kendall-Tackett 1993; Osofsky 1999; Hefferman 2000; Kendler 2000; Putnam 2003; Rohsenow 1988). This paper presents a conceptual framework that integrates findings from recent studies of the neurobiological effects of childhood abuse and exposure to domestic violence on brain structure and function (as reviewed above) with epidemiologic data from the Adverse Childhood Experiences (ACE) Study. Although the literature about the effects of childhood maltreatment is extensive (Bremner 2000, 2003a, 2003b; Kendall-Tackett 1993), we use the data and findings from the ACE Study as series of epidemiologic "case examples" in this paper because it simultaneously assessed a wide range of interrelated adverse experiences including abuse (emotional, physical, or sexual); witnessing domestic violence; parental marital discord; growing up with mentally ill, substance abusing, or criminal household members (Dong 2003a; Dube 2004a, 2002b) whereas most prior studies have focused on single forms of abuse. In addition, the ACE Study assessed numerous social, behavioral, and health outcomes (Anda 1999, 2001, 2002a, 2002b; Dube 1999, 2002a, 2003a, 2003b; Felitti 1998; Dietz 1999; Hillis 2000, 2001, 2004; Dong, 2003b; Edwards 2003a, 2003b; Chapman 2004; Whitfield 2003a) that would necessarily involve the

performance of multiple brain functions and neuroregulatory systems. These aspects of the study design along with a large sample size allow for the illustration of how the effects of multiple forms of abuse and related stressors are cumulative and affect a wide variety of outcomes that might be expected based upon the neurobiological alterations reviewed above.

We used data from the ACE Study to test the following hypotheses, which have their basis in the neurosciences:

- The damaging effects of adverse childhood experiences (ACEs) would be nonspecific, thereby affecting a variety of functions and behaviors, because abuse/traumatic stress affect a variety of brain structures and functions.
- The likelihood of disturbances in any given function or behavior such as anxiety, sleep disturbances, substance abuse, sexuality, and hyperarousal or aggression would have a cumulative or "dose-response" relationship to the number of ACEs, theoretically paralleling the total exposure of the developing central nervous system to the activated stress response during childhood.
- The number of comorbidities (Lilienfeld 2003) (mean number of human behaviors and functions affected), which theoretically parallels the number of brain systems and associated functions affected, would also have a dose-response relationship to the number of ACEs.

Methods

The ACE Study is an ongoing collaboration between Kaiser Permanente's Health Appraisal Center (HAC) in San Diego, California, and the U. S. Centers for Disease Control and Prevention. The objective is to assess the impact of numerous, interrelated, ACEs on a wide variety of health behaviors and outcomes and on health care utilization and the methods of the study have been described in detail elsewhere. (Anda 1999; Dube 1999; Felitti 1998). Pg 367 of this volume

The study population was drawn from the HAC, which provides preventive health evaluations to adult members of Kaiser Health Plan in San Diego County. All persons evaluated at the HAC complete a standardized questionnaire, which includes health histories and health-related behaviors, a medical review of systems, and psychosocial evaluations which are a part of the ACE Study database.

Two weeks after their evaluation, each person evaluated at the HAC between August 1995 and March 1996 (survey wave 1; response rate 70%) and June and October 1997 (survey wave 2; response rate 65%) received the ACE Study questionnaire by mail. The questionnaire collected detailed information about ACEs including abuse, witnessing domestic violence, and serious household dysfunction as well as health -related behaviors from adolescence to adulthood.

Wave 2 respondents were asked detailed questions about health topics that analysis of wave 1 data had shown to be important (Anda 2003a; Felitti 1998; Dube 2003a; Dong 2003b). The response rate for both survey waves combined was 68 %, for a total of 18175 responses.

We excluded 754 respondents who coincidentally underwent examinations during the time frames for both survey waves, leaving an unduplicated total of 17421. After exclusion of 84 respondents with missing demographic information, the final sample included 95% of the respondents (17337/18175); (wave I=8708, wave II = 8629).

• **Definitions of Adverse Childhood Experiences (ACEs)**

Questions used to define ACEs are listed in Table 1. All questions about ACEs pertained to the respondents' first 18 years of life (≤ 18 years of age). For questions adapted from the Conflict Tactics Scale (CTS) (Strauss and Gelles 1990) there were 5 response categories: "never", "once or twice", "sometimes", "often", or "very often". We defined 3 types of childhood abuse: emotional abuse (2 questions), physical abuse (2 questions), or contact sexual abuse (4 questions) by Wyatt (1985). We defined 5 exposures to household dysfunction during childhood: exposure to alcohol or other substance abuse (defined by 2 questions) (Schoenborn 1991), mental illness (2 questions), violent treatment of mother or stepmother (4 questions) (Strauss 1990), criminal behavior in the household (1 question), and parental separation or divorce (1 question). Respondents were defined as exposed to a category if they responded "yes" to 1 or more of the questions. Despite the sensitivity of these questions, the test-retest reliability for every ACE and the ACE score were in the good to excellent range (range of Cohen's kappa: 0.46-0.86) (Dube 2004). Furthermore, a comparison of respondents and nonrespondents to the ACE Study questionnaire found no evidence of response rate bias or that respondents were biased toward attributing their health problems to childhood experiences (Edwards and Anda 2001).

The number of ACEs (range: 0-8) was summed to create the ACE scores, with scores of 4 or more included as one category (24). Analyses were conducted treating the ACE score as 4 dichotomous variables (yes or no for scores of ≥ 4 , 3, 2, and 1) with a score of 0 (no ACEs) as the referent.

• **Epidemiological evidence of disordered brain function in adulthood**

The data and definitions used for the outcomes that provide evidence of disordered function were selected on an *a priori* basis using a general framework of health and social problems that likely represent dysfunction of specific brain systems and/or improper integration between systems. We

Table 1 Definition and prevalence of each category of adverse childhood experience and the ACE score

	Total N = 17,337
Childhood abuse	
<hr/>	
Emotional abuse (Did a parent or other adult in the household....) 1) Often or very often swear at you, insult you, or put you down? 2) Sometimes, often, or very often act in a way that made you fear that you might be physically hurt?	10.6
Physical (Did a parent or other adult in the household.....) 1) Often or very often push, grab, slap, or throw something at you? 2) Often or very often hit you so hard that you had marks or were injured?	28.3
Sexual (Did an adult or person at least 5 years older ever.....) 1) Touch or fondle you in a sexual way? 2) Have you touch their body in a sexual way? 3) Attempt oral, anal, or vaginal intercourse with you? 4) Actually have oral, anal, or vaginal intercourse with you?	20.7
Household dysfunction	
Substance abuse 1) Live with anyone who was a problem drinker or alcoholic? 2) Live with anyone who used street drugs?	26.9
Mental illness 1) Was a household member depressed or mentally ill? 2) Did a household member attempt suicide?	19.4
Mother treated violently (Was your mother (or stepmother)): 1) Sometimes, often, or very often pushed, grabbed, slapped, or had something thrown at her? 2) Sometimes, often, or very often kicked, bitten, hit with a fist, or hit with something hard? 3) Ever repeatedly hit over at least a few minutes? 4) Ever threatened with or hurt by a knife or gun?	12.7
Incarcerated household member 1) Did a household member go to prison?	4.7
Parental separation or divorce 1) Were your parents ever separated or divorced?	23.3
Number of adverse childhood experiences (ACE score)	
0	36.1
1	26.0
2	15.9
3	9.5
≥4	12.5

recognize that functional neuroanatomical and physiologic systems are interactive and integrated and that behaviors and health problems cannot generally be attributed to the function of any single or particular system.

To define the health-related behaviors or problem sources, we used information from the medical review of systems (ROS), the physical examination (PE), and the ACE Study questionnaire (ACEQ). In the definitions of these problems that follow, the source of the data is in parentheses.

Mental health disturbances

- Panic reactions (ROS). A "yes" response to the question: "Have you had or do you now have special circumstances in which you find yourself panicked?"
- Depressed affect (ROS). A "yes" to the question, "Have you had or do you now have depression or feel down in the dumps?"
- Anxiety (ROS). A "yes" to the question, "Do you have much trouble with nervousness?"
- Hallucination (ROS). A "yes" response to the question, "Have you ever had or do you have hallucinations (seen, smelled, or heard things that weren't really there)?"

Somatic disturbances

- Sleep disturbance (ROS). A "yes" to "Do you have trouble falling asleep or staying asleep" or a "yes" to "Tiredness, even after a good night's sleep?"
- Severe obesity (PE). Body mass index (kg/m²) 235.
- Multiple somatic symptoms (ROS). A total of 6 or more somatic symptoms in at least 2 different organ systems in the absence of a diagnosis specific to those systems.

Substance abuse

- Current Smoking-Nicotine (ACEQ). A "yes" to the question, "Do you currently smoke cigarettes?"
- Self-reported alcoholic (ACEQ). A "yes" to the question, "Have you ever considered yourself to be an alcoholic?"
- Ever used illicit drugs (ACEQ). A "yes" to the question, "Have you ever used street drugs?"

- Injected drug use (ACEQ). A "yes" to the question, "Have you ever *injected* street drugs?"

Impaired memory of childhood

- Impaired memory of childhood (ACEQ). A "yes" to the question, "Are there large parts of your childhood after age 4 that you can't remember?"
- Number of age periods affected (ACEQ). Those who responded "yes" to the previous were asked to check boxes indicating age periods (in years) of impaired memory (4-6, 7-9, 10-12, 13-15, and 16-18). We summed the number of boxes checked to assess the relationship of the ACE score to the mean number of age periods affected. Information about impaired memory was available only for the wave 1 (N=8708).

Sexuality

- Early intercourse (ACEQ). Age at first intercourse of 14 years or younger.
- Promiscuity (ACEQ). Lifetime sexual partners ≥ 30 (approximately the 90th percentile for males and the 95th percentile for females).
- Sexual dissatisfaction (ROS). A "no" to the question: "Are you currently satisfied with your sex life?"

Perceived stress, anger control, and risk of intimate partner violence

- High level of perceived stress (ROS). A response indicating "high" to the instruction, "Please fill in the circle that best describes your stress level (high, medium, low)."
- Difficulty controlling anger (ROS). A "yes" to the question, "Do you have or have you had reason to fear your anger getting out of control?"
- Risk of perpetrating intimate partner violence (ROS). A "yes" to the question, "Have you ever threatened, pushed, or shoved your partner?" Data about the risk of perpetrating intimate partner violence was available only for wave 2 (N = 8629).

Number of comorbid outcomes

We summed the number of outcomes (range: 0-18) for each respondent to quantitate the amount of comorbidity (mean number of disordered functions) associated with increasing ACE scores.

• **Statistical analysis**

Adjusted odds ratios (OR) and 95 % confidence intervals (CI) were obtained from logistic regression models using The SAS System Version 8.2, which assessed the associations between the ACE score (0, 1, 2,3, or ≥ 4) and each of the 18 outcome measures. We used multiple linear regression to estimate the number of comorbid outcomes by ACE score. Covariates in all multivariate models included age, sex, race (other versus white), and education (high school diploma, some college, or college graduate versus less than high school).

Results

The final study sample included 9367 (54 %) women and 7970 (46 %) men. The mean age was 56 years for women and 58 years for men. Seventy-three percent of women and 76 % of men were white; 34 % of women and 45 % of men were college graduates, and another 37 % and 34%, respectively had some college education.

Prevalence of the adverse childhood experiences

At least 1 ACE was reported by 64% of respondents. The prevalence of each ACE is shown in Table 1.

ACE score and the risk of health and behavioral outcomes

The ACE score had a strong, graded relationship to the prevalence and risk (adjusted OR) of affective disturbances ($P < 0.001$; Table 2, mental health disturbances). For persons with ≥ 4 ACEs, the risk of panic reactions, depressed affect, anxiety, and hallucinations were increased 2.5-, 3.6-, 2.4 and 2.7-fold, respectively (Table 2).

The ACE score also had a graded relationship to the prevalence and risk (adjusted OR) each of the somatic disturbances ($P < 0.001$; Table 2, somatic health disturbances). The risk of sleep disturbance, severe obesity, and multiple somatic symptoms were increased 2.1-, 1.9-, and 2.7-fold, respectively, for persons with 4 or more ACEs.

Substance use and abuse also increased as the ACE score increased. The risk of smoking, alcoholism, illicit drug use, and injected drug use were increased 1.8-, 7.2-, 4.5-, and 11.1- fold, respectively, for persons with ≥ 4 ACEs (Table 3, substance abuse).

Similarly, all three measures of sexuality were associated with the ACE score (Table 3, sexuality). The risk of early intercourse, promiscuity, and sexual dissatisfaction were increased 6.6-, 3.6-, and 2-fold, respectively, for persons with ≥ 4 ACEs (Table 3).

The risk of impaired memory of childhood was increased 4.4-fold for persons with

Table 2

Table 2. Relationship of health care use, health insurance, and health status with self-rated drinking water quality and drinking water safety in the United States

ACE score	Health status dimensions											
	Mental health dimensions			Physical health dimensions			Sensory health dimensions			All health dimensions		
	% Adjusted odds ratio	% Adjusted odds ratio	% Adjusted odds ratio	% Adjusted odds ratio	% Adjusted odds ratio	% Adjusted odds ratio	% Adjusted odds ratio	% Adjusted odds ratio	% Adjusted odds ratio	% Adjusted odds ratio		
0 (63%)	6.5	1.0 (reference)	1.64	1.0 (reference)	2.8	1.0 (reference)	1.3	1.0 (reference)	3.63	1.0 (reference)	5.1	1.0 (reference)
1 (68%)	10.9	1.1 (1.0-1.3)	25.2	1.5 (1.3-1.8)	8.1	1.2 (1.1-1.4)	1.5	1.1 (0.9-1.3)	41.6	1.2 (1.1-1.3)	7.4	1.3 (1.1-1.5)
2 (27%)	13.6	1.7 (1.4-1.9)	34.1	2.2 (2.0-2.4)	12.4	1.7 (1.4-1.9)	2.3	1.6 (1.3-2.3)	49.5	1.6 (1.4-1.7)	8.3	1.8 (1.5-2.1)
3 (16%)	16.8	2.0 (1.7-2.4)	38.8	2.5 (2.2-2.8)	14.1	1.8 (1.6-2.2)	2.8	2.0 (1.4-2.8)	51.1	1.8 (1.6-2.0)	8.8	1.9 (1.7-2.0)
≥4 (21%)	20.0	2.5 (2.2-2.9)	46.0	3.0 (2.7-3.4)	18.0	2.4 (2.1-2.8)	4.0	2.7 (1.9-3.7)	58.1	2.0 (1.8-2.2)	11.0	1.9 (1.7-2.2)
Total (173%)	12.2	-	28.4	-	10.3	-	2.0	-	42.3	-	7.6	-

*All odds ratios are for use of tap water, truck, and bottled water in tap water drinking water.

Table 3

Table 3. Relationship of health care use, health insurance, and health status with self-rated drinking water quality and drinking water safety in the United States

ACE score	Substance abuse										Socially										
	Smoking			Alcohol use			Marijuana use			Illicit drug use			Daily marijuana			Particulate (air pollution)			Social desirability		
	% Adjusted odds ratio	% Adjusted odds ratio	% Adjusted odds ratio	% Adjusted odds ratio	% Adjusted odds ratio	% Adjusted odds ratio	% Adjusted odds ratio	% Adjusted odds ratio	% Adjusted odds ratio	% Adjusted odds ratio	% Adjusted odds ratio	% Adjusted odds ratio	% Adjusted odds ratio	% Adjusted odds ratio	% Adjusted odds ratio	% Adjusted odds ratio	% Adjusted odds ratio	% Adjusted odds ratio			
0 (63%)	6.5	1.0 (reference)	2.8	1.0 (reference)	7.0	1.0 (reference)	0.2	1.0 (reference)	2.3	1.0 (reference)	3.9	1.0 (reference)	23.0	1.0 (reference)	34.8	1.1 (1.1-1.2)	23.0	1.0 (reference)			
1 (68%)	7.6	1.1 (1.0-1.3)	5.8	2.0 (1.6-2.4)	13.8	1.6 (1.4-1.8)	0.6	2.3 (1.2-4.4)	5.1	2.1 (1.2-2.6)	5.2	1.3 (1.1-1.5)	24.8	1.1 (1.1-1.2)	34.8	1.1 (1.1-1.2)	24.8	1.1 (1.1-1.2)			
2 (27%)	8.3	1.2 (1.1-1.3)	7.4	2.0 (1.7-2.3)	20.0	2.2 (1.9-2.4)	1.4	4.5 (2.4-8.4)	6.6	2.7 (2.2-3.4)	7.4	1.9 (1.5-2.3)	28.8	1.5 (1.3-1.8)	34.8	1.5 (1.3-1.8)	28.8	1.5 (1.3-1.8)			
3 (16%)	11.9	1.8 (1.5-1.9)	10.8	4.5 (3.6-5.4)	24.9	2.9 (2.5-3.4)	1.8	5.3 (2.7-10.2)	8.5	3.7 (2.8-4.7)	8.7	2.6 (2.1-3.0)	28.1	1.5 (1.3-1.8)	34.8	1.5 (1.3-1.8)	28.1	1.5 (1.3-1.8)			
≥4 (21%)	14.3	1.8 (1.5-2.1)	15.8	7.2 (5.6-9.0)	35.2	4.5 (3.8-5.3)	3.7	11.0 (5.3-19.6)	14.2	6.6 (5.1-8.2)	10.8	3.6 (3.0-4.4)	32.3	2.6 (1.8-3.8)	34.8	2.6 (1.8-3.8)	32.3	2.6 (1.8-3.8)			
Total (173%)	8.8	-	8.8	-	14.6	-	1.1	-	8.8	-	8.1	-	28.0	-	28.0	-	28.0	-			

Table 4 Relationship of the ACE score to the prevalence and relative risk (adjusted odds ratio)* of problems with memory impairment for childhood and to the mean number of age periods affected

ACE score	Prevalence and risk of memory impairment			Number of age periods affected** Mean** (SD)
	(N)***	%	Adjusted odds ratio	
0	(3202)	9.7	1.0 (referent)	0.19 (0.02)
1	(2246)	12.0	1.3 (1.1–1.5)	0.23 (0.02)
2	(1379)	18.9	2.1 (1.8–2.6)	0.35 (0.02)
3	(834)	22.1	2.6 (2.1–3.1)	0.40 (0.03)
≥4	(1047)	34.0	4.4 (3.7–5.2)	0.69 (0.03)
Total	(8708)	15.8	–	–

* All odds

ratios are adjusted for age, sex, race, and educational attainment using logistic regression;

** The mean number of age periods affected was adjusted for the same demographic variables using linear regression;

*** The sample size is 8708 because data about memory impairment were available for the wave 1 survey only

Table 5

Relationship of the ACE score to the prevalence and relative risk (adjusted odds ratio)* of high perceived stress, difficulty controlling anger, and risk of perpetrating intimate partner violence during adulthood

ACE score	(N)	High level of perceived stress		Difficulty controlling anger		Risk of perpetrating intimate partner violence		
		%	Adjusted odds ratio**	%	Adjusted odds ratio**	(N)*	%	Adjusted odds ratio**
0	(6255)	10.5	1.0 (referent)	3.5	1.0 (referent)	(3053)	1.6	1.0 (referent)
1	(4514)	13.5	1.2 (1.1–1.4)	4.9	1.4 (1.1–1.7)	(2268)	3.0	1.8 (1.2–2.6)
2	(2758)	16.0	1.4 (1.3–1.6)	8.0	2.2 (1.8–2.7)	(1379)	4.0	2.4 (1.6–3.5)
3	(1650)	17.8	1.5 (1.3–1.8)	8.5	2.3 (1.9–2.9)	(816)	5.4	3.3 (2.1–5.0)
≥4	(2160)	24.7	2.2 (1.9–2.5)	14.4	4.0 (3.3–4.8)	(1113)	8.8	5.5 (3.8–7.8)
Total	(17337)	14.6	–	6.4	–	(8629)	3.6	–

* All odds ratios are adjusted for age, sex, race, and educational attainment using logistic regression. The adjusted odds ratio (95 % CI) for the relationship between difficulty controlling anger and the risk of perpetrating IPV were: 6.3 (4.4–9.0) for men; 7.6 (5.3–11.1) for women. The adjusted odds ratio (95 % CI) for the relationship between high perceived stress and the risk of perpetrating IPV was the same for both men and women: 1.8 (1.4–2.3).

