

Should School Children of Varying Backgrounds and Levels of Observance be Segregated?

By: AHARON HERSH FRIED

Less than two years ago the Jewish world was filled with news of a battle over the separation of Sefardi girls from Ashkenazi girls in a school in Emanuel, Israel, and the alleged discrimination that resulted from such separation. As is usual when there are differences in the Orthodox/Chareidi world, all of Israel including its police, its legislature, and its judicial system, not to speak of the media and much of Diaspora Jewry, became involved, each with its virulent opinion and position on the matter.

Eventually, the matter was settled, or at least quieted, partially by the assertion that the discrimination was based not on ethnic grounds, but rather on religious grounds. The segregated Sefardi girls were said to be of a lesser level of religious observance than were the Ashkenazi girls, thus the two groups needed to be separated. This was seen as a justifiable separation. The premise was that the less or differently observant would negatively influence the more religious, and that this justifies proactive segregation of children from different kinds of homes.

It is this premise that I would like to address and question in this article. Do less observant students in a school influence the students who come from more observant backgrounds? And even if so, does this justify the segregation of students of different backgrounds from each other?

In the following pages I will address the following observations and concerns:

- I believe that the premise has been accepted as a truism without examination and needs to be questioned.

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- I am concerned that the implications of this unexamined “truism” are being overused to justify the exclusion, and often the degradation, of many children and families in our communities.
- I believe that policies instituted based on this premise are harmful not only to those it causes to be excluded, but also to those it invites in and embraces.
- I believe that the policies instituted in schools based on this premise run counter to the wisdom and the directives of *Gedolei Yisrael*.
- I believe that these policies are divisive and harmful to *Klal Yisrael*.
- I am concerned that these policies are for the most part driven by a “*daas baalei batim*,” i.e., parental pressure brought to bear on the educators.
- I am troubled by a suspicion that the parental pressure emanates from a loss of faith in our ability to educate and train (to be *mechanech*) our children in Torah and mitzvos.

The pervasiveness of the premise and its application:

The premise that children of varying levels of religious background and observance should be in separate groups has become fully accepted amongst most laymen and many educators. It has resulted in the establishment and proliferation of different schools for each color and shade of observance. Thus we have separate girls schools and *chadorim*, boys schools, for the children of the Modern Orthodox, the *Yeshivish*, and the *Chassidish*. Within these categories schools are defined by an ever expanding set of criteria, such as Modern Orthodox co-ed and Modern Orthodox separate education, yeshivish but limited to the children of current *b'nai Torah* (i.e., currently in *kollel*, excluding even those who have left *kollel* for the rabbinate), and *Chassidish*; not only of the various sects or groups, but also of greater levels of *Chassidishkeit*. This is often defined by greater strictures and more sheltering, or, by whether the child's father trims his beard or wears a “down-hat,” how the mother

dresses¹ and whether she drives a car, whether a boy wears his *peyos* behind the ears or in front, and whether a *bochur* wears his *talis katon* on top of his shirt or underneath, and in non-chassidic yeshivos, whether his shirt is white or colored. In most cases the delineations are in fact difficult to define and recognize in any way other than by the “kinds of families” the children come from, i.e., whether the family is “*fun unsere*,” one of us, or not, “heimish” or not. These definitions beg for clarification and justification.

This differentiation amongst children and their families, and the decision of which children may share the same school bench, often expresses itself within the very same school, when children are separated, usually by parental demand, into the more-*frum* and less-*frum* classes. This often occurs against the better judgment of the *mechanchim*, the educators, who are forced to implement these divisions. Sometimes separations are demanded and made as early as kindergarten, and where a division into separate classes is not possible, those separations are made in the same class, when children are placed in different “reading groups.”

Now while I would probably have to admit that one’s child’s prospective classmates are at least one of the points to consider in deciding on a school for one’s child, I find it hard to accept the situation we now face where it has become, for all practical purposes, the ONLY consideration, overriding all others.

Longstanding and well-documented peer-reviewed research² has demonstrated that no single factor, variable, characteristic, or situation by itself can be said to cause, predict, or explain any significant aspect of children’s development. Rather, children’s development depends on many individual factors interacting, many modifying the effects of other factors, and together as a whole influencing the course of development. Much research, for example, has been done

¹ This is not usually limited to Halachik criterion. Socially approved styles tend to be as decisive. Thus a woman’s wearing denim, long floor length-dresses, or large earrings may disqualify her child’s acceptance in a school.