** The sample size is 8629 because data about memory impairment were available for the wave 2 survey only

≥ 4 ACEs (Table 4). The number of age periods affected for memory disturbances increased in a graded fashion as the ACE score increased ($P < 0.0001$; Table 4).

High perceived stress, difficulty controlling anger, and the risk of perpetrating intimate partner violence (IPV) were increased 2.2-, 4.0-, and 5.5- fold, respectively, for persons with ≥ 4 ACEs (Table 5). We found (data not shown) that the adjusted odds ratio (95 % CI) for the relationship between difficulty controlling anger and the risk of perpetrating IPV were 6.3 (4.4-9.0) for men and 7.6 (5.3-11.1) for women ($P < 0.001$). Similarly (data not shown), the adjusted odds ratio (95% CI) for the relationship between perceived high stress and the risk of perpetrating IPV was the same for both men and women: 1.8 (1.4-2.3), ($P < 0.001$).

• ACE score and number of comorbid outcomes

As the ACE score increased, the mean number of comorbid outcomes increased in a graded fashion (Fig. 1), nearly tripling between ACE scores of 0 and ACE scores of 7-8.

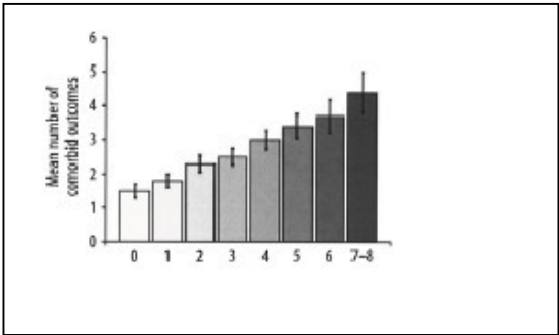


Fig.1 The mean number of comorbid outcomes in the study sample was 2.1 (range: 0-14); means are adjusted for age, sex, race, and educational attainment. The trend in the means is significant ($P < 0.0001$); vertical error bars represent 95% confidence intervals

Discussion

These epidemiological findings converge with evidence from neurobiology about numerous effects of childhood stress on brain and physical systems (Glaser 2000). Extreme, traumatic or repetitive childhood stressors such as abuse, witnessing or being the victim of domestic violence, and related types of ACEs are common, tend to be kept secret, and go unrecognized by the outside world. Likewise, the fight-or-flight response among children exposed to these types of stressors, and the attendant release of endogenous

catecholamines and adrenal corticosteroids are both uncontrollable and invisible (Perry 1998; Teicher 2002; De Bellis 1994, 1997; Scaer 2001). Furthermore, the detrimental effects of traumatic stress on developing neural networks and on the neuroendocrine systems that regulate them have until recently remained hidden even to the eyes of most neuroscientists. However, the information and data that we present herein suggest that this veiled cascade of events represents a common pathway to a variety of important long-term behavioral, health, and social problems (Table 6).

The convergence of evidence from neurobiology and epidemiology calls for an integrated perspective on the origins of health and social problems throughout the lifespan. This constellation of effects from childhood stressors calls to mind the wisdom of Occam's razor, a celebrated dictum in medicine, which holds that if a single unifying explanation can be found for multiple symptoms and problems, then it is likely that the correct explanation lies in the simplest account (Lo Re and Bellini 2002). In the context of what we present herein, the application of this dictum has the potential to unify and improve our understanding of many seemingly unrelated, but often co-morbid health and social problems that have historically been seen and treated as categorically independent in Western culture.

Certain neurobiological findings are especially congruent with the data from the ACE Study reported herein (Table 6). Magnetic resonance imaging (MRI) has revealed reductions in hippocampus (Bremner 1997, 2003a; Stein 1997), and amygdala (Driessen 2000; Schmahl 2003) volumes as well as deficits in verbal declarative memory measured with neuropsychological testing (Teicher 2000; Heim and Nemeroff 2001) among women who were sexually abused as children. The hippocampus plays a role in memory storage and retrieval; we found that impaired memory of childhood increases as the ACE score increases. Neurobiological evidence supports the hypothesis of dysfunction in hippocampus, amygdala, medial prefrontal cortex, and other limbic structures believed to mediate anxiety and mood dysregulation following early abuse (Teicher 2002). We, in turn, demonstrated a graded relationship of the ACE score to affective symptoms and unexplained periods of panic among our study participants. We found that a history of hallucinations increases as the ACE score increases; these symptoms may be related to alterations in hippocampal and/or prefrontal cortical function. The amygdala plays a critical role in fear responses and probably sexual and aggressive behaviors (Pinchus and Tucker 1978) and in the current study we show strong relationships of the ACE score to sexual behaviors, poor anger control, and the risk for perpetrating intimate partner violence.

Table 6. Summary of the convergence between neurobiological effects of childhood maltreatment with ACE study epidemiological findings

Area of function or dysfunction studied	Demonstrated neurobiological defects from early trauma	ACE study findings
Anxiety, panic, depressed affect, hallucinations, and substance abuse	Repeated stress & childhood trauma → hippocampus, amygdala & medial prefrontal cortex atrophy and dysfunction that mediate anxiety & mood problems	Tables 2 and 3 Unexplained panic, depression, anxiety, hallucinations & alcohol & other drug problems
Smoking, alcoholism, illicit drug use, injected drug use	Repeated stress & childhood trauma → Increased locus coeruleus & norepinephrine activity, decreased by heroin & alcohol	Table 3 Increased smoking, alcohol and other drug use
Early intercourse, promiscuity, sexual dissatisfaction, perpetration of intimate partner violence	Repeated stress & childhood trauma → amygdala defects; role in sexual & aggressive behavior and deficits in oxytocin with impaired pair bonding	Tables 3 and 5 Risky sexual behavior, anger control, risk for aggression against intimate partners
Memory storage and retrieval	Hippocampus role in memory storage and retrieval; hippocampal & amygdala size reduction in childhood trauma; deficits in memory function	Table 4 Impaired memory of childhood and number age periods affected increases as the ACE score increase
Body weight and obesity	Repeated stress & distress, via glucocorticoid pathways, leads to increased intra-abdominal & other fat deposits	Table 2 Increased obesity
Sleep, multiple somatic symptoms, high perceived stress	Repeated stress & distress, via several pathways, leads to increase in other physical problems	Tables 2 and 5 Increased somatic symptoms and disorders, including sleep problems
Co-morbidity/Trauma spectrum disorders	Multiple brain and nervous system structure and function defects, including monoamine neurotransmitter systems	Fig.1 The graded relationship of the ACE score to psychiatric and physical symptoms or disorders, including multiple co-occurring problems (comorbidity)

The current study adds support for numerous effects of childhood adverse experiences on physical health. Stress is known from animal studies to be associated with a broad range of effects on physical health, including cardiovascular disease, hypertension, hyperlipidemia, asthma, metabolic abnormalities, obesity, infection, and other physical disorders (Musselman 1998; Kaplan 1982; Rozanski, McEwen and Stellar 1993; Anda 1993). Findings of increased obesity as the ACE score increases in this study and reported elsewhere (Williamson 2002) are consistent with animal studies showing that stress, acting through the effects of glucocorticoids on the glucocorticoid receptor on intra-abdominal adipocytes, leads to increased intra-abdominal fat which carries its own independent mortality risk.

We found a strong relationship between early adverse experience and substance use and abuse (illicit drugs, alcohol, and nicotine) later in life. Studies in animals show that early stressors lead to increased activity of the locus coeruleus with resultant increased release of norepinephrine in the brain (Abercrombie and Jacobs 1987). Substances such as heroin and alcohol decrease firing of the locus coeruleus, while substance withdrawal has the opposite effect (Bremner 1996). Consistent with this, the onset of substance abuse corresponds to the time of traumatization in PTSD patients, and these patients report that heroin and alcohol decrease symptoms of PTSD (Bremner 1996b). Stress also results in altered release of dopamine in the nucleus accumbens (striatum), the primary reward system within the brain (Deutch and Roth 1990). Smoking causes release of dopamine in this area, which is felt to underlie the addictive properties of nicotine (Volkow 2003). Early adverse experiences may disrupt this dopamine circuit, leading to increased risk of smoking, with its attendant negative health consequences. In summary, findings from animal studies provide a physiological rationale for how early stress can be associated with substance abuse and smoking in later life.

Another interesting finding is the relationship between ACE score and sexuality (early intercourse, promiscuity, sexual dissatisfaction) in adulthood. Animal studies show that early stressors result in long-term changes in peptides such as oxytocin that regulate pair bonding and social attachment (Insel and Winslow 1998; Francis 2002). Early adverse experiences may disrupt the ability to form long-term attachments in adulthood. The unsuccessful search for attachment may lead to sexual relations with multiple partners, with resultant promiscuity and other issues related to sexuality.

The monoamine neurotransmitter systems (norepinephrine, dopamine, serotonin) (Valentsein 1998) act within a primary regulatory system of large

neural networks; these monoamine systems help to orchestrate complex neural functions. Their ubiquitous patterns of connectivity originate in the lower regions of the brain and send projections throughout the brain; in addition, they receive input from the autonomic nervous system and peripheral sensory apparatus (Foote 1983). In young animals, experimental manipulation of these systems can create behaviors similar to those seen in abuse victims, including aggression, eating problems, alcohol use, stress-response dysfunction, hyper-reactivity, anergy, and many other behavioral problems. A similar situation exists in humans in whom monoamine dysfunction has been hypothesized in a host of neuropsychiatric syndromes, including aggressive and violent behavior, suicidality, alcoholism, substance abuse and dependence, depression, anxiety disorders, and social/relational problems. We know from several studies that the functioning of these monoamine systems in adults is influenced by childhood experiences (De Bellis 1999b; Whitfield 2003b). In addition, a recent study of a polymorphism for the promoter region of the serotonin transporter (5-HTT) gene found that childhood maltreatment increased the risk of depression in early adulthood for persons with the common "short" allele compared to persons with the long allele; the short allele is associated with lower transcriptional efficiency of the promoter (Caspi 2003). Not surprisingly, many currently prescribed psychoactive drugs act by altering the dynamics of these monoamine systems. In some circumstances, the effects of these drugs may have caused an oversight of the important distinction between understanding intermediary mechanisms (alterations in monoamine neurotransmitter systems) and recognizing the underlying causes of these alterations (childhood traumatic stress).

Numerous studies have shown that early abuse survivors have multiple overlapping psychiatric disorders (Kessler 1995) which have been described as "comorbidity". The term comorbidity, however, can imply that these represent unique disorders with distinct etiologies (Lillienfeld 2003). An alternative explanation is that several disorders (e. g., depression, PTSD, dissociative disorders, substance abuse, borderline personality disorder) have to varying degrees a common etiology and are modulated by genetics (Caspi 2003) and repeated exposure to stress such as childhood maltreatment. Indeed, the term "trauma spectrum disorders" has been used to describe these overlapping conditions (Bremner 2003b). In addition, the artificial distinction between psychiatric and physical disorders has represented an impediment to the effective treatment of the numerous problems among survivors of childhood maltreatment. Epidemiological findings are consistent with a need to develop more broad based approaches to addressing the wide spectrum of effects of childhood maltreatment (Fig. 1).

There are several potential limitations with retrospective reporting of

childhood experiences and self reporting of the outcome measures. For example, respondents may have had difficulty recalling certain childhood events (Edwards 2001) or may choose not to disclose certain experiences or personal behaviors. Longitudinal follow-up of adults whose childhood abuse was documented has shown that their retrospective reports of childhood abuse are likely to *underestimate* actual occurrence (Della Femina 1990; Williams 1995). Interestingly, evidence of the effects of traumatic stress in childhood on the hippocampus provides a neurophysiologic explanation for this phenomenon. Difficulty recalling childhood events likely results in misclassification (classifying persons truly exposed to ACEs as unexposed) that would bias our results toward the null (Rothman and Greenland 1998). Thus, this potential weakness probably resulted in underestimates of the true strength of the relationships between ACEs and the 18 outcomes we examined.

The historical mind-body dichotomy that persists in traditional Western medical training points medical researchers and clinicians away from risk factors that may be judged psychosocial. Thus, the original traumatic pathophysiological insults may be "silent" until much later in life (Brown 2001; Putnam 1998), when they are likely to be overlooked by investigators and clinicians who are understandably prone to focus on proximate determinants of human well-being. This leads to treatment of *symptoms* without a full understanding of their potential origins in the disruptive effects of ACEs on childhood neurodevelopment.

The argument for a causal relationship between ACEs and a variety of outcomes is strengthened by the combined evidence from neurobiology and epidemiology. This argument is important because evidence of causation affects decisions about prognosis, diagnosis, and treatment and can enhance understanding of the role of the childhood stressors on the developing brain in producing changes in affect, behavior, and cognition (Putnam 1998).

We summarize the application of Sir Bradford Hill's 9 criteria for establishing an argument for causation (van Reekum 2001) in the context of this converging evidence:

- *Demonstration of a strong association between the causative agent and the outcome.* The strength of the relationship between ACEs and numerous outcomes is consistently strong as reported herein.
- *Consistency of findings across research sites and methods.* Numerous studies in different study populations and measures of abuse, neglect, and related experiences have shown relationships of ACEs to a variety of symptoms and behaviors.

- *Specificity.* In the context of the converging evidence from epidemiology and neurobiology, specificity is lacking, but this in no way detracts from the argument of causation. The ACE score is a *combined* score representing cumulative stress and was not designed to provide evidence of specificity. Moreover, ACEs *would be expected* to be associated with multiple outcomes because of their effects on a variety of brain structures and functions.
- *Temporal sequence.* Most of the outcomes presented herein occurred during adulthood; the exposures (childhood experiences) clearly antedate the outcomes in these cases.
- *Biological gradient.* The "dose-response" relationship between the number of ACEs and each of the outcomes (as well as the number of comorbid outcomes) is strong and graded. This is consistent with cumulative effects of childhood stress on the developing brain.
- *Biological plausibility.* The strength of the convergence between epidemiology and neurobiology is most evident here. Recent studies from the neurosciences show that childhood stress can affect numerous brain structures and functions providing convincing biologic plausibility for the epidemiologic findings.
- *Coherence.* "The term coherence implies that a cause and effect interpretation for an association does not conflict with what is known about the natural history and biology of the disease (Rothman 1998)." In fact, recent research shows that childhood maltreatment interacts with a common functional polymorphism in the promoter region of the serotonin transporter 5-HTT, resulting in higher risk of depression and suicidality (Caspi 2003), both of which are associated with the ACE score. This information is consistent with an effect of early maltreatment on monoamine pathways known to be involved in depressive disorders.
- *Experimental evidence.* This is the most persuasive evidence, but for ethical reasons randomized experiments depend on animal studies. Evidence from studies in rodents and primates show that stressful exposures induce neuroanatomical and neurophysiologic differences as well as aggression and drug seeking behaviors.
- *Analogous evidence.* A widely acknowledged analogy for an exposure causing a multitude of outcomes (as seen with ACEs, including a dose-response relationship) is the causal relationship of cigarette smoking to cardiovascular diseases, neoplasms, lung disease, and other health problems

(CDC, 2002).

In conclusion, there is a striking convergence of recent findings from the neurosciences with those from a large epidemiologic study of the long-term effects of ACEs which has the potential to open multidisciplinary approaches to studying and improving human well-being. Current practices of medicine and public health are fragmented by categorical funding, organizational boundaries, and a symptom-based system of medical care. Prevention and remediation of our nation's leading health and social problems is likely to benefit from understanding that many of these problems tend to be comorbid and may have common origins in the enduring neurodevelopmental consequences of abuse and related adverse experiences during childhood

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עש"ק פ' שמות י"ט ענת תשס"ח

לכבוד מורי ורבי הרב הגאון ר"ד קאהן שליט"א

אחדשוכע"ס בכל הכבוד הראוי הנני צזה להאיע לפני כתר"ה העתק מאמר מן עתון על אודות מה שלפני לא הרבה זמן הרופאים והמדעים הודיעו שעל ידי נסיונות וצדיקות נתגלו שמחלות ה,,דראג אדיקשן" ובעלות צער (שמניעות) נוצעים מאותו מקור גופני.

אף שהעתקתי כמעט כל המאמר עכ"ז כדי לחוס על צלוי זמן כתר"ה ולהקל על הקריאה רשמתי קו כזה תחת עקרי הדברים כדי שלא ילערך לעצור על כל העפלים.

וממילא יולא מהמבואר צפנים שלדאצונוי אין שום תרופה לאלו שנחלה במחלות אלו בלתי מה שקוראים "12-step recovery program"

והודות רבות מראש על הזדקקות כתר"ה צנדון זה.

מכצדו ומעריאו
פינחס יהושע הכהן

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Food Fix –

Neurobiology highlights similarities between obesity and drug addiction

Christen Brownlee

It was 1990, and Neal, a 55-year-old salesman from Silver Spring, Md, was hitting rock bottom. For years, he had soothed the stress of his chaotic life with an evening bowl of vanilla ice cream. But in time, that just wasn't enough. Neal started adding a second bowl, then a third. Even after he'd moved on to wolfing down an entire

gallon in a single sitting, he soon needed yet a bigger fix. He added doughnuts - one, two, and then an entire box.

Neal's not-so-sweet nightly habit eventually blew his weight up to 350 pounds. What he gained in size, he lost in other parts of his life: His marriage fell apart, he lost his job, and he spent his nights wondering whether his persistent chest pain meant that he'd die before morning. As his life spiraled downward, he spoke to a friend who was a recovering alcoholic.

"When he was telling me the story about what he was doing with alcohol, I could see that's what I was doing with food, how I was using it," Neal says. At the time, he says, food seemed like an innocuous fix - it was hard for him to imagine overdosing on ice cream and doughnuts. "But if it wasn't food," he adds, "then it would have been cocaine, heroin, alcohol, or something else for me."

Many people have suspected that addiction underlies much of obesity. In fact, in 1960, an overweight woman started a weight-loss group that used a 12-step program modeled after that of Alcoholics Anonymous. Neal turned to Overeaters Anonymous and has since lost more than 100 pounds. Several other groups use 12-step programs to deal with overeating.

In recent years, scientists have discovered neurological connections between overeating and drug addiction. They've conducted studies showing that the brains of individuals with either of these conditions differ from other people's brains in similar ways. The researchers have also described a few enlightening differences between the brains of overeaters and those of drug abusers.

Understanding the neurological causes of overeating and drug addiction, say the researchers, could lead to new treatments for both conditions.

Filling a void

Overeating and drug addiction probably come from ancient roots but have taken a modern twist, says Roy Wise of the National Institute on Drug Abuse (NIDA) in Bethesda, Md. He and others espouse the hypothesis that these problems have arisen as a by-product of the brain circuitry that motivated our ancestors to find sustenance, mates, and other necessities that enhanced the long-term success of the species.

"The brain circuitry that we use to find drugs or food has the same mechanisms involved in looking for anything rewarding," says Wise.

As humans became more adept at manipulating their material world, people recognized and later created substances that especially satisfy these reward-seeking brain circuits. A similar situation has turned up in recent history with food, says Wise: As the availability of cheap, tasty food has skyrocketed, so has the number of people who are obese as a result of overeating.

Nora Volkow, the director of NIDA, agrees. "When you hunt animals, you may succeed or not. But when you open the fridge, you will succeed 100 percent of the time," she says.

Volkow wants to know why some people can't seem to close the fridge. "Is the signal [to eat] really stronger in overeaters, or is the part of the brain controlling these urges not normal?" she asks. She and her collaborators began to answer this question in 2001, when they studied differences between the brains of normal-weight and of obese people.

In previous research that had focused solely on drug abusers, Volkow and other researchers found that many addicts had a deficiency in a particular type of receptor for dopamine, one of the

brain's feel-good chemicals. Most drugs of abuse reward their takers - and reinforce the habit - by flooding the brain with more dopamine than normal. So, the researchers theorized that some drug users become addicts as a way of making up for a shortage of dopamine receptors.

Scientists have known for decades that eating also floods the brain with dopamine. When Volkow and her colleagues looked at the brains of 10 obese people, the team found a dopamine-receptor deficiency identical to that in drug addicts. Volkow stresses that obesity seems to be a significantly more complex disorder than drug abuse because of many unrelated factors, such as glandular problems, lack of exercise, or a genetic predisposition to storing fat, can lead to weight gain.

However, the brains of several of the obese volunteers in Volkow's study seemed to be telling another story: "These people were compulsively driven to eat as if food were their stimulus of choice," she says.

Constant craving

A more recent study sheds light on the mechanism behind cravings, whether they are for illicit drugs or specific foods.

In the past decade, many studies have sought the identity of the brain areas and chemical signals that trigger drug cravings - information that could eventually result in pharmaceuticals that help addicts stick to treatment programs. However, notes Marcia Pelchat of the Monell Chemical Senses Center in Philadelphia, hardly any neurological studies have focused on food cravings.

Pelchat and her colleagues designed a study that separated food cravings from hunger by denying people desired foods but keeping them satiated.

At the beginning of the study, the scientists asked each person to name a couple of foods that he or she "really liked." Then, the

researchers gave some study subjects as many nutritionally complete vanilla shakes as they could eat, but nothing else. Other subjects could eat whatever and as much as they wanted, including the shakes.

After keeping 20 people on one of the two diets for a day and a half, Pelchat's team gave each of the subjects a functional magnetic resonance imaging (fMRI) scan, which measures brain activity. During the scan, the researchers flashed the names of the volunteers' favorite foods on a screen, alternating them with the brand name of the vanilla shakes. The study subjects were asked to imagine each food in great detail - how it looked and smelled and what it felt like to eat - and to report any cravings they were having.

Not surprisingly, the people fed only vanilla shakes reported significantly more cravings than did participants who'd had no diet restrictions. When the researchers examined the fMRI images generated by patients with food cravings, they found activation of the hippocampus, the insula, and the caudate, which are the same brain areas that other researchers had pinpointed in drug cravings and the reinforcement of addictive habits.

"This is consistent with the idea that cravings of all kinds - whether for food, drugs, or designer shoes - have common mechanisms," says Pelchat.

Pure pleasure

With so many enticements surrounding people every day, how does someone become addicted to food rather than alcohol, drugs, gambling, video games, or various other alluring pleasures? A 2002 study by Gene-Jack Wang and his colleagues at Brookhaven National Laboratory in Upton, N.Y., gave researchers food for thought.

For the study, Wang's team recruited 30 healthy volunteers - 10 who were obese, the rest of normal weight. After having the volunteers fast for 16 hours, the researchers gave them a sugary solution containing a trace of a radioactive chemical. Wang and his colleagues then conducted positron-emission tomography scans on the participants. This test showed where the brain was using the sugar as fuel, a measure of brain activity.

Right away, Wang says, his team noticed a stark difference between the brain scans of many of the obese and the non-obese volunteers. Specific areas of the parietal cortex, an area that takes in sensory information from the body, lit up only in the obese subjects.

Wang checked an anatomy textbook and found that the areas highlighted in the obese study participants responded to various sensations from the mouth, lips, and tongue. Studies by other researchers had shown that these areas aren't overactive in people addicted to drugs.

Wang's team hypothesizes that some obese people get more pleasure from eating than people of normal weight do. As such, "they may be more susceptible or vulnerable to some types of food," he says.

Scientists are currently investigating neurological differences between obese individuals. For example, Wang is employing an implanted device, called a gastric pacemaker, designed to make the stomach feel full. The device decreases appetite by stimulating nerves that control the digestive system. Most obese people eat less in response to this pacemaker, but some don't respond.

Wang's team hypothesizes that these people's dopamine systems and other brain areas motivating them to eat may be overriding the system that senses satiety.

Want a new drug?

As more information turns up on how drug addiction and obesity are neurologically similar, some researchers are using the findings to craft treatments aimed at both problems. The most logical target seems to be the dopamine system. However, notes Wise, chemicals that completely block dopamine are "too blunt a tool."

"If you block all dopamine, it blunts all the pleasures of life. We need to make just a small adjustment to [patients'] lives, like technicians fine-tune the ratio of fuel and oxygen in a racecar," he says.

Many researchers are therefore targeting brain systems that have some sway over the system regulated by dopamine. An experimental drug called rimonabant appears promising. It works by dampening activity in the endocannabinoid system, a brain network that indirectly hikes dopamine concentrations in the brain.

In the most recent study of rimonabant's performance, published in the April 16 Lancet, researchers tested the drug in people who were overweight or obese. They gave 1,507 volunteers various doses of the drug or a placebo for 1 year. Of the 599 people on the highest dose - 20 milligrams (mg) - of rimonabant, almost 70 percent lost at least 5 percent of their body weight. Only about 50 percent of the volunteers taking a placebo lost that much weight.

In March 2004 at the American College of Cardiology Scientific Sessions in New Orleans, researchers announced positive, although modest, results in a study using rimonabant for smoking cessation. Of the people who received a 20-mg dose of the drug, about a third quit smoking within 15 days. Only about one-fifth of the placebo takers quit in the same time period.

However, another result may give hope to weight-conscious smokers. People getting 20 mg of rimonabant lost 0.5 pound, on

average, according to Julissa Viana of Sanofi-Aventis, the company that makes rimonabant and sponsored the study. People who got the placebo gained about 2.4 pounds.

Wise notes that rimonabant is probably only the first of many drugs intended to fight both obesity and drug addiction. But until such drugs are available for prescription, many researchers suggest following the same tenets that have helped Neal battle his overeating for the past 15 years.

Letters:

I note that pleasure activates the neurobiological response that fuels addictive behavior. It has long been a tenet of the 12-step programs that there is no pleasure greater than to use one's talents to help others similarly afflicted. Perhaps we shouldn't discount the neurological effect of that activity.

Betsy (last name withheld)

It's a fact that drug addicts have a deficiency in certain dopamine receptors. However, without determining that such deficiency predates the addiction process, we can't be sure that this represents a cause rather than an effect. It is equally credible that, once addicted, the drug abuser's brain attempts to compensate for the flood of induced dopamine by reducing the number of sensitive receptors. This fits with induced drug tolerance, in which an addict becomes less sensitive to the euphoric effects of a drug over time, requiring increasing doses to achieve equal effect. Perhaps, over time, people for whom food is the euphoriant also require larger doses to achieve satisfaction.

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Of course, drug-based approaches (however ironic) may help addicts. But it seems like a really interesting question to ask what

happens in the brains of the people who choose to change their lifestyles, whether by a 12-step program or some other method.

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The Treatment and Prevention of Long-term Effects and Intergenerational Transmission of Victimization: A Lesson From Holocaust Survivors and Their Children

Yael Danieli

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The heterogeneity of responses of families of survivors to their Holocaust and post-Holocaust life experiences, described within and beyond the current notions of post-traumatic stress disorder, emphasizes the need to guard against expecting all victim-survivors to behave in a uniform fashion and to match appropriate therapeutic interventions to particular forms of reaction. The discussion delineates the meanings of the victimization rupture, preventive and reparative goals, and principles and modalities of treatment (professional and self-help) of the long-term effects and intergenerational transmission of the traumata. Highly needed training, which is traditionally absent, should include working through therapists' "counter-transference" difficulties.

Once upon a time there were gas
chambers and crematoria; and no
one lived happily ever after.

(Langer, 1975, p. 124)

Having heard this "modern fairy tale," Langer states "one is compelled to acknowledge the new reality rushing into the void and to rewrite the little Red Riding Hoods of our youth and past, granting to an amorphous wolf the triumphant role that fairy tales may deny but the history of the Holocaust confirms" (1975, p. 165). In his

book, *The Destruction of the European Jews*, Hilberg (1961) too states that "only a generation ago, the incidents described in this book would have been considered improbable, infeasible, or even inconceivable. Now they have happened" (p. v). A country considered the most civilized and cultured in the western world committed the greatest evils that humans have inflicted on humans, and thereby challenged the structure of morality, human dignity, and human rights, as well as the values that define civilization. The Nazi Holocaust massively and mercilessly exposed the potential boundlessness of human evil and ugliness, in a silently acquiescing world.

Of the 8,861,000 Jews living in Europe prior to World War II, It is estimated that 400,000-500,000 survived the Nazi Holocaust in the underground, by hiding or escaping, in ghettos, or in slave labor camps, and no more than 75,000 outlived the Nazi death camps (Epstein, 1977, 1979 see also Dawidowicz, 1975).

Common sense dictates that it is inevitable for the massive traumata experienced by the remains of European Jewry to have had immediate and possibly long-term effects on these victim-survivors and even their offspring. Nevertheless, the vast literature on these consequences reveals an arduous struggle in law (Kestenberg, 1982), but particularly in psychiatry, to prove the existence of these effects. Some excellent reviews of the psychiatric literature can be found in articles in Krystal (196B) Krystal & Niederland (1971), Chodoff (1975), Israel-Netherlands Symposium (1979), Dimsdale (1980), and others. Only in 1980 did the evolving descriptions and definitions of the survivor syndrome in that literature win their way into the *Diagnostic and Statistical Manual of Mental Disorders* (APA, 1980) as a separate, valid category of "mental disorder" -309.81 Post-traumatic Stress Disorder.

Literature on the intergenerational transmission of the psychological effects of the Holocaust on survivors' offspring (children born after the war) began with Rakoff's article (1966). A

review of this literature and an up-to-date bibliography can be found in Wanderman (1979), Danieli (1981c, 1982a) and Bergman and Jucovy (1982). The most recent literature voices concern about the transmission of pathological intergenerational processes to the third and succeeding generations.

In this chapter, I will first present a brief summary of the differing post-war adaptational styles in survivors' families, which I have identified and described in detail elsewhere (Danieli, 1981a, 1981c). This typology and the observations in it have been supported in a study by Rich (1982). The heterogeneity of responses to the Holocaust and to the post-Holocaust life experiences in families of survivors - implied herein in the proposed taxonomy - is, in part, intended to guard mental health professionals against the grouping of individuals as "survivors," all of whom are expected to exhibit a single "survivor syndrome" (Krystal & Niederland, 1968), and the expectation that children of survivors will similarly manifest a single "child of survivor syndrome" (cf. Phillips, 1978). I will then present a preliminary theoretical model of victimization trauma and some implications for treatment considerations and goals, modalities, and modes.

While my discussion is based primarily on work with Jewish survivors of the Holocaust and their offspring, I believe that it also applies to other victim-survivor populations.

DIFFERING ADAPTATIONAL STYLES AMONG HOLOCAUST SURVIVOR FAMILIES

Background

One way that survivors coped with the prolonged horrors of the Holocaust was to sustain the hope of reuniting with their families. While some did find a few surviving relatives, most learned where and how their family members and friends had perished. Unable to fully comprehend their tragedy or to express their grief or rage, they were confronted with the task of rebuilding their lives.

"Marriages of despair," formed on short acquaintance, which disregarded differences in pre-war socioeconomic and educational status, life-style, age, or other ordinary criteria for marriage, were frequent between adult survivors. Recreating a family was a concrete act to compensate for the losses, counter the massive disruption in the order and continuity of the survivors' lives, and undo the dehumanization and loneliness they had experienced.

The most tangible fulfillment of hope for the continuity and renewal of life was to bring a child into the world. Many survivors gave birth in displaced persons (DP) camps as soon as it was physically possible. Almost without exception, the newborn children were named after those who had perished. Often viewed as a blessing, miracle, gift, or symbol of victory, the children were to be the future in a world free of oppression and equal to or even better than the idealized pre-war world of their parents.

In addition to the difficulties shared by most immigrants to the United States, the majority of Holocaust survivors encountered a unique cluster of pervasive negative societal reactions and attitudes comprised of indifference, avoidance, repression, and denial of their Holocaust experiences.

The "Conspiracy of Silence"

Survivors' war accounts were too horrifying for most people to listen to or believe. Additionally, bystanders' guilt led many to regard the survivors as pointing accusing fingers at them. Survivors were also faced with the pervasively held myth that they had actively or passively participated in their own destiny by "going like sheep to the slaughter" and with the suspicion that they had performed immoral acts in order to survive. Reactions such as these ensured the survivors' silence about their Holocaust experiences.

The resulting "conspiracy of silence," which has existed both

between the Holocaust survivors and society, and between survivors and the mental health professionals for over 30 years, had a significant negative impact on the survivors' post-war familial and socio-cultural adaptation and, consequently, on their long-term capacity for intra-psychic integration and healing.

Survivors were forced to conclude that nobody cared to listen, and that no one who had not undergone the same experience "could really understand" them. Their profound isolation, loneliness, and mistrust of society intensified, and the task of mourning their massive losses became impossible. The silence imposed by a world that did not want to hear them proved particularly painful to those who had survived the war determined to bear witness.

The only option left to survivors, other than sharing their Holocaust experiences with each other, was to withdraw completely into their newly established families. Children of such families, although remembering their parents' and lost families' war histories "only in bits and pieces" attested to the constant psychological presence of the Holocaust at home, verbally and nonverbally, or in some cases, reported having absorbed the omnipresent experience of the Holocaust through "osmosis."

From data obtained in clinical and semi-clinical work with survivors and offspring participating in the Group Project for Holocaust Survivors and Their Children, begun in the New York City area in 1975, I have formulated four major categories of survivor families: victim families, fighter families, numb families, and families of "those who made it". These categories are of special significance in establishing the resulting identity and self-image of the children. .

These findings were derived from work with 75 survivors, ages 37-74, and approximately 300 children of survivors, ages 17-33, some of whom are married and parents themselves. All families had at least one member who survived the Holocaust, and at least one child born after the war. Since many of these people were well-

adjusted by most external criteria, this sample consisted of a wider range of adjustment than is traditionally reported in clinical literature on the sequelae of the Holocaust in the families of its survivors, which usually focuses on what I call "victim families" (see, for example, Barocas, 1975; Rakoff, et al, 1966; Sigal, Silver, Rakoff, & Ellin, 1973; Trossman: 1968).

Below is a brief summary of the four family classifications which I have described in detail elsewhere (Danieli, 1981a, 1981c, 1981d). It should be noted that, although the survivor parent's post-war posture may or may not be identical with his or her war experiences, most survivors who headed victim or numb families were former concentration camp inmates; most of those in the fighter category were partisans and resistance fighters during the war.

Victim families. The post-war home atmosphere of survivors whose dominant identity was that of victim was characterized by pervasive depression, worry, mistrust and fear of the outside world, and by symbiotic clinging within the family. Catastrophic overreactions to everyday change were common. Somatization, while serving as an unconscious expression of survivors' chronic grief and rage, was also used to control and manipulate other family members.

Physical problems were far more acceptable in 'Victim families than psychological problems, which the parents viewed as evidence of Hitler's posthumous victory. Psychological help was also seen as a threatening intrusion into the symbiotic network of the family.

Yet another means of keeping the family a totally closed system was teaching mistrust to the children. Taking orders or instructions from outside authorities was experienced, at best, as passive humiliation. Children in such families were often trained to be survivors of future Holocausts and frequently reported panic and guardedness when Holocaust imagery intruded into their daily

experiences. The long-term result of such experiences was often keen political liberalism.

Victim families insisted that the inside doors of their homes remain open at all times. Any assertion of healthy independence and privacy needs by their children threatened parents, who felt they were reliving their war experiences, when being separated meant total and permanent loss. The demands for symbiotic devotion and for fulfilling family goals were most heavily visited upon first-born children.

Security based on physical, nutritional, and material survival was of paramount concern in these homes. For most parents, joy, self-fulfillment, and existential questions were "frivolous" luxuries.