² See for example: Richard Jessor, “Successful Adolescent Development Among Youth in High-Risk Settings,” *American Psychologist* 48, 1993, 117–126; “Taking Stock of Risk Factors for Child/Youth Externalizing Behavior Problems,” *NIH Publication* No. 02-4938, November 2001.

on what factors contribute to children's developing or not developing a repertoire of aggressive behavior, anti-social behavior, and/or rule-breaking behavior. Many factors have been found to be involved, some serving as "risk factors" and making a negative outcome more probable, and others serving as "protective factors," militating against negative outcomes. Some of the factors shown to be involved are: (a) Personal characteristics of the child, such as intelligence and temperament, (b) Family characteristics like stability in the home, the lack of or the presence of strife in the family, the nature of the parenting, the child's experiences, and the kind of communication patterns that characterize the home, (c) The role models, both adult and peers, that the child is exposed to, (d) School, whether or not he succeeds there, academically and socially, and also how much monitoring of student behavior is done in a school, and how much emphasis school personnel place on fostering and enforcing proper behavior, (e) The kind of community the child lives in. These factors interact and influence each other. Thus children in school can influence each other for the good or for the bad. In which direction the influence occurs when two children befriend each other will depend on many factors other than just their propensity for negative or positive behavior. It may depend on factors like academic success. A child who is failing in school is more likely to gravitate to, and be influenced by, friends who engage in rule-breaking behavior than will a child who is successful and feels accomplished. Similarly, a child who comes to school with a sense of trust in his home and parents will less likely be influenced by negative role models. And, a child who is aggressive is more likely to gravitate to rule-breaking behavior. The positive influence of school personnel can also mitigate the negative effects of school failure as well as those of negative role models. Even the existence or non-existence of after-school recreation programs acts as a moderating factor.

Children's development is thus dependent on what has been called an interacting "web of causation."³ Children surrounded by the best of role models but failing in school are likely to reject all the available positive peers and instead seek out the one child inside

³ Jessor, *ibid.*

or outside his school who is also failing, with whom he can identify, and who may teach him about apathy and rebellion. Even in good schools, some children deviate from the norm in their behavior. Thus, no one factor should decide the route to take in planning a child's education, and yet, it often is.

A young man in Monsey, New York who was interested in opening up a school for boys drew up a list of points for parents to consider in choosing a school for their children. These included items such as the quality and cleanliness of the school building, the length of the school day, the organizational structure of the school, the school's emphasis on *midos* and *yir'as shomayim*, the level of learning and the composition of the parent body. He then presented this list to people he knew and asked them to rate the criteria presented and prioritize them by how important they would be in making their decision. He found that by far, the composition of the parent body was the single most important criterion. This, among other reasons, convinced him to abandon his plan for a new school.

Problems with the pervasive and wide acceptance of this premise:

There are many problems and unforeseen or unintended consequences associated with the widespread acceptance and single-minded adherence to this premise, and especially with its becoming the sole criterion for parental decision making.

Thus for example, what happens when a child has educational needs that cannot be met in the school with the "ideal" parent body? I have seen many such cases, but describing one should suffice.

I tested a boy of 8 who was attending a Yiddish-speaking school and doing poorly. The assessment showed him to have a difficulty with understanding and speaking English, his native tongue and the language of his home. I explained to the parents that this boy stood little chance of doing well in a Yiddish-speaking school, where in addition to Hebrew and Aramaic he would need to learn in Yiddish. I suggested moving him to an English-speaking *cheder* or Talmud Torah. The parents were extremely reluctant to do so because, as they put it, they so love the parent body of the school they are in; it is just the right level of *frumkeit* and *heimishkeit*. They insisted on keeping their son in that school and somehow finding a way to help him overcome his language difficulties there. They came to

regret their decision. The boy continued to do poorly, and fell further and further behind his peers in his ability to learn Chumash, Rashi and Gemara. When it came time to find a yeshiva high school for him, the only one that would accept him was a special education school whose population of children and their behavior was farther from the parents' ideals than the options they'd had available only a few years earlier.