Survivor parents appeared to be both very certain and "disaster smart" to their children in protecting them against any negative eventuality in life. Being "right" and in control in their families, even if arbitrarily so, seems to have compensated for the survivors' prevailing sense of passive helplessness and demoralization during the Holocaust. Because wrong decisions during the war invariably meant death, many children also behaved as though every decision were a matter of life and death. Survivor parents were frequently lost and disoriented, however, in dealing with the American reality and it then became the children's task to become the family's mediators with the outside world. Thus, roles in these families were reversed and overprotection became mutual.

The children were also called upon to be the mediators inside the homes, as parents' marriages of despair frequently turned into interminable complaining about their mutual disappointments. For the male survivor, at a disadvantage compared to the female in achieving psychological recovery and in reestablishing his traditional role as head of the family (Danieli, 1981a), making a new life often became merely "making a living." Typically, the husband became a compulsive worker and took a subsidiary

position in the emotional and interpersonal life of the family. The wife would frequently berate her husband in front of her children. The offspring were called upon to take sides, to serve as confidants, to compensate for a parent's disappointment in marriage, and to parent their parents.

For reasons related to the war, the management of rage and aggression was an enormous problem for survivors. Moreover, life after the war did not afford the survivors adequate opportunity for expression of their bottomless rage, leaving them only indirect, mostly intrafamilial, means to express and experience it. The immense conflict and the meaning of aggression in their lives and their roles as parents severely inhibited the victim survivors' ability to serve as authority figures for their offspring - to set limits and to provide them with reasonable discipline and constructive channels for their normal aggression. The children's fear of being wrong, and their inhibition of anger and assertiveness, tended to block creative self-initiated tasks of these often disproportionately bright, ambitious, and talented offspring.

Guilt was one of the most potent means of control in these victim families, keeping many adult children from questioning parents about their war experience, expressing anger toward them, or "burdening" them with their own pain.

Being totally passive and helpless in the face of the Holocaust was perhaps the most devastating experience for victim survivors, one that was existentially intolerable. Because guilt presupposes the presence of choice and the power to exercise it, much of what has been termed "survivor's guilt" (Niederland, 1964) may be an unconscious attempt to deny or undo this helplessness. Guilt as a defense against utter helplessness links both generations to the Holocaust. The children, in their turn, are helpless in their mission to undo the Holocaust both for their parents and for themselves.

Guilt also operates as a vehicle of loyalty to the dead, keeping both

generations engaged in relationships with those who perished, and maintaining a semblance of familial continuity.

Over protectiveness and over involvement in all aspects of their parents' lives diminished the offspring's ability to establish outside relationships in general and marital and sexual relationships in particular. Many dreaded being on their own and becoming adults. Most feared having children, to whom they might transmit their Holocaust legacy and upon whom they would inflict a world that might suffer another Holocaust. Despite their conscious wish to make the family whole and large once again, this fear usually prevailed.

Although many children of survivors were extraordinarily driven to achieve academic or professional success, the offspring of victims often felt that surpassing their parents meant leaving them behind, and as a result often unconsciously destroyed their success and accomplishments. Overly concerned not to hurt, and keenly sensitive to another's pain, the children of victim survivors frequently entered the helping professions.

Fighter families. The term fighter was chosen to convey either the way such survivors described their physical or spiritual role during the Holocaust or the posture they adopted after the war to counteract the image of the victimized Jew. However, many who were fighters during the war lived as victims after liberation and this incongruous transformation bewildered their offspring, impairing their development of cohesive self-images.

It is important to emphasize that using the word fighter to connote the dominant identity of these survivors does not imply that active fighting, rather than sheer luck, saved all who escaped the fate of the six million Jews who died in the Holocaust.

The home atmosphere of fighter survivors was permeated by an intense drive to build and achieve, and the home was filled with compulsive activity. Any behavior that might signify victimization,

weakness, or self-pity was not permitted. Illness was faced only when it became a crisis. Although physical illness was more acceptable than psychological disturbance, both were experienced as narcissistic insults. Pride was fiercely held as a virtue; relaxation and pleasure were superfluous.

Families of fighters, like those of victims, did not trust outside authorities. Unlike victims, however, they permitted and encouraged aggression against and defiance of outsiders, thus escaping the victim families' double bind.

Intergenerational over involvement and over protectiveness were found in fighter families, but without the burden of distress and worry characteristic of victim families. Some fighter marriages were formed during the war, after a longer acquaintance period than the marriages of despair mentioned earlier.

Children of fighters had difficulty in sharing and delegating responsibility to others, both interpersonally and professionally. Their contempt and intolerance of any dependency in themselves and others acted as a deterrent to forming peer and marital relationships.

In these families, the offspring had to establish a fighter/hero identity in order both to belong to the family and to separate from it. In their search for validation and esteem, children frequently sought out or created dangerous situations.

Numb families In numb families, both parents were frequently the sole survivors of their individual families which before the war had included a spouse and children. The post-war home atmosphere was characterized by pervasive silence and depletion of all emotions, the parents capable of tolerating only a minimal amount of stimulation, either pleasurable or painful. Some children were too frightened to imagine what could have led to such constriction and lifelessness in their parents. As a result, their own inner spontaneity and fantasy life were severely restricted.

In numb families, the parents protected each other and the children protected the parents. Children were expected to somehow grow up on their own and to take care of themselves. Despite the infrequency of physical and verbal contact with their parents, they were also expected to understand that they were loved because of their parents' pained efforts to support them financially.

Offspring often adapted by numbing themselves, which resulted in their appearing less intelligent and capable of achieving than they were, or by being perpetually angry in an apparent effort to evoke negative attention instead of none at all.

The children frequently adopted outside authorities and peers as family in an attempt to seek identification models and to learn how to live. In desperate attempts to please their parents, they tried to achieve generally accepted social standards, but often felt out of place, forlorn, and not genuinely involved in their pursuits.

Since they rarely felt central or important at home, the children did not believe that others would consider them worthy of attention. In their unconscious fantasies, their (future) spouses served as the parental figures they were deprived of. Their powerful need to be babied often curbed a desire for children of their own.

"Families of those who made it" This fourth group is less homogeneous than the other three. Many of these survivors were motivated by a wartime fantasy and desire to "make it big," if they were liberated, in order to defeat the Nazis. Persistently and single-mindedly, they sought higher education, social and political status, fame and/or wealth. As with other survivor families, they used their money primarily for the benefit of their children.

Outwardly, this group was more completely assimilated into American society than other survivors. Some achieved a "normal" posture by completely denying and avoiding their past and any

reminders of it. Children of this group reported feeling cheated and bitter at finding out, usually indirectly, about their heritage. The denial in these families often resulted in inner numbing, isolation and somatization, and in this respect they resembled the numb families (see also Krystal, 1975, 1978; Oswald & Bittner, 1968).

This is the only survivor group of the four discussed to have a high rate of divorce. Some who, right after the war, married other survivors, eventually divorced. While most of "those who made it" were too young at liberation to rush into marriage, they also tended to marry non-survivors.

The survivor's role in these families was the dominant one. His or her ambitions became those of the family members. Although proud of their parents' achievements, the children reported feeling emotionally neglected by them, except in those areas leading to their own demonstrable success. In contrast to their emphasis on good appearances, the parents unconsciously encouraged semi-delinquent behavior in their adolescent children, using their money or position to rescue them from the consequences.

Some survivors in this group devoted much of their careers, money, and political status to demand commemoration of and attention to the Jewish experience during the Holocaust, and dignity for its victims. They used their Holocaust experiences as a means to understand the roots of genocide, to find ways to prevent its recurrence, and to aid victimized populations in general. The Holocaust was also a central theme in the works of members of this group who were involved in the arts.

Despite some willingness to undertake psychotherapy as a culturally acceptable pursuit, "those who made it" tended to deny the long-term effects of the Holocaust upon themselves and their children and would rarely discuss the Holocaust as a factor in their psychological lives.

SOME IMPLICATIONS FOR TREATMENT:

My focus on the relationship between Holocaust experiences and postwar adaptational styles among survivors' families precludes discussion of pre-Holocaust background considerations that are critical to understanding post-war adjustment. These may include the characteristics and dynamics of the survivor's family of origin in pre-World War II European Jewish life, as well as such demographic factors as the nationality, age, education, occupation, and marital and social status of the survivor at the onset of the Holocaust. These background considerations should be explored in psychotherapy with survivors and their children in order to (re)establish the sense of integration, rootedness and continuity so damaged by their traumata. Furthermore, since children of survivors seem to unconsciously repeat their parents' Holocaust experiences in their own lives, those experiences should be explored in detail with the children as well.

The individual survivor's war history is crucial to the understanding of survivors' offspring. They seem to have consciously and unconsciously absorbed their parents' Holocaust experiences into their lives almost *in toto*. Holocaust parents, in the attempt to give their best, taught their children how to survive and, in the process, transmitted to them the life conditions under which they had survived the war.

Many children of survivors, like their parents, manifest Holocaust derived behaviors, particularly on the anniversaries of their parents' traumata. Moreover, some have internalized as parts of their identity the images of those who perished and, hence, simultaneously live in different places (Europe and America) and different time periods (1942 and the present.)

Very close to most, if not all, families of survivors is the concern about the meaning of being a Jew after the Holocaust (Daniell, 1981b). Most of these families are extremely small. The Holocaust deprived them of the normal cycle of the generations and ages, and

of natural death (Ettinger. 1980). Each family tree is laden with death and losses. Indeed, the most painful and intolerable struggle underlying all attempts at coping with and integrating the impact of the Holocaust into the lives of these families is the genuine impossibility of mourning. As one 74-year old fighter, recently rewidowed and the sole survivor of a family of 72 people, put it, "Even if it takes one year to mourn each loss, and even if I live to be 107 [and mourn all members of my family], what do I do about the rest of the six million?"

The taxonomy that I have proposed for categorizing the families of Holocaust survivors is not intended to represent or imply pure and mutually exclusive types, nor to blur the commonality of core issues confronting Holocaust survivors and their offspring. I intended to alert mental health professionals to the heterogeneity within and *beyond* the post-traumatic stress syndrome, and its (potentially) differential effect on victim/survivor family members. Indeed, the heterogeneity of responses to the Holocaust and to post-Holocaust life experiences in families of survivors emphasizes the need to match appropriate therapeutic interventions to particular forms of reaction, and to respect the unique individuality of each victim/survivor. This need similarly exists in working with other victim/survivor populations.

SOME THEORETICAL CONSIDERATIONS

Before discussing my approach to treatment I will discuss a set of reflections which is the basis of my approach.

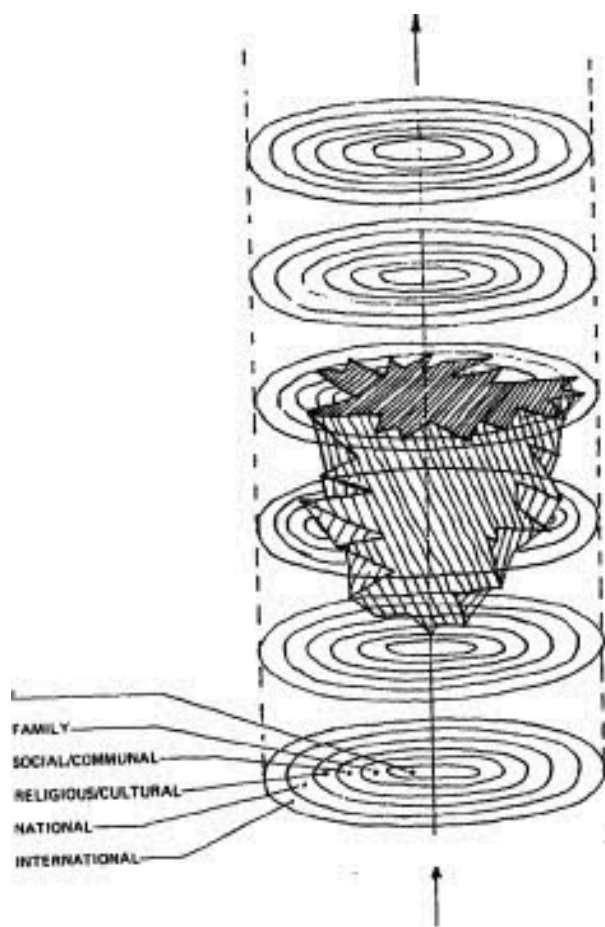
The goals of the Group Project for Holocaust Survivors and Their Children, which are preventive as well as reparative, are predicated on two major assumptions: 1) that awareness of the meaning of post-Holocaust adaptational styles and the integration of Holocaust experiences into the totality of the survivors' and their offspring's lives will be liberating and potentially self-actualizing for both; and 2) that awareness of transmitted, intergenerational processes will inhibit the transmission of pathology to succeeding

generations.

While psychological/internal liberation from the trauma of victimization is the ultimate goal of treatment for survivors, the central and guiding dynamic principle is integration. That is, integration of the trauma into one's life span in such a way that it will become a meaningful part of the survivor's and the survivor's offspring's identity, hierarchy of values, and orientation of living. It is a longitudinal integration along the time dimension which gains a full perspective of the victimization experiences and their impact upon one's life space at any point in time. An essential aspect of the establishment of such perspective is that when we speak of integration in the case of victimization, we speak of integrating the *extraordinary* into one's life - that is, confronting and incorporating aspects of human existence that are not normally encountered in ordinary everyday life. In the case of victimization in the Holocaust, we often speak of reconstituting the (inner) world of one's shattered life.

In Figure 1, the concentric circles on the horizontal plane represent the individual within his or her complex physical/intra-psychic-identity, familial, social/communal, religious/cultural, national, and international spheres or systems. If one envisions this plane as moving along the vertical vector (like an elevator shaft), which represents the continuous life-time dimension in one's conception of life from past to present through one's future, an individual ideally should simultaneously be able to freely along both horizontal and vertical dimensions.

Victimization causes a rupture, a possible regression and a state of being "stuck" in this free flow, which I will call *fixity*. The time, duration, extent and meaning of the victimization for the individual, as well as post-Victimization traumata and the conspiracy of silence or second wound (Symonds 1980) will determine the elements and degree of



rupture, the disruption, disorganization and disorientation, and the severity of the *Fixity*. The massive catastrophe of the Holocaust not only ruptured continuity but also destroyed all the individual's existing supports and was, as previously described, pervasively exacerbated by the conspiracy of silence that followed it.

Elsewhere (Danieli, 1981e) I questioned, in principle, the possibility of full integration of the Holocaust by its survivors and their offspring alone, while humanity, Western culture, and society in general have not yet done so. However, the Group Project for Holocaust Survivors and Their Children *still* maintains that the attempt to reestablish the sense of continuity, belongingness and rootedness, and to effect perspective and integration through awareness, are our optimal vehicles in possibly achieving our reparative and preventive goals of liberation from the traumata (see Lifton, 1973, 1979).

Especially with these individuals, repairing the rupture and thereby freeing the flow rarely has the meaning of "going *back* to normal." This is true both in terms of (re)adapting to "normal society" or returning to pre-victimization ways of being and functioning, as if one could resurrect one's previous (destroyed) fabric of life. In fact, the latter hope in particular is not only unrealizable, but clinging to it possibly attests to attempted denial of the survivor's Holocaust experiences and thereby to *fixity*.

Cognitive recovery involves the ability to develop a realistic perspective of what happened, by whom and to whom, and accepting the reality that it happened the way it *did*. For example, what was and was not under the victim's control, what could not be, and why. Accepting the impersonality of the events also removes the need to attribute personal causality and consequently, guilt and false responsibility. An educated and contained image of the events of victimization is potentially freeing from constructing one's view of oneself and of humanity solely on the basis of those events. For example, having been helpless does not mean that one

is a helpless person; having witnessed or experienced evil does not mean that the world as a whole is evil; having been betrayed does mean that betrayal is an overriding human behavior; having been victimized does not necessarily mean that one has to live one's life in constant readiness for its reenactment; having been treated as dispensable does not mean that one is worthless; and, taking the painful risk of bearing witness does not mean that the world will listen, learn, change, or become a better place.

The task of therapy within the theoretical framework presented above is to help Survivors and children of survivors achieve integration of an experience which produced the state of *fixity* that has halted the normal flow of life in at least the four styles described earlier. Indeed, when psychotherapy dwells on certain periods in the survivors' lives and neglects others, it hinders survivors and their offspring from meaningfully recreating the flow within the totality of their lives, and may perpetuate their sense of disruption and discontinuity (see also, de Wind, 1972).

The long-term treatment modalities especially aim at the individual's "getting better" rather than merely "feeling better." "Getting better" involves a continuous and consistent unraveling and working through of the individual's or the family's particular (unconscious) rigidified and self-perpetuated victim-survivor context or stance, in the direction of liberation and (full) self-actualization. In this process, we harness and ally ourselves with the individual's or family's present as well as past strengths and pro-life forces, such as general cognitive abilities, the elements of one's active control and mastery in the act of survival, and the rebuilding of life, hope, determination, courage, loyalty, humor, and source of goodness, support, and love in one's memories and in one's current life. The latter potentially engender one's ability for self soothing, giving, trusting, experiencing and accepting love, asking for and accepting another's help, attaining a sense of wholeness, healing, and recovery. These abilities must develop for the individual to be able to gain perspective, integrate and contain

elements of his or her Holocaust or other victimization experiences, such as evil, hate, (helpless) rage, murder, violence, brutality, destruction, chaos, injustice, shame, degradation and humiliation, indifference, loss and mourning.

The Project provides individual, family, group, and community assistance in a variety of non-institutional settings. The meaning of institutions for survivors and their offspring, and their particular sensitivity to being stigmatized or labeled crazy (stemming in part from the Nazi practice of gassing the sick and mentally ill), specifically precluded making the Project part of a mental health institution.

Therapeutic methods and foci used by the professionals who staff the Project - all dictated by our goals and the needs of this population - are the dynamic psychoanalytic, Gestalt, Transactional Analysis and Psychodrama, desensitization and Cognitive Behavior. These may be applied to all the treatment modalities provided by the Project.

The Group Project offers opportunities to participate in six types of groups (for a schematic presentation of these groups, see Danieli, 1981f). Each prospective participant is interviewed in order to determine the appropriate therapeutic modality. Many of the participants choose to combine a variety of modalities (e.g., individual and group therapy).

The central therapeutic goal of integrating disruption and discontinuity in part informed the diagnostic and therapeutic decision to construct a three-generation family tree (Danieli, in press) during the initial interviews with newcomers to the Project. Although it triggers an acute sense of pain and loss, it reaffirms the importance of continuity. One invaluable yield of exploring the three-generation family tree is that it opens communication within families and between generations. Breaking the silence about the Holocaust and pre-Holocaust experiences within the family is

generally helpful in family therapy, but it is particularly crucial for aging survivors and their children (Daniell, 1981e). For issues and concerns particular to aging survivors, see Blau and Kahana (1981).