Parents are running scared. Many are terrified of the thought that their child will be "at risk" and possibly drift "off the *derech*." And for this reason they will fight tooth and nail to get their child into and keep their child in what they perceive to be a "safe environment." They fail to see that what may be a safe environment for some children may not be a safe environment for their child. A safe environment is one in which a child is learning successfully and thriving in personal development as a human being and as a Jew: emotionally, spiritually, behaviorally, and socially.

It is bad enough when uninformed and even scared parents make the wrong choices for their child. It is aggravated by educators who not only endorse but also create and foster an image of their schools as "safe havens" or "protected and insulated institutions" in which children can grow as *frum yidden* and outside of which they are in danger. Over the last few years a number of institutions have opened, both for boys and for girls, in the New York area and outside it, whose sole *raison d'etre* was stated not in terms of better learning or better *midos*, but as more protective and more insulated than the existing *mosdos*. I must say, it worked as a great "selling point"—these schools quickly filled up.

How does a school, especially a new one, establish its credentials? By not accepting certain children! When the word goes out that the children of such and such "undesirables" were not accepted, the new school is seen as holy and safe. This has driven some existing schools to find families in their schools that they could expel (i.e., not reaccept for the coming school year) and thus reestablish their reputations as "*kadosh*," holy and pure.

In many schools where getting rid of the less-desirable elements was not feasible, the by-now longstanding tradition has been to create a two-tiered system of classes. Thus either from the bottom up, or from the 5th grade Gemara class and up, children are divided into

Alef and Beis classes, a.k.a. the *yeshivish* and non-*yeshivish* or *frum* and *frummer*, or, in some schools, into classes camouflaged as the Yiddish or English classes (with parents who have no special desire that their children learn in Yiddish being told to opt for the Yiddish class if they want their child with the right classmates). In some schools these divisions are ostensibly based on academic ability, but are a camouflage for segregation based on family background.^{4 5}

Placing children of different backgrounds in separate classes in the same school reminds me of a very “*frum*” Chassidic butcher store in a city that shall remain unnamed. It sold two kinds of meat, one of a lesser level of kashrus supervision. The proprietors of the store did not label the meats separately. Instead they took it upon themselves to decide to whom to sell meat of which level of kashrus. Thus for example, clean-shaven customers were likely to be sold the lesser-kashrus-level meat, this in spite of their choice to

⁴ In one school, in an effort to stop this way of organizing classes and instead place children of varied backgrounds and abilities in the same classrooms, I became involved in a debate with one of the young leaders of the yeshivish faction of the school. This man argued: “Why mix the classes? The way it was, when we had better and weaker classes, the better *Gemara kep* (heads) got what they needed and wanted, and the weaker ones got what they needed and wanted, and everybody was happy!!” I asked him, “And what would you have us do with a boy from a yeshivish family who has a weak aptitude for *Gemara*?” Without a moment’s hesitation he said, “You put him in the better class!” All too often, ability grouping is used to hide the reality of segregation by family background and community affiliation.

⁵ In a paper recently disseminated and reviewed in the *Teacher’s College Record* (Anthony Buttaro, Jr., Sophia Catsambis, Lynn M. Mulkey & Lala Carr Steelman *Teachers College Record* Volume 112 Number 5, 2010, p. 1300–1337, <<http://www.tcrecord.org>> ID Number: 15670) it is reported that “The most intensive use of in-class ability grouping exists in schools that serve high proportions of minority students...” and this is not only because the population of minority students is more varied in its abilities and preparedness for learning to read. The authors point out that “The association between student body composition and use of this instructional practice remains even after variability in student academic skills and other structural characteristics of schools are accounted for.” In other words, where a “need” to segregate is felt, the “instructional” practice of ability grouping is more likely to be implemented.

buy their meat in this “super-*frum*” and Chassidic butcher store.⁶ When a parent sends a child to a *cheder* or school, should we not assume that s/he wants the same level of “kosher” education for his/her child as does the more visibly *frum* parent?