THE CENTRAL ROLE OF THE GROUP MODALITY

From its inception in 1975, the Project has recognized the vital importance of self-help and has capitalized on group and community therapeutic modalities to counteract the sense of isolation and alienation suffered by Holocaust survivors and their children. By participating in groups, survivors and offspring who are plagued by mistrust and the feeling that nobody who had not undergone the same experiences would "really understand" them, can discuss and share their current concerns and past experiences (Hays & Danieli, 1976).

Group modalities have been particularly helpful in compensating for counter-transference reactions. Whereas a therapist alone may feel unable to contain or provide a "holding environment" (Winnicott, 1965) for his or her patients' feelings, the group as a unit is able to. While any particularly intense interaction invoked by Holocaust memories may prove too overwhelming to some people present, others invariably come "forth with a variety of helpful holding reactions.

The group offers a place for abreaction and catharsis as well as a multiplicity of options for expressing feelings, and naming, verbalizing and modulating them. It also encourages mutual caring which ultimately enhances self-care in these individuals.

Identification with "their group," initially based on common background alone, facilitates positive change. As Foulkes (1948) suggested:

"The deepest reason why these patients . . . can reinforce each other's normal reactions and wear down and correct each other's

(pathological) reactions, is that *collectively they constitute the very norm, from which, individually, they deviate.* (p.29, author's italics)"

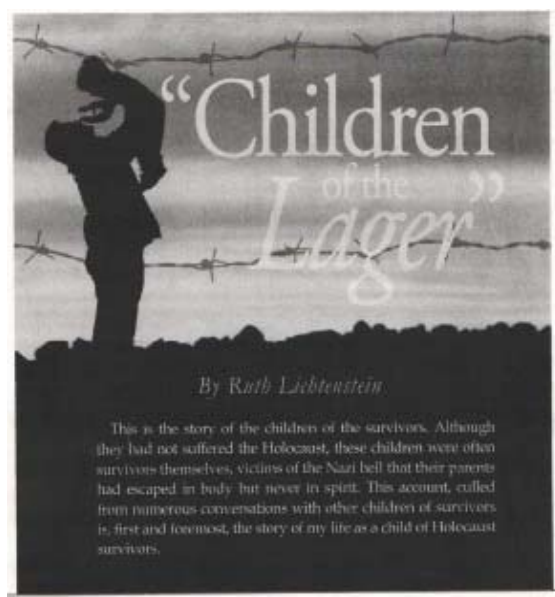
In addition, the groups and community established by the Project serve to rebuild a sense of extended family and community lost to these individuals during the Holocaust.

Finally, these modalities acknowledge the central role of "we-ness" in the identity of the survivors, as manifested in their common use of "we" rather than "I," particularly when describing their Holocaust experiences. The Holocaust was a group phenomenon, and perhaps only collectively can its survivors find a meaningful response to it. This seems true particularly with regard to mourning, issues of Jewish identity after the Holocaust, and the relationship of the survivors and their children with the non-Jewish world.

TRAINING AND COUNTERTRANSFERENCE

Traditional training does not usually prepare professionals to deal with *massive, real, adult traumata* and their long-term effects (see also Wallerstein, 1973). I therefore cannot overemphasize the paramount importance of the training/peer supervision seminars and workshops held by the professionals staffing the Project for the survivors and their offspring. While the eagerness to read and research all available and relevant materials has produced much knowledge and understanding, and the genuine caring and desire to help have been unquestionable, the commitment that made the task of integration a fulfillable one was the professionals' struggle and openness to work through their counter-transference reactions--their contribution to the conspiracy of silence, the obstacles they had erected on the road to awareness and integration of their patients' Holocaust experiences, and their long-term and inter-generational effects. Attention to their own reactions and mutual support have also helped reduce the incidence of burnout among these professionals.

I hope that increased awareness of the counter-transference reactions, which I have identified and elaborated upon elsewhere (Daniell, 1980, 1984), will liberate professionals to optimally serve this and other victim-survivor populations. My research (Danieli, 1982a) strongly suggests that the source of these reactions is the Holocaust, rather than the actual encounter with its survivors and their offspring. I believe that therapists' difficulties in treating other victim-survivors may similarly have their roots in the nature of the victimization.



“CHILDREN of the LAGER”
By Ruth Lichtenstein, HaModiah
12 Elul, 5769; September 1, ‘09

This is the story of the children of the survivors. Although they had not suffered the Holocaust, these children were often survivors themselves, victims of the Nazi hell that their parents had escaped in body but never in spirit. This account, culled from numerous conversations with other children of survivors is, first and foremost, the story of my life as a child of Holocaust survivors.

Many years ago, I discovered a New York Times article by Helen Epstein, writing in 1972, covering the issue of the “second generation” after the holocaust. Epstein had conducted interviews with a group of children of survivors, and the issue she addressed in her article resonated profoundly with the feelings that I had buried deep within me for most of my life. They were feeling that I

had never dared express and yet were now emblazoned across a newspaper page.

I wanted to find others who felt as I did. Yet the year was 1985, and not too many spoke about the holocaust - definitely not the children of the survivors. But I was determined to change that. I prepared a list of questions and tried them out on a group of women, all children of survivors, who had been born in America, Europe, or Israel. The setting was idyllic; it was in a bungalow colony in the Catskill Mountains of New York, and the women often gathered outside in little circles to talk. Yet instead of the usual chit-chat, this time a very different kind of conversation took place.

These women never knew that others like them
also shared these same feelings

The first session began slowly, but then it exploded into a fast-paced, excited discussion as the women found that my questions aroused feelings and memories they all shared. These women never knew that others like them also shared these same feelings, given that through all these years, even as these women now had children of their own, they had vigilantly maintained the fearful silence of their parents.

Now they had the opportunity to open up. And they did. Most of them had grown up believing that part of being a parent was to be a Holocaust survivor. It was required. There were almost no parents who did not have numbers tattooed onto their arms. Slowly, the bungalow was transformed into a therapy center of sorts, a place where a small change began to take place. The silence of decades was broken, and the pain of those who had grown up in a dark world of loss and anguish finally emerged into the light of day.

As a teacher, I continued my research by distributing these questions to the twelfth graders in the high school in which I taught

Jewish history. As the years passed, the number of girls who were second generation steadily decreased, while granddaughters of survivors took their place.

Yet it became clear to me that the responses to the questions, and the depth of the impact the Holocaust has had on these girls, depended not on the generational distance but on their personal interest in the subject. Often the youngest daughters of survivors would try desperately to distance themselves from the subject, terrified to link themselves to the dismal, miserable images in the black and white photos that their parents so rarely showed them.

However, when the students were assigned research projects requiring that they interview relatives who were survivors, the students would frequently discover powerful bonds linking them to their elderly relatives, bonds they never knew existed. One student found that her father was an entirely different person than she had ever imagined:

"I now feel a deep emotional bond with my father that I have never felt before. Now I understand what his life was like as an only child of survivors, and I can fully appreciate what he went through ...

"I know, now, that only by making the effort to understand what they went through, what they endured, can we begin to appreciate the lives our parents and grandparents went on to build from the ashes."

The experiences that children of survivors underwent were not all identical, much as the children could identify with each other. They were as varied as the Holocaust survivors themselves, each of whom had undergone unique experiences. Some had survived the ghettos, some had spent most of the war in labor or concentration camps, and others had joined the partisans. There were those who had passed themselves off as Aryans, those who were mere children when their parents were shot before their eyes, and those who had been mothers whose babies were ripped from

their arms.

There were, however, some experiences that many victims of the Nazis shared. One of them was the loss of family. No one survived Nazi Europe with his or her entire family intact. Many had been forcibly separated during the *selektzia* in the camps.

Tzipporah, one such survivor, remembers the selection by Dr. Mengele:

"We stood on the ramp arranged in rows; we did not see what was happening up ahead ... it seemed that there was some eerie order here. No one spoke, the little ones sobbed quietly, we looked around and all we saw were prisoners in striped uniforms, Germans in spotless uniforms, barbed wire - and pillars of rising smoke from the buildings before us ...

"We waited until the group began to move. We could see someone standing at the front, a long thin stick in his hand, directing each person either to the right or to the left.

"And then I understood. I could see clearly that the little children and older people were going to one side, and the young, stronger ones to another. I clutched my grandmother's hand tightly. She was ninety-three, intelligent, and alert. She knew what was going on here ...

"The line advanced and suddenly there was the man, his feet encased in tall, shiny boots, towering over us. He pointed with his finger: Right...Left...

I did not absorb his words. I simply did not, could not, hear him. I walked together with my grandmother, my parents, and the little children to the left, but suddenly I felt a whip at my back. The man was standing there, and with clenched lips he hissed: "Right! You don't understand?"

"I want to be with them!" I pointed desperately toward the group that was growing more and more distant. "Over there!" I said in German.

"There?" the officer said sardonically. "Maybe next week ... "

"Fifty-one years have passed since then, and I can still feel the whiplash across my back."

The brutal separation, the loss of any material item that ever belonged to them, even their hair, was capable of destroying any sense of humanity in them. And to ensure that it did, the Nazis

stamped each Jew with a number, an enduring symbol of the meaningless entities that they had had become.

What was the Germans' goal?

The Germans' goal was to destroy the humanity, the uniqueness of every Jew. The Jews were shaven, dressed identically, tattooed, and starved to the same skeletal frames as one another. These measures were undertaken so that they would utterly internalize the shattering message: they were nothing more than branded animals, animals that would very soon be gone. No one was allowed any individuality, and anyone who did not blur his or her personality into the mass of faceless prisoners was immediately singled out for extinction.

The barbed wire, the torn prison uniforms, the glinting boots of the Nazis, each blared a message that wormed its way into the deepest recesses of the prisoners' souls: You are nothing more than a number. You are not a kind person, not a good person, not even a bad person. You are nothing. Nothing at all.

And so any feelings they might have had were buried in the struggle to survive. There was no happiness, no sadness, only the battle for another bowl of soup, another place to hide from the ever-triggered guns of the Germans.

Unfortunately, the Nazis were largely successful. They turned vibrant, thinking individuals into a mass of robotic, walking corpses. When the prisoners were finally liberated, and if they actually survived the liberation, unlike the thousands who died after the war ended, these survivors found that the emotions they had buried so deeply and for so long were still there. There was no longer any need to hide them. The survivors now had as much bread and soup as they wanted, and nobody was cocking a gun at them.

**They had survived, but they didn't know why.
They were haunted by the question, "Why me, when
there were so many others who were better than me?"**

But there was still no time, no space, no place for them to recover from their trauma and to adjust to their profound psychological scars. Many spent months or even years after the Holocaust crowded into DP camps - sometimes sharing barracks with the very Nazis who had persecuted them - where they had to struggle to be heard, to be fed, to be allowed to leave. Many survivors were very ill, both physically and mentally, and recovering their health became a first priority. Most of them occupied themselves in pouring their energy into the often-futile search for family. If and when they finally settled into a new land, the survivors had to contend with a new language, a new society, a different lifestyle. Daily struggles forced them to reject, forget, and erase the past as if it had never happened.

And they also had to do battle with their own feelings of guilt, of loss, of self-hatred. They had survived, but they didn't know why. They were haunted by the question. "Why me, when there were so many others who were better than me?" Survivors wanted to rebuild themselves so intensely that they often married less out of personal compatibility than because of a desperate desire to put down roots, and to reestablish themselves among the living. A common city of origin was sometimes enough to bind two people together in a marriage that often had nothing else going for it.

These were the individuals who had survived the Nazis, but they would never be free of them. Memories of lost spouses, mothers, fathers, children, haunted them, surrounded them, and imprisoned them. Terror of hunger, of loss, never left them.

And so the survivors carried their terrible burdens into their new lives. Their children would become unwitting inheritors of this terrible legacy. The Holocaust shaped the survivors new lives and their parenting abilities.

The children were everything for the survivors. They were their past, their present and their future. They were kind of a kind of memorial candle for the ravaged past, and they were and they were expected to perpetuate the memories of entire families far into the future. They were supposed to give meaning to their parents' existence, a reason for their survival. They were supposed to avenge their parents' suffering, fulfill the crushed potentials of myriad dead relatives, and carry on the mission that their grandparents had never completed, that their parents' murdered children had never begun.

"I have four names," says Nechama. "I'm named after every person whom my parents wanted to remember but were afraid they would never have a chance to do so. I feel like my parents expected me to follow in the footsteps of each of the persons after whom I'm named. I carry the burden of the entire family."

"I am named after my grandmother." says Sara, "As a child, when someone asked me my name, I said I am Sara from Warsaw.' I've neither been there in my life, nor was I born there, but I felt like I was part of my grandmother, a continuation of her life, which had been so abruptly cut short. "

Although they tried to rebuild their lives, survivors could never quite leave it behind. Those who found it particularly difficult were those mothers whose children had been ripped away from them. They could never quite escape the questions that whipped at their minds endlessly: "Did my children suffer? What happened to them? Were they cold? Were they lonely? Did they die quickly, or did they die a slow, anguished death?"

Some survivors tried to shield their children from their own pain by remaining fearfully silent about their experiences. Yet the children inevitably found out about the past that their parents had survived. There were not too many books on the topic, and even fewer books that discussed the issue with respect to children, so often the children's introduction to the most horrific chapter of their parents' lives occurred when they were very young.

Gila: "I was seven when I asked my mother: 'Who put that number on your hand? And why don't I have a grandfather and grandmother like other children? Where are they?'"

"My mother tried to explain that bad people, called the Germans, had killed them.

"Why did they kill them?" I asked. "Where are they buried?"

My mother couldn't explain it to me. These conversations always ended in tears"

Sara: "I remember that I was perhaps in third grade, and my mother shouted at me angrily when I scribbled all over my hands with ink.

"Are you angry because the ink on your arm never goes off?" I asked her. And then she told me where she had gotten the ink on her arm ..."

Some children were raised in communities in which most of the parents were Holocaust survivors. It was a world shadowed by the ghosts of lost family and nightmares about the Nazis. These children did not know any other way of being, and they believed that everyone was like them.

Rivka, who was raised in Crown Heights, Brooklyn, remembers:

"I never felt different than anyone else. I was sure that all the parents of all the children in the world were in the war ..."

Yet Dina, who had grown up in Israel, had very different memories:

"I always felt that I was different. My parents were older, and, like other survivors, my parents only had a few children, unlike the large families of those who hadn't experienced the Holocaust. I had no grandparents, no aunts or uncles, and anyone who had hidden with my father in the bunker was called 'uncle.' Anyone who had a real uncle was considered incredibly lucky, and if you had a grandfather, you were richer than Rothschild!"

The parents were often slow to tell their children about their painful past, and the stories would emerge in pieces: a tale here, a

memory there, with no beginning or end, no chronology of any sort, all scattered throughout the years. It was usually the mothers who spoke. The fathers were silent, their faces shutting down when questioned. The fathers didn't speak until later, when the grandchildren had arrived, and it was clear that if they did not speak now, there would be no one left to speak for them.

Unfortunately, though, not all of them got the opportunity to share their experiences.

Rina: "My father would study with us and discuss everything with us. He was interested in all subjects, yet there was one issue he wouldn't touch - the Holocaust. I was the closest to him of all my siblings, yet I didn't know anything about this part of his life....

"And then he died, suddenly, from one minute to the next.

"The pain and shock were so tremendous, The loss was so deep, and it was made even more difficult by the jarring realization that now I would never know about his past."

And then there those who couldn't stop talking about it:

"As long as I remember," says Rachel, "my mother was telling me these terrible stories, over and over. It got so that when she began speaking, I could finish the story for her. Then she would smile and say, "That's what I want. I want you to pass this on, instead of my voice dying out alone.

When survivors would gather together for celebrations or holidays, the children were privy to hours of accounts about life in the ghettos, or camps, or prewar Europe. Some of those stories seared themselves into the minds of the young children, forever shaping their understanding of their parents and of their world.

Dina: "My mother was always very tense. I constantly heard the dreadful stories about the Nazis, but I never really understood how that impacted her, until my aunt pulled me aside one day and told me that when my mother was twelve years old, incarcerated in a concentration camp, someone in the camp stole some food and the Germans discovered that it was missing. An anonymous person told the Germans that it was my mother although she had never done it, and the capo whipped her twenty-four times on her head.

"The image of a 12-year-old suffering twenty-four lashes to the head, and that head belonging to my mother... it drove me insane. The cruelty was so awful that even today; I remember the story as if I had just heard it. "

"When my mother applied for compensation from the Germans I told her to add us, the children, to the list of victims. 'Why?' she asked, 'You were not there.'

"Well," I answered, "we are also children of the lager."

Bracha remembers when she discovered her father's personal life, a past about which she had never known:

"It was years after my father had died. I was visiting an elderly aunt, and she began to tell me stories from the war. She told me that when my father appeared at her home after fleeing the Nazis, she - his sister - did not recognize the bloodied man with the half-slashed beard, a result of the Gestapo forced beard-cuttings, who stood at her door.

"I froze. I could neither speak nor move. My aunt was convinced that I was well aware of the details of my father's past. I had never heard this story, but I didn't want her to realize what she was doing to me, so I did not break down until after I left ..."

**Fears and pain overwhelmed so many of the survivors,
and their children bore the brunt of it.**

When some parents couldn't bring themselves to speak, their children sometimes blamed themselves:

"I wanted to ask my father about his past," says Shaul, "Yet when I saw his face, and when I asked him, I understood that it was better to avoid the issue. I felt so very guilty that I couldn't share his pain, that I couldn't understand what he had suffered, despite my desperate desire to be close to him. What kind of son was I?"

There was one issue that was always taboo. Those survivors who had been married before the war, who had lost spouses and remarried afterwards, never mentioned their first marriages. It was a topic shrouded in secrecy, too painful to recall aloud. And when children of survivors, who had always believed that they were the

only children of their parents, suddenly discovered that they had had a half-brother or sister, now dead, the impact was shattering.

"Today," Hanna says softly, "everyone wants to talk about the Holocaust. Then no one wanted to talk about it, and no one did. It was a taboo subject. I remember cleaning out a closet and discovering an old envelope. I opened it and inside was a picture of a woman, whom I had never seen, with a little boy.

"Instinctively, I thought of asking my mother about it, but something restrained me from doing so. Somehow I knew that this picture wasn't meant for me to see. If it had been, it would have been with the other pictures. And so I never asked anyone about it. It was only years later that someone told me that the two people in the picture were my father's first wife and their child.