Do we not realize that where we place a child becomes a self-fulfilling prophecy? Teachers who are given the less-desirable class will lower their expectations of their students, who will oblige them by learning less, and eventually by caring less. This is simply the old Pygmalion effect documented time and again in classrooms (Rosenthal & Jacobson 1968, 1992), and also in other settings, that children (and other humans) will live up to the expectations we have of them. Thus if a teacher expects his/her students to do well, they will do better than if the teacher expects them to do poorly. The parents of our students may not always be aware, but the children are seldom unaware of their placement in the less-*yeshivish* or non-*yeshivish* class. Children who are told by their schools that they are not *yeshivish* will become just that.⁷ Some may even go further. If the school personnel also convey a message that less than *heimish/yeshivish/chassidish*, or whatever you wish to call it, is essentially not fully Jewish, they will leave Jewish practice, saying that they “don’t match up after all.”

Finally, this divvying up of children and placing them in different settings, be they different schools within a community or different classes within a school, serves to divide us as a people. It creates or at the very least encourages “us” and “them” perceptions, in the eyes of parents as well as in the eyes of children. This is of course even stronger in schools in which students are explicitly forbidden to fraternize or play with students of the “other” school. Does anyone believe that this contributes positively to the children’s *midos*? Is the intellectually better class, the socially more prominent class, necessarily the class with better *midos*? The

⁶ No, this story is not made up to make a point. I am personally familiar with the people and circumstances involved.

⁷ In one school I worked with, a 7th grader told his rebbe, “I don’t need to know Gemara, our family is not *yeshivish*.”

MaHaRaL writes⁸ that when we are divided as a people we are increasing the degree to which we are in *golus*. Is this permissible?⁹

The MaLBiM (as cited in the ספר הכרמל), in defining the difference between the terms שונא, אויב and צר, writes that whereas the אויב wishes to destroy his enemy, and the צר is actively attacking and working to destroy his enemy, the שונא does not wish the other pain or destruction, he merely wishes to stay away from him. He abhors him for some reason, be it correct or even baseless, and wants to stay away from him.¹⁰ The MaLBiM points out that the Torah's admonition of לא תשנא את אחיך בלבבך includes this "abhorrence" and the wish to stay away from the other. Given this interpretation, the לאו prohibits us even to merely wish to distance ourselves from another Jewish person.

There are those who might suggest that this prohibition of שנאה may pertain only to people who behave properly, according to the dictates of the Torah and Halacha, but not to those whose behavior is less than desirable. As the Gemara (פסחים ק"ג ע"ב) states, according to one opinion it is מותר, permissible to have שנאה against those who transgress, while according to a second opinion, it is actually a מצוה, a commandment to have שנאה, i.e., to abhor and distance oneself from the sinner. However, this argument ignores Tosafos (ד"ה שראה) (בו דבר ערוה) who clearly state that the "permissible" or "obligatory" שנאה to a חוטא should not be allowed to deteriorate to a שנאה גמורה. Should we not be concerned about the level of שנאה that we introduce in כלל ישראל by separating even our youngest children from each other, often on rather spurious concerns? Can our children not even see a Jew who keeps Torah in a slightly different way than we

⁸ *Sefer Netzach Yisroel, perek 25.*

⁹ And I would further ask: Can we not draw a direct line between the accepted division of Jewish children in our school systems to the despicable actions of the few in places like Bet Shemesh, Israel who spit on little children because they are different?

¹⁰ ההבדל בין שונא לאויב וצר הוא, מה שהשונא שנאתו היא נעלמת בלב והוא היפך אהבה, ושנאתו אינו גלויה כמו באויב ומכל שכן שהוא בלתי לוחם ומצויר בפועל כצר. כי השונא אינו מבקש רעתו להזיקו על פי רוב, רק נבדל ממנו ומרחיקו וסיבת השנאה יהיה שמואס בו או מפני מדותיו הפחותים או גם בלא טעם.... ולכן באר לפעמים "לא תשנא את אחיך בלבבך" שהוא אזהרה גם על השנאה שבלב לבד. ופעל שנא נמצא גם על דברים הגיונים כמו 'שונא שקר', 'שונא בצע', 'שונא גזל'...

do, whose חומרות are different from ours, or who has no חומרות but follows the שולחן ערוך, without becoming negatively influenced and reduced in their fervor for their own parents' chosen way of life and teachings?¹¹

Possible sources for the practice:

These separations are often bolstered by *vertlech* such as:

We are told that when יעקב אבינו was still in the womb he wished to escape every time his mother passed a בית מדרש. But why would he do that? Was he not being taught תורה by a מלאך while in his mother's womb? Surely he could not expect to find a better רבי in the בית מדרש? But the answer is obvious. His חברותא in the womb was עשיו, and when you find yourself in a situation with such a חברותא, you leave, even if the רבי is a מלאך.