"Yet to this day, my mother believes that I do not know about my father's first wife ..."

"Nobody ever told me that my father was married before the war," says A. "I knew a lot of people who remarried after the war, but my father.....? It couldn't be. But once a family member mentioned it. I stared at him horrified, my mind exploding into numb silence, and then I shrieked from the depths of my being: 'No! It can't be!'"

Holocaust survivors never told their children about these past marriages not only because of their own pain and loss that such revelations would entail, but also because of their desperate desire to shield their families from the experiences they had suffered when they, the parents, were their children's age. These survivors had been mere children when they were abandoned in the world and forced to battle for their existence.

"Instead of studying in school", says Esther, a survivor, "I was in a nightmare, fighting with beasts that barely resembled humans. When my daughter was born, I was obsessed with the question of what I could do so that she wouldn't suffer as I did ..."

Those children who were swept up in the Holocaust, those few

who survived, were often barely teenagers when the war ended. Yet their parents were gone, and their path to rebuilding their lives was a long and lonely one. Having never had a normal childhood, the survivors tried their best to provide one to their children, but often did not know how. Fears and pain overwhelmed so many of the survivors, and their children bore the brunt of it.

Leah remembers the thick sweaters and warm underwear they had to wear to appease their anxious parents.

"We never went on unsupervised field trips," says Riva. "Even if a counselor was there, that often wasn't enough. We had to beg our parents to go. Yet today, I understand them."

These stories, these experiences, created a unique kind of trauma in the children of survivors, who then grew up to become adults with their own children. Sometimes their parents' pain became their own; their parents' fears became an integral part of their psyche.

"When my mother told me war stories, the memories of them haunted me for weeks," Nechama says, "I would be riding a train into Manhattan, and suddenly it would seem to me that the train was

"We never went on unsupervised field trips. Even if a counselor was there, that often wasn't enough. We had to beg our parents to go; yet today, I understand them."

racing toward the camps ...

"Violence still horrifies me, violence of any sort. There are fears that are handed down from parent to child," she says. "My mother was always waiting for a catastrophe to hit the Jews. She never let us renovate the house more than what she thought was necessary. 'For what?' she asked. And to this day, I think of that phrase from time to time. Once the Jews settled comfortably in Europe, and they never thought anything would change. But then Hitler came. So why are we so sure of ourselves today?"

Survivors lived a life dominated by fears, fears they inevitably passed on to their children. Anxieties and behavioral dysfunctions

were inherited by a generation that had vicariously experienced Nazi oppression.

Sometimes, the survivors' anxieties took on almost absurd proportions, yet the children were helpless to act in the face of the grim history that underlay their parents' behavior.

"We never threw out a crumb," Eli asserts. "On Thursday, my father would eat dry bread from the week before, as if it had just come out of the oven. I couldn't understand him.

"If you would know what it means to starve, you would understand that you can't throw out bread!" he told me. I understood, then, but just a little."

And then there was the guilt. There was always that one sentence that reduced the child to acquiescence, no matter how he opposed his parents' will, the one statement that broke down their child's defenses: *"For this we survived the camps?"*

David remembers that he could never tell his parents about his problems.

"I was afraid to cause them more pain. They have no idea who I really am. But I have always believed that my parents are at the very edge of the cliff, and I am terrified of causing them that one more bit of pain that would push them over it."

David's feelings reflect those of many of his generation. The children of survivors had a much harder time ignoring the reality of the Holocaust and its devastating scars and festering wounds. They understood what others must labor to understand.

In order to understand their parents, to relate to them, or even simply to live with them, the children of survivors had to imagine what it meant to lose a parent, to witness the murder of every friend and loved one, to live for years under the constant dread of death, mostly in starvation, and to discover, when it was finally all over, that not one friend or relative was left, and that life had to be

rebuilt before it had ever really been lived.

Sara says quietly: "I'm always worried. The children leave - who knows when they'll return? If they're late - what has happened to them? If my son doesn't call, something terrible must have happened. I often tell myself to stop this insanity, but it's very hard for me to control it."

Sara's daughter, Dina, smiles ironically. "My husband always says that I sound like a Holocaust survivor. That's his way of politely telling me that I sound like his mother-in-law."

For many Holocaust survivors, life was still about survival, about struggling constantly against the threat of death, even if the threat had long since passed. Yet this same dread that propelled outsized reactions to small incidents also fueled their passion for rebuilding their lives and giving their children the best opportunities they could afford. The religious survivors, who clung to their faith, even while rebuilding their personal lives, also invested incredible efforts into rebuilding Jewish communities, institutions, and families, thus providing their children and grandchildren the opportunity to understand what had been destroyed.

In fact, no matter the pain that many of the children suffered, they also gained opportunities that they would never surrender, opportunities to appreciate a lost world, a world rebuilt through the iron will and strength of the men and women, their own mothers and fathers, who had the energy and the faith in themselves necessary to survive and start anew from the beginning.

Because it was never really over. When the children of the survivors married and had children of their own, greater numbers of Holocaust survivors began to open up, to tell their stories. Nonetheless, when tragedies occurred, all the old memories returned. The terrible events of September 11, 2001, rocked the world. For the survivors whose children or spouses were trapped or killed in the attacks, it was the coming of the Nazis all over again.

"I remember that after the attacks, there were lists of survivors, of those

missing, posted everywhere. Memories from decades ago rushed back to me. Emaciated prisoners, recently liberated from the Nazis, peering over long lists of names that were passed around from camp to camp, each Jew desperately searching for one familiar name, someone who had survived. How few of us found anyone...And now again, we are searching for survivors in the rubble and in the lists."

One elderly man who had endured the camps discovered that his son was missing - and that his body would probably never be identified. It was Auschwitz all over again. No body, just ashes; no grave, no funeral, nothing. Nothing remained. The man's rabbi couldn't bear to witness his pain. He obtained permission for the congregation to visit Ground Zero, the site of the attacks. The bulldozers were still removing rubble, groups of mourners huddled near the gate, and one old man stood in the middle of it all, and recited *Kaddish* for his son. His son may not have been buried, but at least he received *Kaddish*.

Today survivors are passing away. It is their children who are trying to create a way to pass on the terrible stories of destruction, along with the powerful memories of the thriving world that had been destroyed - and the strength of those who have rebuilt it. Yet these children of the survivors don't want to pass on the fear and the anxiety with which they were raised. Is it possible to do that? They are not sure. But they are trying. They are trying to convey a history that cannot, must not, and will not be forgotten. The faces of the victims, peering out at us from black-and-white photographs, the prisoners' emaciated bodies, the children's solemn faces and ancient eyes, the Nazis' features contorted and deformed by hatred, all this cries out to us, never to be forgotten. They, the survivors, suffered, and we must never forget that.

Yet we also have the black-and-white images of smiling children in old fashioned caps, of elderly scholars surrounded by eager crowds, of neat Jewish homes, synagogues, and study halls, all of which are now gone, none of which we may forget.

And then we have the world of today. Only a million of the six million have been made up so far, yet we have study halls again, synagogues, Jewish homes, and children who speak in the same language their murdered great-uncles did. We have a new world, recreated from its very roots by those who had seen their old one destroyed. The Jewish world owes its gratitude to them, and an obligation to continue their legacy

It's time for Yizkor, the prayer for immediate family members who have died. In our synagogue, a small building in Jerusalem, most of the congregation is streaming outside, leaving only those few who have lost family members inside to pray for their lost relatives in peace. An elderly man turns to me, clutches my arm and asks: "Do you see all the people leaving?"

"Yes," I said.

His face contracted, his eyes dampening, "This is incredible," he whispered. "In the '40s, nobody left the room when we prayed for those who had passed away. Who had both parents? Who hadn't lost family members? Even as the years passed, only a few people were able to leave. And now ..look, most people are outside! People have families. whole families.

Our people have survived!

The author would like to thank all the children of survivors who shared with her their memories, stories, fears, and hopes.

The Chosen People

(Originally appeared in "Child & Domestic Abuse" by Eidensohn & Shulem, '10)

We are the Chosen People! Our relationship with Hashem and the world about us is unique! The Torah tells us so again and again; and we affirm and reaffirm this daily in Birchos HaTorah and our Tefillos; And again on every special occasion of Shabbos, YomTov and Simchos etc

Our 'Chosenness' is the uniqueness of our Mission. As the Rambam (C5 Yesodei HaTorah) writes, "The entire household of Klal Yisroel is commanded to be a source of sanctification of God's great name in this world."

And we fervently pray and proclaim many times daily that we should merit this achievement – that we should stand out as living manifestation of Boruch Shem Kvod Malchuso and Y'hei Shmei Rabba M'vorach!

And when we adhere carefully to our mandate, and live in accordance with our Toras Chaim, then the Beauty of our lifestyle is manifest and is the envy of all nations. They stand back in awe and exclaim, "רק עם חכם ונבון הגוי הגדול הזה" (Devorim 4:6)

Consequently, it is very painful, yea extremely painful, to point out and highlight some flaws and failings of Hashem's special children - the Torah community.

I believe that I speak for all the contributors to this compendium, when I state that we are all wracked by pain as we discuss the topic of this Sefer. We are overwhelmed by the pain of intense shame and embarrassment as we criticize our Holy brothers and sisters.

And yet, simultaneous to our feeling of this pain and angst, we are also overcome by yet other dimensions of pain. And as these different torments mix and blend within us, the latter aspects supersede and overtake the former. These added elements are twofold – they are the pain that we feel for the victimized individuals and families who are suffering because of our

collective neglect, and by the pain that we feel at the tarnishing of the Jewish people's very special IMAGE – that is consequently caused by the Chilul Hashem generated by a misrepresentation of Torah values.

It is this cacophony of conflicting pain that has prompted us to speak out, hopefully to raise the awareness of our people and initiate action to bring about a rectification of the situation.

In shocking disbelief we hear and read the reports about the depravity of pedophilia that is occurring in our midst. And every fiber of our beings mightily protests, "THIS CANNOT BE SO!

It is inconceivable that perpetrators of such heinous behavior could live amongst us; and could be even from our "elite"!

And so prevalent! Impossible!! Surely, it must only be an isolated incident!"

But sadly to our great dismay this is not the case.

And in our discomfort, we recall 2 other distressing facts that are also agonizingly current:

"The following are well documented problems facing the general, contemporary, secular society within which we reside: Dysfunctional Homes, Domestic Abuse and Violence, Addictions (alcohol, drugs, gambling, pornography, sex, food, shopping, etc.), Mental Illness (Depression, OCD, Anxiety Disorder, Bipolar, etc.)

The research indicates that the rate of incidence of these phenomena in the Chareidi community is the same as the outside world..... (*Letter to Editor – Jewish Observer, Iyar 5759*)

And also about our children:

".....the tragic phenomenon of our Yeshiva and Bais Yaakov "drop-outs". The ones on drugs and promiscuity. The ones "just" suffering from rejection and depression. Not to mention the poor self-image and self-worth felt by our "good" students. And this has become an epidemic in all of our Chareidi communities - even in the most prestigious families." (*ibid*)

In this author's perspective there are 3 major issues that need to begin being addressed by us, courageously, collectively as a community - laity and leadership alike, in order for us to begin the process of uncovering the root of these problems that are festering in our midst:

Issue #1 –

The Chazon Ish (Igros I #31) and the Gro (Mishlei 6:4, 22:12) decry very forcefully a not uncommon occurrence, which predominates in our present topics. They point out very emphatically that most erroneous and misguided Piskei Halacha and Piskei Din Torah do not result from a lack of Torah Knowledge on the part of the Posek. Rather the error derives from his lack of an adequate grasp upon the situational particulars (the 'Metzius') of the presenting case; and/or he lacks the scientific background to understand the ramifications that the differences in these particulars make. Because the Dayan doesn't fully distinguish between the details of the event and/or miscomprehends the ramifications thereof, tremendous damage can result - damage that is irreparable beyond all hope, משפט מעורקל, לא יוכל להמנות (Chazon Ish ibid).

Indeed it is not a secret that there has been widespread distrust by the Rabbinate of mental health theories, theses and personnel. This is in no small part due to the heretical attitudes and beliefs of the founders and developers of the mental health field. But what needs to be recognized and emphasized, is that with the advent of the use of very sophisticated diagnostic tools such as MRI, PET and CT, Mental Health research and conclusions have moved very far away from the era of mere conjecture and operates on the more firm principles of scientific rigor and discipline. There have been numerous new discoveries in the past 5-10 years and indeed this properly evaluated, scientific data has been accepted by some major Poskim and has begun to filter down to some Rabonim and laity as well.

What is being realized is that the situation has changed, and our earlier justified attitude to the earlier conjecturing of some Apikores is inappropriate and out of place, when applied to the modern mental health research. Rather it is more appropriate for us to heed the words of Chazal, “Chochma BaGoyim Ta’amin” - That the nations of the world **do** possess secular knowledge and information that is accurate and can be relied upon. It would be at our own peril, initially to both our physical and spiritual well-being, and eventually to our public image as an Am Chochom v’Novon, to tie the Torah to antiquated data and/or attitudes. (Of course, we need to verify the veracity of the new discoveries before we accept it; but to just dismiss it out of hand – just because it’s “Goyish” – is just not responsible!)

A Moshol or two, I believe will help illustrate this point:

- If someone from the Chareidi community is afflicted with heart disease, no one would dream of suggesting that treatment should be with the methodology of 10 years ago; and not even of 5 years ago. We insist (and rightfully so) on the latest, up-to-date, research-based treatments!
- No Sane person today would subject himself to ‘bloodletting’ as a therapy or treatment!

For the sake of clarity, I am recording here some brief highlights of the recent research and its conclusions that are pertinent to our present topics. (More detailed excerpts are to be found in the end notes pg 487)

The Centers for Disease Control and Prevention, identifies 10 categories of Adverse Childhood Experiences (ACEs). All of these can adversely affect the developing brain in ways that result in emotional, social, and cognitive impairments, increasing the risk for substance abuse, depression, suicide, and a variety of other problems. The 10 categories are: 1-childhood sexual abuse, 2-Emotional abuse, 3-Physical abuse, 4-Emotional neglect, 5-

Physical neglect, 6-Battered mother, 7-Household substance abuse, 8-Mental illness in household, 9-Parental separation or divorce, and 10-A Criminal household member.

These adverse effects upon the developing brain are biological! What that means is that actual, measurable, physiological changes occur in the brain – it is not just psychological or emotional. This is supported by fifty years of research on humans and **other mammals!**

In the words of a major researcher in Harvard University, (correspondence of January '10), “This impairment of multiple brain circuitries involved in fear, reward, and other fundamental aspects of organismic regulation significantly disrupts the biological foundations of:

- meeting basic physiological needs like food/nutrition
- regulating states of physiological arousal, emotions and impulses.....

In short, what has become abundantly clear is that physical and/or emotional abuse can very easily precipitate a scenario of Pikuach Nefesh. The Halachic ramifications of this determination will be explored further in the next section under issue #2.

And therefore it behooves us to reassess our responses and attitudes in the arena of mental health and what fosters good mental health and what is contraindicated. Only by so doing, will we be able to receive truly proper Torah Guidance as to the proper prevention beforehand, and to receive the appropriate care and corrective treatments after adverse experiences have occurred and/or the onset of symptoms.

Why should mental health be treated any different than our Physical health?

Issue #2 - Misperceptions of Torah -

Rav Shimon Schwab, Ztvk'l, ("Breuer's Kehilla"- Washington Heights, NY), one of my mentors, remarked to us on a number of occasions, "All of Rabonus is basically the same 50 Shaalos!" What he meant by that statement was that the vast majority of Halachic queries that come before a Rav can be reduced to 50 different basic questions – most of the content of the query is a minor nuance on the basic 50. It is only on rare occasion that a novel situation/Shaaloh arises which requires of the Rav/Posek to initiate new research and examination of the basic texts on a non run-of-the-mill topic.

In essence Rav Schwab was echoing the following, articulated by the Chazon Ish (Emuna u'Bitachon 4:7):

"For even though the practical mitzvos in their superficial form, as they are seen among the masses, are easy to perform; they are very difficult for those who know the meticulousness of Torah law and who have the love of Halacha instilled in their hearts; for Halachos are like "mountains hanging from a single hair"

The topic, about which the Chazon Ish is writing and of which Rav Schwab spoke, is even about the aspects of Mitzvo performance that are applicable, practically, on a regular, even daily, basis. We can certainly appreciate, How much more so, that this is the case, in areas of Halocho which occur irregularly!

Matters that are not in our common experience, we certainly will be handicapped by an unfamiliarity with the depth of the halachos. We may be even guilty, due to our lack of Iyun, of a childish grasp and primitive understanding of the basic concepts and texts.

And therefore we need to be on guard, not to become lazy in our Torah research! It is, oh, so easy, to fall back on the status quo and accepted platitudes. Inertia speaks very cogently - especially to a

very busy Rav or Posek. The temptation of “Why rock the boat” is very appealing?

Our spontaneous, less-than-fully-informed, perception, all too often, fits very comfortably with our and our Kehilla’s style of life. However, we need to beware; when we lapse into these pre-conceived ill-considered mindsets and perceptions, we revert to the dangerous territory of *יראתם אותי מצות אנשים מלומדה*

The present topics are a perfect example. As expressed before, who would ever have imagined that the day would arrive that Mishkav Zochur would be a Halachic topic l’Maaseh? Or that we would need to consider, in real terms, the extent of damage caused by the various forms of molestation and abuse! We have profound difficulty analyzing these topics adequately because we had always considered them to be so alien and foreign! Our mind is even repulsed by their very mention! These are certainly not from the 50 Shaalos referenced by Rav Schwab!

And as every Yodea Sefer knows, the Cognitive toil and investment needed to say a “good” Droshe or to explicate a difficult Rambam or Tosefos pales greatly in comparison to the meticulous focusing that is required when intent on arriving at the Halocho l’Maaseh. (Asukei Shmaatseh Aliba d’Hilchoso.) Those who are experienced know that the difference is not just quantitative, but profoundly qualitative; it is a difference of kind, not just of number!

Consequently our rabbinic leadership cannot self-assuredly rely on their Yeshiva training, or even on their Smicha training and Shimush to be confident that they have the full repertoire of the Halacha at their disposal when they come to render a Halachic opinion or Psak on these arcane topics. It requires much Iyun and reflection; and a revisiting to all the source material – Halachic, scientific, and a clear grasp of the situational dynamic.

Some examples, if you will, concerning our present topics:

I believe that it is obvious to most everyone in our circles and communities, that if someone is experiencing chest pains or symptoms of Swine flu or suspected of having been bitten by a rattlesnake, that all other halachos are suspended and overridden in order to save the person's life. (With the notable exceptions of Idolatry, adultery/incest and murder, of course.) This is a firmly established, well publicized halacha!

What is not as obvious and well-known is that Halocho and Current medical science (as discussed in issue #1) informs us that someone exposed to an event or substance that can be traumatizing, or if symptoms of traumatization develop, that this too needs to be treated the same as the chest pains etc described above. That until a proper assessment (workup) has been done, we are completely "in the dark" as to the extent of the affliction. And since a Sakonas Nefesh entity has possibly been introduced into the victim's system, Halocho requires us to conduct ourselves as if their life is endangered (Sofek Sakonas Nefoshos).

Besides the impact this has on Hilchos Shabbos, namely, that one would be permitted, nay, obligated, to violate the Shabbos to prevent or interrupt the abuse from occurring, this also changes substantially the operational applications of Loshon Horo and Moser.

Loshon Horo is not one of the three cardinal Aveiros and therefore is also suspended in cases of Pikuach Nefesh (e.g. if someone were indiscriminately igniting fires in a manner that jeopardizes people's lives - he has the Halachic designation of a "Rodef" and it is a Mitzvo to report him and the laws of Loshon Horo are suspended) the same would be true in cases of abuse.

And just as the prohibition of "Moser" (reporting a fellow Jew to the secular authorities) is overridden when we are dealing with a Rodef. As a result of the findings of the recent research, we now

know that an abuser is not just someone who disturbed moral sensibility, but is now Halachically regarded as a Rodef. And consequently it is a Mitzvo to report him to the police or other governmental authority! (See Teshuvos pgs 281-360 of this compendium for further detail and clarification)

Another example:

The Torah in the Parshiyos of ‘Ones’ and ‘Mefateh’ (rape and seduction) seems to treat these attacks as only tort damages!! So we have difficulty accepting the scientific notion that the sustained injury is of such substantially greater magnitude and therefore we reject the scientific research out of hand.

Perhaps we should consider that this may be another case of Nishtane HaTeva which Tosfos and M’Forshim posit in many other instances. The Chazon Ish (Noshim 27:3) lists many examples of physiological changes between what existed in the times of Chazal/Tanach and our times. A most notable parallel is the one cited above of Hakoza Hadam. “Earlier generations had excess blood that required “Letting” for good health; today it is a Sakono to undergo this procedure.” (Chazon Ish ibid)

Moreover, were we to examine with a little more breadth and depth the punishment of the Me’Anes as the Torah prescribes it, we may find that the punishment fits the crime in such a way, that the situation is transformed, by prescribing a Refuah that heals the Sakonas Nefoshos, into Efshar l’Hatzilo b’Ofan Acher which negates the Sakonas Nefoshos /Rodef aspect. To wit:

Rav SR Hirsch deduces the following insight on the K’nas of the Me’Anes: By comparing the monetary systems and the cost of living as described by the Mishna, he demonstrates that the 50 Shekel of the K’nas of the M’Anes and M’fateh will provide at least 8 years income.

That is - if it is not invested as principle. Would it be invested as principle then it would provide income for an entire lifetime!

We can infer from this insight that the Torah is anticipating that the result of this attack will cause full lifelong impairment of the possibility of holding adequate gainful employment; or of marrying and being provided for by a husband. At the very least the Torah anticipates 8 years of such impairment.

And, the Me'Anes is Shoseh b'Atzitzo – he must marry (with her and her family's consent) and remain married to his victim and treat her with all the dignity and respect of the Torah and Kesuba requirements, and nurture her back to health (mental and physical) or live with the defect or any of its residual effects. In effect he must very personally oversee her healing from this devastating attack. Justice is served and support and healing are provided in one fell swoop - what better way to counteract and arrest the advance of this insidious disease that he perpetrated.

A second area of Misperceptions of Torah that needs to be revisited is in the area of Hashkafa.

Two points come to mind:

The first is that we need to correct a common misunderstanding: It is axiomatic that Hashkafa derives from Halacha; not the other way around.

Examples abound:

Ones and Mefateh above is just such an example. It is not “just” damages”! It is a totally incapacitating attack! Unless the justice system of the Torah is brought to bear as a consequence, it could quite possibly even be mortal. Very clearly, only once we have the full panorama of the details of the practical Halocho, then and only then, can we begin to attempt to derive the Musar Haskel that the Torah is teaching us.

Another example is that of the Ben Sorer uMoreh. Most Droschos on this topic focus on the perspective that this scenario could never happen. Because of the Halachic details, it is well-nigh impossible

to occur. However all such “lessons” learned utilizing this perspective must be held suspect because the Halocho as Paskened by the Rambam and clearly corroborated by the Sugyas HaGemoro is in contradiction to this opinion. To the contrary, the scenario of Ben Sorer uMoreh is not predicated on impossible details, but can (and did) occur.

It is illogical and dishonest to maintain that the philosophy and Hashkofo that Hashem wants us to learn from a given Mitzvo, runs contrary to the practical halachic performance.

And secondly, a most basic Hashkafic principle needs to be reasserted:

Namely, That a given Hashkofo finds its proper application only in its appropriate situation:

Rav Yitzchok Hutner, Zt”l , (Igros u’Kesavim # 43 commenting on Chazon Ish Orach Chaim 56) explains:

“After some serious contemplation, it becomes apparent that the world of Divine Service is divided into numerous arenas - each arena having its unique rules of operation. Moreover, the differences are so pronounced, that the rules that are appropriate for one are not applicable and even entirely inappropriate for the other.

“This premise explains and resolves the statement of the Chazon Ish, “There is substantively no difference at all, between the behavior of a retarded person and that of an unscrupulous person – not even a hairsbreadth [of difference].”

“It is clear that this statement is intended only for the arena of the Chochom’s battle for self-control over his emotion to take revenge or to act vindictively. (Chochom is defined as a person who is intellectually alert & actively involved in self-improvement & character modification as per Rambam Hilchos Deos.)

“In this arena the statement is 100% accurate because in order to exercise control over one’s lower impulses, one must be completely accepting of Divine Providence. In this context, we must completely deny the principle of the free choice of man. “Just

as the brain-damaged person behaves without personal control but acts by the laws of instinctive nature = Divine decree; so too, in this arena, the Chochom is to perceive the actions of the unscrupulous.”

“However, when we transfer to the arena of justice between man and his fellow, then the whole operating principle is that of personal responsibility which is predicated upon the free choice of man. The Tzadik, who has just been victimized by a grand larceny and who accepts Divine Providence with a full heart, knows that it is for his benefit. Nevertheless, he will not thereby exempt the larcenist from the appropriate restitution!

“And this IS the proper, Torah, perspective.

“The fact that we see in our time, an erosion of acceptable social behavior, with concomitant lack of responsibility and accountability, is due to a confusion of the above distinction. General society has interposed the denial of free choice into the arena of justice. This is a reprehensible blunder that undermines the very fabric of society.

“Great Tzadikim (Rav Yisroel Salanter and others) have already instructed us upon this principle in a similar vein. Whereas, concerning our own personal needs, to minimize our efforts and to rely upon Heaven is the appropriate modus operandi; however in regards to the needs of our fellow, the opposite is true. In the latter, we are to have the perspective that only human efforts are what count.

“This is a paradigm of the principle with which we started. Divine service consists of many arenas. What is appropriate behavior in one arena may be totally prohibited in another.”

Unfortunately, for some inexplicable reason, many of our Torah community have stumbled into the same error as that of the secular world decried by Rav Hutner. Specifically, if we inadvertently or unthinkingly ‘blame the victim’ and/or misplace the responsibility for rectifying the aftermath upon the victim, we are, in effect, falling into the trap described by Rav Hutner. We are then reacting

and practicing in a non-Jewish and non-Torah manner! (That type of behavior is precisely the idolatry of Calvinism.)

And if this is committed by a Rov, it becomes antithetical to the essence of his “job description” as delineated by Reb Chaim Brisker. In his famous statement, Reb Chaim formulated that the primary function of a Rov is להחיות רוח שפלים ולהחיות לב נדכאים.

So we end up with a shocking anomaly. Whereas the Rov should be the foremost venue for Klal Yisroel to fulfill the adage of Chazal, “Daaga b’Lev Ish Yasicheno l’Acher, Regrettably, because of inaccurate perceptions (of both issues #1 and #2), in place of performing the great Mitzvo of “mefayso”, of comforting, mollifying and appeasing the distressed person, all too frequently we unwittingly commit Onoas Dvorim instead!

A common example is concerning ‘Anger at Hashem’ (pg 101). The majority opinion of Rishonim (the Halocho) states that the expression of that which otherwise would be considered as blasphemous, if it is expressed out of the pain of suffering, it is completely disregarded by Hashem. It just didn't happen. No atonement or apologies, even after the angst has passed, is necessary at all! This is the basis of the famous aphorism of the Berditchever Rebbi: "You can be for God, or you can be against God; you just can't be without God!"

When we are dealing with a person who is in the throes of pain and suffering, even the minority dissenting opinion agrees that at that point in time, s/he is blameless and that is what Halachically (and therapeutically) should be conveyed to her/him. Anything said or done that would somehow make him/her feel guilty of her emotions would fall under the Halacha of Onoas Dvorim (The Torah prohibition of verbally taunting or antagonizing another, as per the last Mishna in the 4th Perek of Bovo Metziah.)”

This paradigm is certainly equally applicable to the distraught person spewing venomous Loshon Horo about a real or perceived

tormentor to his/her Rov or Rebbi. This person needs validation and calming; NOT Musar about the enormity of the Issur of Loshon Haro!

And similarly, in a Sholom Bayis situation, where a wife is filing a grievance about a reprehensible behavior on the part of her husband, she needs to be heard out and empathized with; not summarily and curtly asked, “What did you do to provoke him?”

Yet another notion that is prevalent that this author finds extremely perplexing is the position and idea that the fiscal solvency and viability of the ‘community’ and the community’s institutions are more important than the protection of the individual from abuse. I find this statement untenable.

It is rather clear and unequivocal that remaining unresponsive and thereby, jeopardizing an individual’s safety would involve the transgression of at least 2 Lo Taasehs. And when faced with the transgression of a Lo Taasah, the Shulchon Aruch states quite clearly, in more than one place, that one is obligated to surrender ALL his money and possessions rather than transgress a Lo Taaseh. Nowhere is a distinction made that a community or its institutions is exempt from this ruling. Quite to the contrary, the converse appears correct (as demonstrated in the Teshuvos section). Indeed, I would be very indebted if I could be shown the primary Halachic sources that support the above perplexing notion.

In summary: the essence of this section is reflected best by the words of Rav SR Hirsch. In his 19 letters (letter #18) he writes, “If something is ailing in Klal Yisroel, then make no mistake about it! Do not deceive yourselves! It is nothing else other, than an ailing relationship of Klal Yisroel to Torah and its proper understanding, that is being manifest!

Issue #3

This brings me to the 3rd overarching issue, which in my opinion is, in more way than one, at the root and perpetuation of the topic

of this compendium and numerous other related ills in our Chareidi society! The Fuel that drives the engine, so to speak, of so many of our problems today, and is very glaringly culpable in our present topic, is superficiality.

Superficiality has become a ubiquitous presence of our mindset and activities. We as a community, by and large, have become possessed by a Façade-mentality. Externals have become our guiding lights. It is as if we are in a world of make-believe, where reality doesn't count, but where as long as we fit into a contrived superficial mold of our own making, we believe that everything is and will be OK!

And The Superficiality which plagues us is deeper that just in Mitzvo performance מצות אנשים מלומדה ! But it extends itself to the underpinnings of how we perceive ourselves and how we react internally, emotionally to stimuli (secular and religious) from the environment around us.

The "mold" has become so dominant a value in our communities that any deviation from the contrived mold is deemed totally unacceptable. Regardless of the person's torah scholarship or punctilious mitzvah observance, a person deviating, even slightly from the accepted mores, is deemed outside the pale and castigated as a non-entity. A Cherem Chomur couldn't be more punitive.

This behavior pattern is not consistent at all with the wise, all-inclusive directive of Shlomo Hamelech, "Chanoch Lenaar Al Pi Darko, Gam Ki Yazkin Lo Yosur Mimenu!" That the basis of Chinuch and Torah-living is the nurturing and nourishing of the uniqueness of individuality of the neshomo/personality that resides within each and every one of us! (Please see the commentary of the Vilna Goan on this Posuk. The Chazon Ish Emunah uBitachon C.4 #12 and Rav S.R. Hirsch in the beginning of Parshas Toldos.)

Instead, superficial external props have become our yardsticks and we spend too much energy and time on trivial matters – matters not of meaningful substance from a true Torah perspective.

And because we do not nourish a sense of unique individuality, we therefore are not able to develop a sense of connectedness - Not to Hashem; Not to His Torah; Not to His children - the Jewish community.

In my conversations with the children “drop outs”, I have found that generally they are more sensitive and honest to the hollowness of the façade-mentality performance that they are being presented with and it gnaws away at their souls. We, the adults, suppress and contain these disquieting feelings to a sufficient level that allows us at least, to “keep the show going”; Or we otherwise distract ourselves or rationalize them away. But these, of the younger generation, reject it as being dishonest and no longer want to engage in the charade. Indeed, cavalier, shallow attitudes and behaviors, besides being inconsistent with the pride we have in ourselves of being a sophisticated people, is also terribly dishonest with ourselves in regards to our performance.

And truth be told, it is this superficiality that energizes the resistance for implementing the necessary changes to address the above issues #1 & #2 of this essay.

Another folly that our façade-mentality and performance brings about is the deluded thinking that we can successfully execute a ‘perfect cover-up’. In our conditioned pattern of thought, we believe that, of course if we hide and/or ignore the evidence, then everything will be just fine. We become very frustrated and humiliated when we find out that just because we want to “Keep It Quiet”, there are others who do not want to cooperate. This is especially true in our day and age of “instant” communication and “omnipresent” technology. The parable of the Emperor’s Clothes is well known. If what we preach is not what we do, then we leave

ourselves wide open to be the subject of parody, ridicule and Chilul Hashem.

Hence, when we attempt to impart our beliefs and Hashkofos to others, if we are merely chirping lip service, then we will not be able to accomplish the desired effect. No matter how vociferous we are, it is irrelevant. The hollowness within us is transmitted more effectively.

This begins to open the door and throw some light of understanding on the paradox, “how can such depravity as pedophilia co-exist within a Chosen people? And even in those who have all the trappings of the elite of our nation?”

Indeed, it is the ‘Conspiracy of Superficiality and Complacency’ that perpetuates and compounds the cycle of abuse and geometrically increases the profundity of the consequent physical and spiritual damage to each individual victim; and to us, as a community and people - the Chosen People, the Holy Nation.

We had cited and described at the outset of this essay a plethora of social/societal ills that are festering unaddressed in our communities. Based on my experiences of more than the 2 decades that I have had the charge and privilege of dealing with these problems (‘in the trenches’, so to speak) on a very practical, daily basis, I would like to conclude with the following, which, at one and the same time, is very subtle and sophisticated and yet simple and uncomplicated.

Above we had already expressed the criticism that the superficiality has extended to even how we perceive ourselves internally. In actuality however, it is profoundly deeper!

My study of these issues has made it clear to me, that we, as a people, have become overcome, almost as if possessed, by a compulsion to maintain a facade of infallibility and perfectionism.

At all costs, as if our very life depended upon it, we need to protect our public visage, and put a 'positive spin' on any and all of our actions. Being somewhat less than perfect or slightly blemished is just simply intolerable. Never mind what we feel like inside, it's the countenance that counts! So indeed the cause/result relationship is the other way around! It isn't our superficiality of deed that is influencing and affecting our attitude; but rather it is our compulsive attitude that is informing and affecting everything else that we do.

And this would indeed be very bad news!

Rav Yisroel Salanter posited a century and a half ago that our behaviors and actions, in spite of us being Baalei Bechira, are more governed and influenced by subconscious motivators; more so than by conscious decisions. And his demonstrations of this phenomenon are more than adequate to establish that this is the reality of our human existence. This would be very distressing. So how can we ever have realistic expectations at modifying ourselves and our actions? No matter how much effort we invest consciously at rectifying our attitudes, how in the world are we going to be able to alter the buried subconscious?

Nonetheless, the words of the Chazon Ish and my experience in working with many so-afflicted people teaches me that at the same time this really is a source of good news and hope.

However, before, I present the words of the Chazon Ish, I would like to delve and explore the nature of the problem just a little bit more.

Those who have studied the source material and the subject matter of issue #1 of this essay, realize that these behaviors are none other but manifestations of the classic symptoms of a traumatized person (and people). (I.e. simple, repetitive, rigidly-structured, status quo activities with little or no depth and certainly no motivation to grow or change.)

The rest of us, who have not as yet been enlightened, are inhibited by a lack of information or an unwillingness to accept, that we, communally and individually carry the legacy of Hitler, Stalin, Nasser, Arafat et al, ymsv'z.

In reality, however, this should not be of any surprise to us – neither that we have been so affected, nor that many of us choose to deny the effects. Does not the Torah foretell: והייתם משוגע ממראה ? עיניך ? That we will suffer a derangement of proper thinking as a result of the Tzoros of the Tochocho!

To which Yeshaya clarifies and expounds: שכורת ולא מיין ; Our behavior patterns will parallel those of a drunkard in the inability to make wise appropriate choices and of following through on commitments.

The definition of deranged thinking (referred to by the Torah and Yeshaya) is not limited to just an extreme case of a raving, flailing madman. Putting “one’s head in the sand” and pretending that a mortal danger does not exist, or to continue self-destructive behaviors in spite of contrary evidence, more than adequately classifies as “deranged thinking”!

To return to my basis for optimism and hope; The Chazon Ish (Kovetz Igros; Torah; #2) gives a profound and startling directive to a struggling Talmid, “The main thing to keep in mind at all times is that everything is in the hands of Heaven; EVEN growth and upward movement in understanding Torah and acquisition of Yiras Shomayim IS ALSO in the hands of Heaven..... If so what is there for us mortals to do? DAVEN! Our success in ALL (literally all) of our endeavors is solely dependent on our Davening..... Moreover Hashem desires and is just waiting to hear our voices.....

So here is the very simple solution to the most complex and difficult challenges that confront us.

Our first and foremost challenge that requires our courageous attention and maximum effort is to jettison our aura of infallibility and face the reality that confronts us. We must modify our perceptions of our self and our deeds and come to accept our imperfections at a soul-depth level and not let the complacent Gemuetlichkeit defeat us.

Rav Yisroel Salanter has taught us though, that left to our own devices, this is a formidable, probably insurmountable task. But the Chazon Ish shows us the way. If we would but just honestly beseech Hashem to help us jettison the false aura that has become so entrenched in our psyche, and honestly commit to the “legwork” that needs to be done, Hashem will open the doors.....

As Rabenu Nisim expressed in his famous Viduy of Yom Kippur Koton:

“The protocol of Your heavenly court is unlike the protocols that govern human courts.

In human courts, he who denies the charges is acquitted and he who admits guilt is culpable.

However, in Your heavenly court, the opposite is true!

He who denies, woe to him! and woe to his soul!

But he who is contrite and penitent, You deal mercifully with him!”

Reb Tzadok HaCohen (Tzidkas HaTzadik #44) writes that, “he, who has been deceived and misled by the wiles of his base nature to a very extreme degree, should not despairingly resign himself that he is sullied and damaged beyond repair. To the contrary, the extreme degree of his iniquity is none other than an indicator as to the great magnitude of his capacity to be a receptacle for intense love and passion for the pursuit of absolute truth.” (He merely needs to change his focus - which Reb Tzadok proclaims, in Resisei Laylo, echoing the words of the Chazon Ish, is achieved through Tefila.)

Indeed Reb Tzadok is only paraphrasing the words of Shlomo HaMelech:

(קהלת ז:י"ד) that the realm of Avodas HaShem is to be likened to a pendulum. To the degree that it swings in one direction, to that exact same degree is the potential for the precisely opposite movement.

In Summation: the challenges that are confronting us, require of us to heed the words of Gedolei Avoda quoted by Rav Hutner (Pachad Yitzchok, Rosh Hashana #29 end):

"Teshuva Is Nisht Der Taitsh Besser Verren; Teshuva Is Der Taitsh Andersh Verren."

(Teshuva is NOT being better and doing better.....)

The essence of Teshuva is (transforming oneself and) becoming a different person)

It is this critical element that we need to Daven for!

May we be Zocheh to hear the cry and implement the change!
Pinchos Yehoshua HaCohain
27 Shvat, 5770

I would ask the reader to consider the following excerpts in regards these topics:

(Nefesh international ListServe posting Wed, 14 Dec 2005 15:49:47 -0800 (PST))

I am surprised at some of the reactions that have been expressed. That [sexual] abuse occurs to the extent cited, that it occurs in schools, that it occurs by people in trusted positions [is an ugly open secret].

While the statistics state that one in four girls and one in six or seven boys are molested, I believe the rate for boys is underestimated. The shame for boys who are not supposed to be victims is greater, the recognition that this was abuse is sometimes more subtle and difficult to identify. (etc)

Today studies have shown that the impact, especially of long term abuse are reflected and reshape parts of the brain (etc) Studies on inpatient hospital patients diagnosed with BPD (Borderline Personality Disorder) have indicated that a vast majority have had a history of abuse.

I have found that when I work with the symptoms of abuse, those clients who have been exposed to severe neglect or emotional deprivation manifest the same

or similar symptoms as those of sexual abuse *sometimes severe neglect can be more symptomatic* (etc)

The child or person who has been abused can appear body perfect, no visible blemish on the outside. If we were to turn them inside out what would confront would oftime be the equivalent of a bomb victim.(etc)

Because there is no accounting or too little accounting or reporting of the offender they continue to work, receive honors within the community and continue to put our children at risk. Unfortunately, it is often the spouse who protects the offender or even the parents of the victims. In protecting themselves, or with the encouragement of some of the Rabbis to protect the offender, the rest of society is placed at risk. (etc)

[Although this following paragraph was recently published by *Israel 21c - October 29, 2009*), because it is awaiting peer review and critiquing, I am basing the balance of my remarks on the earlier, universally-accepted, findings that sexual abuse (molestation) is on par with other traumas.]

“While American and European researchers have already found that rape can cause severe psychotrauma , this new study builds on existing literature. The main point of this research is that rape victims are different from all other trauma victims. Even when compared with the trauma of war, a serious car accident, prolonged illness and the death of a loved one, the experience of being raped appears to have a more lasting effect than all other forms of psychotrauma, including terrorism, Israeli researchers found in a recent study.

The research is now being prepared for publication in an international peer-reviewed journal.”

Bessel A. van der Kolk, M.D.

Onno van der Hart, Ph.D.

Jennifer Burbridge, M.A.

*Originally appeared in S. Hobfoll & M. de Vries (Eds.), *Extreme stress and communities: Impact and intervention (NATO Asi Series. Series D, Behavioural and Social Sciences, Vol 80)*. Norwell, MA: Kluwer Academic. Note that this online version may have minor differences from the published version.*

Trauma Clinic, 27 Babcock Street, Brookline, MA 02146, Associate Professor of Psychiatry, Harvard Medical School

the resulting trauma sets up a response in which the body continues to go into a fight, flight, or freeze responses at the least provocation: traumatized people keep experiencing life as a continuation of the trauma, and remain in a state of constant alert for its return. Many traumatized people who have consciously put the trauma behind them continue to experience anxiety and increased physical arousal when exposed to situations that remind them of the trauma, or even to unexpected events such as loud noises, and go into fight/flight reactions, without necessarily being aware of the origin of these extreme behaviors.

Though the biological underpinnings of response to trauma are extremely complex, forty years of research on humans and **other mammals** have demonstrated that trauma (particularly trauma early in the life cycle) has long term effects on the neurochemical response to stress, including the magnitude of the catecholamine response, the duration and extent of the cortisol response, as well as a number of other biological systems, such as the serotonin and endogenous opioid system

On Wed, 6 Jan 2010 12:23:57 -0500 "Jim Hopper"

hopper@nmr.mgh.harvard.edu writes:

Dear Rabbi,

This article from Bessel [van der Kolk] is from the late 1990s, and rather dated. There's increasing evidence that it is a vast oversimplification, not only in terms of the more widespread deficiencies in awareness and regulation of emotions and bodily arousal, but also because it ignores the profound effects trauma can have on what is referred to as the brain's 'reward' circuitry.

This impairment of multiple brain circuitries involved in fear, reward, and other fundamental aspects of organismic regulation significantly disrupts the biological foundations of:

- meeting basic physiological needs like food/nutrition
- regulating states of physiological arousal, emotions and impulses
- wanting and seeking constructed needs (eg for the latest mobile phone) and objects of addiction (not only alcohol and drugs but also pornography, gambling, etc.)
- wanting, seeking and being able to enjoy truly fulfilling goals and experiences that promote genuine wellbeing, including experiences of autonomy/freedom, competence and relatedness
- wanting, seeking and being able to enjoy spiritual needs, including alignment of oneself with God's law.

Another important aspect to keep in mind is that the extent of dysregulation and/or impairment cannot be predicted with precision because of many factors (besides those mentioned by Bessel) that have been shown to modify the effect.

Among these are:

- social/relational context of the trauma - who the perpetrator was; how others responded to the trauma;
- how important the meanings people assign to traumatic events are, especially meanings about their worth and capacities as human and moral beings (which are not merely disembodied cognitions)

Jim

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Besides childhood sexual abuse (CSA) 9 other categories of **Adverse Childhood Experiences (ACEs)** have been identified. They are: 1-*Emotional abuse*, 2- *Physical abuse*, 3-*Emotional neglect*, 4-*Physical neglect*, 5-*Battered mother*, 6-*Household substance abuse*, 7-*Mental illness in household*, 8-*Parental separation or divorce*, and 9-*a Criminal household member*. **All of these can adversely affect the developing brain in ways that result in emotional, social, and cognitive impairments, increasing the risk for substance abuse, depression, suicide, and a variety of other problems.**

Under Emotional Neglect are included that which is described in Marsha Linehan's and James Jones groundbreaking works as "Invalidating Family Experiences".

(Linehan:)

1- The Chaotic family - little time or attention is given to the children. Needs of the children in such a family are disregarded and consequently invalidated.
2-The Perfect Family - zero tolerance for any negative emotional display from the children. "Why Can't he/she just control their feelings!! Perhaps they should just pray more! [or concentrate on their learning or Mitzvos]
3-The Typical ("Western Culture") family – emphasis on cognitive control over emotions. And to define and focus on achievement and mastery of such cognitive control as the only criteria for successful "self-control".

(Jones:)

A very ubiquitous pattern that exists in our families is the over-controlling parent (mother or father or both). The parent –child relationship is just one of complete domination and entanglement that suppresses self-expression and

prevents individuation of the personality of the child. Although appearing initially as successful parenting, in the long-term it brings disastrous results. The internal dynamic of this style of parenting in reality, just breeds resentment, repressed seething anger and rebellion, or to the other extreme complete helpless passivity, on the part of the child.....

Now within the context of the preceding data, I would ask the reader to consider these excerpts of a HaModia (Fall, '02) series of articles.

Holocaust Survivors' children based on interviews conducted by R. Lichtenstein

As mentioned previously, Holocaust survivors frequently maintained a code of silence, mainly because the pain was too deep — way beyond the scope of “normal” human experience — and also because they wanted to shield their children from pain.

Despite their parents' best efforts, the terrible trauma of the Holocaust left permanent scars on this population. Even without talking about their experiences, survivors' actions and attitudes told the bitter story in rough and blurry hues.

The following thoughts of survivors' children were gathered in extensive research, and represent feelings shared by thousands and thousands of “second generation Holocaust survivors“.

”My parents were among the tiny percentage of concentration camp inmates who didn't perish in that gehinnom. Whenever I hear the term ‘Holocaust survivors’ I can't help thinking, ‘What an anomaly. The concentration camps had no ‘survivors’, only remnants, crushed and broken refugees. Even those who didn't die didn't really ‘survive’ either.’ A part of them died in the concentration camps, as their souls and guts were wrenched out from them by the inhuman Nazis, day after day. Their minds, hearts and souls were never again whole, the pain of their past still burning inside..

”Hitler, ym”sh, did a very thorough job. My parents were never released from the camps. Physically, yes, but not emotionally. For the rest of their lives, their experiences affected the way they looked at the world“.

Another child concurs:

”Nightmares were a normal part of my mother's day-to-day life. During the day, she was amazingly successful in burying the past, but at night the deep pain that was right beneath the surface overpowered her. She was dragged right back to those torturous years, haunted by the ghosts of her loved ones who perished at different points of that endless trauma. She never shared those nightmares with

me, thinking she could protect me from pain forever. But I was a light sleeper, and woke up every single night to her anguished cries and incomprehensible shouts.

"When I asked her about her experiences, she brushed me off with pain-filled eyes. When her nightmares woke me up each night, I often wondered about her experiences, wishing that I could understand her and identify with her. From little snatches of conversation that I had overheard, I knew that some members of her immediate family had perished in the cattle-cars, dying from suffocation, hunger, thirst, or a combination of all three. I also picked up that her family had been in a public place with many other Jews when the Nazis surrounded them, arrested and deported them to Auschwitz, where they all perished, Hy'd, with the exception of my teenage mother".

Many children, despite the lack of familiarity with their parents' particular stories, identified so strongly with their trauma that they actually experienced "flashbacks" themselves.

"Less vivid, but no less debilitating, was my chronic fear of public places. If I attended any type of gathering of Jews, even a tzeddaka function, I was always afraid that at any moment the Nazis would come and arrest us all. I only daven in small shuls for this reason".

Broken in body, mind and spirit, the Holocaust survivors sought refuge from the overwhelming loneliness that engulfed them. They had a mission: to rebuild the decimated Jewish nation, one family at a time. They married, and invested their whole lives into this mission.

Consequently, their children meant everything in the world to them. Most survivors had no parents, and often no siblings. Their children were not only the focus of their day-to-day existence; they also represented the future, and the link to the past .

"I have four names. When I was born, my parents didn't know if they would have any more children, let alone girls. So I was named after both grandmothers, and two beloved aunts .

"And it wasn't just the names. I was expected to eternalize them. I had to fulfill their individual goals, strive to accomplish their dreams, and give life to their neshamos. Can you imagine the burden I was shlepping all my life, trying to fulfill these missions"?

Holocaust survivors sacrificed everything for their children's happiness. They wanted their children to have what they didn't .

"My mother always motivated me to succeed in school, to cherish the opportunity to learn, which she never had. She never even finished elementary school. But she got an education that one never forgets. She graduated from a jungle, where she fought for her survival daily, fending off wild 'beasts' in human guise. My job was relatively easy. All I had to do was concentrate on my studies. I had no other responsibilities, no pressures ".

But, despite their intentions to shield their children, they could not control their fear. It surfaced in myriad ways, from overprotectiveness, to constantly

repeating instructions, to tremendous difficulty in allowing their children to go on trips, etc.

"When I was growing up, all my friends' mothers acted like mine, being Holocaust survivors. I was in for a shock when I befriended a girl whose Polish-born parents lived in Canada during the war. When I visited her for a few days, I felt that I was on a different planet. What happened to all the instructions mothers were supposed to give? No one paid attention to the food she wasn't eating, throwing it in the garbage carelessly; no one told her to put on a sweater, or to call when she got to her destination. No one hovered over her and worried about every step that she took. Maybe her mother didn't care, I thought. Maybe she didn't love her".

Survivors' children, who represent a very unique segment of our population, grew up with their parents' suppressed pain and torment, haunted by vague but grotesque images that also made them increasingly vulnerable to experiencing deep pain and anxiety.

Consider the following testimony, from survivors' children:

October, 2001: I always knew that disaster was going to strike again. My parents nurtured us on this feeling, that Jews could never be safe anywhere until Moshiach comes. It was not a question of "if" something was going to happen, it was only a question of "when".

But children of Holocaust survivors have not relaxed. They have absorbed their parents' history and their warnings, their worries and their fears.

Our lives and our attitudes have been permanently affected by our parents' experiences, even though we didn't often talk explicitly about them .

We were always told to dress warmly "just in case"; likewise, we were chided not to throw out any edible food, "because you never know." Nor were clothing or other items discarded either, "just in case."

Holocaust survivors are shackled by guilt and shame, remembering a relative who perished; whom they think may have been "more worthy" of survival than they themselves. This misplaced sense of guilt can be devastating, especially when childhood memories reinforce the superiority of the victims. In other cases, dormant feelings of sibling rivalry surface when childhood memories and experiences are reawakened and reexamined from a very painful vantage point.

When storm clouds were gathering over Europe, too many people dismissed it with a wave of the hand. Why? Paradoxically, both because of the eternal optimism of Jews, and because of their helplessness .

But the main impediment was the incredulity, the sheer absurdity of the reality that was going to unfold. Very few people took "Mein Kampf" seriously, because it just couldn't happen. Certainly not in Germany, where Jews enjoyed unparalleled positions of power in every realm of that "progressive" country, probably a standing unique since Spain's Golden Age.

Well, as a child of Holocaust survivors, I know that anything can happen, anywhere. Yes, even here in the benevolent United States of America, where we

have to thank Hashem every day for this wonderful haven. But, if we recognize that He is the master planner, He can just as easily turn the hearts of our hosts against us, chas v'shalom, in the blink of an eye, as history has proven.

Dear Rabbi,

Thank you for the essay you sent me. In a word: WOW!

Did you see the "Children of the Lager" piece (pg 451 in this volume) in the Project Witness supplement to the Sept 1 2009 issue of Hamodia. Mrs. Lichtenstein returns to the topic of the 2002 series you quote -- some of quotes are similar, but one new one stands out. (If you don't have the updated essay, I'll make a copy and drop it off.)

*David remembers that he could never tell his parents about his problems. "I was afraid to cause them more pain. **They have no idea who I really am.** But I have always believed that my parents are at the very edge of the cliff, and I am terrified of causing them that one more bit of pain that would push them over it."*

The boldface is mine -- what a prescription for addiction!

A Grateful SA in Recovery

Daas Torah - Issues of Jewish Identity

Tuesday, August 30, 2011

Unique Chareidi issues with child abuse - Jerusalem Conference on Abuse 2011

When I started seriously researching the issue of abuse several years ago, I was informed that contrary to common belief - child abuse is a problem for the chareidi world just as it for the rest of the world. Unfortunately it is still a common misconception. I still get comments that abuse is rare in the chareidi world and so it is claimed that all this talk about this disgusting topic is just giving the wrong impression that there is a serious problem and it is polluting the purity of the environment.

Even among the enlightened ones there is a strong feeling that the seriousness of the problem should be publicly minimized. In fact one of my friends cautioned me - "even though it is true that abuse is the same as the rest of the world but it is a chillul haShem to say such a thing. You can bring about needed change by mentioning there is a problem - why publicize that we are as bad as the goyim in this area."

Last week there was a conference on child abuse in Jerusalem. Dr. Bunzel - a prominent frum psychiatrist from Bnei Brak and one who has a close working relationship with Rav Silman made a number of important observations.

1) the rate of abuse in the Chareidi society is actually higher than in the outside population. There are some chareidi abusers who have abused hundreds of kids.

2) Many of the chareidi abusers don't understand the problem with what they are doing. They say, "But I didn't know that this behavior is assur. It is something I don't want others to know that I am doing but the Torah doesn't prohibit it" The problem is that many don't have words for sexual activity and don't really understand what the Torah prohibits. Even when they do, they think that if there is no genital intercourse with the child above 3 for a girl and above 9 for a boy - the physical contact which gets them aroused is not prohibited. They ask, "Where does it say in the Torah that you can't touch or look or take pictures or show pictures or movies to kids. where does it say that oral sex is prohibited? The goyim prohibit these things but that is not what the Torah says and we are only concerned with the Torah!" Perhaps worst of all

they have no awareness that what they are doing to the child is destroying the victim.

3) Bnei Brak is a paradise for perverts because it has a naive population of children who don't understand that the unpleasant acts that someone is doing to them is sexual abuse and even if they realize it no one is going to call the police - especially not their parents. That is because that would be a violation of the horrible sin of mesira which they views as more serious than the abuse itself. Typically their rabbi will tell them he will take care of the problem - but don't go to the police.

4) Chemical castration is often the only thing that changes the molester and even that is not 100% successful.

Posted by Daas Torah Daniel Eidensohn <yadmoshe@012.net.il>

Hashem,

Please Grant US:

Courage

Wisdom

Serenity

Courage & Wisdom

To Seek & Face the Truth!!

and

Courage:

To Change the Things We Can;

Serenity:

**To Accept the Things We Cannot
Change;**

Wisdom:

To Know the Difference!

גלוי וידוע לפניך שלא לכבודי עשיתי,
ולא לכבוד בית אבא עשיתי,
אלא לכבודך עשיתי,

כדי שיהו מים (= תורה)
מלויין לעולי רגלים (= מצקשי פניך) (תענית כ.).

וכדי שלא ירצו מחלוקת בישראל (מגילה ג.).
פרש"י - לפרש מקראות סתומים

ואנא לא יחשדוני ביחיד המרגיל לחלוק על
המרוצים (פרש"י ז"מ נ"ט:)

ואני תפילה וכו'