It is, I imagine, possible to base a defense of this segregation on the words of RaMBaM in the 6th perek of הלכות דעות.

It is natural for a man's character and actions to be influenced by his friends and associates and for him to follow the local norms of behavior. Therefore, he should associate with the righteous and be constantly in the company of the wise, so as to learn from their deeds. Conversely, he should keep away from the wicked who walk in darkness, so as not to learn from their deeds. This is [implied by] Solomon's statement (Proverbs 13:20): "He who walks with the wise will become wise, while one who

דרך ברייתו של אדם--להיות נמשך בדעותיו ובמעשיו אחר רייעיו וחבריו, ונוהג במנהג אנשי מדינתו. לפיכך צריך אדם להתחבר לצדיקים ולישב אצל החכמים תמיד, כדי שילמוד ממעשיהם; ויתרחק מן הרשעים ההולכים בחושך, כדי שלא ילמוד ממעשיהם. הוא ששלמה אומר, "הולך את חכמים, יחכם; ורועה כסילים, ירוע" (משלי יג, כ). ואומר,

¹¹ It is sad to note that some in our generation have become derisive of any call to change our behavior based on its negative impact on אהדות and on אהבת ישראל. I have actually heard it said "There is too much talk of אהבת ישראל." These people are of course reacting to the misapplication of the concept by those outside of Orthodoxy who demand that we accept their attempts to permit the forbidden. However, we need to be careful to not ignore our responsibility to אהבת ישראל in areas where it is halachikly imperative. See the *Mishna Berura's* comment in the first *se'if* in *Shulchan Aruch, Orach Chaim*, where he cautions against becoming habituated to negative and aggressive behavior towards even scoffers and sinners. Should we not take heed?

associates with fools will suffer." Similarly, [Psalms 1:1] states: "Happy is the man who has not followed the advice of the wicked." (תהילים א,א).

A person who lives in a place where the norms of behavior are evil and the inhabitants do not follow the straight path should move to a place where the people are righteous and follow the ways of the good. If all the places with which he is familiar and of which he hears reports follow improper paths, as in our times, or if he is unable to move to a place where the patterns of behavior are proper, because of [the presence of] bands of raiding troops, or for health reasons, he should remain alone in seclusion as [Eichah 3:28] states: "Let him sit alone and be silent." If they are wicked and sinful and do not allow him to reside there unless he mingle with them and follow their evil behavior, he should go out to caves, thickets, and deserts [rather than] follow the paths of sinners as [Jeremiah 9:1] states: "Who will give me a lodging place for wayfarers, in the desert."¹²

וכן אם היה במדינה שמנהגותיה רעים, ואין אנשיה הולכים בדרך ישרה--ילך למקום שאנשיו צדיקים, ונוהגים בדרך טובים. ואם היו כל המדינות שהוא יודען ושומע שמועתן נוהגים בדרך לא טובה, כמו זמננו זה, או שאינו יכול לילך למדינה שמנהגותיה טובים, מפני הגייסות או מפני החולי--ישוב לבדו יחיד, כעניין שנאמר "ישוב בדד ויידום" (איכה ג,כה). ואם היו רעים וחטאים, שאין מניחין אותו לישוב במדינה אלא אם כן נתערב עימהן ונוהג במנהגן הרע--ייצא למערות ולחווהים ולמדברות ואל ינהיג עצמו בדרך חטאים, כעניין שנאמר "מי ייתנני במדבר.." (ירמיהו ט,א).

Then there is the widely accepted principle in yeshivos that although one should almost never expel a student, there is an obligation to do so if he is spoiling others.

I have heard some support the separation of their children from others by citing the Talmudic principle of *אין אומרים לאדם חטא בשביל "שיזכה חברך"*—(שבת ד ע"א) "We do not tell a person to transgress (in a small way) in order that his friend benefit [and be saved from transgressing in a major way]." Thus it is argued, "I am not obligated to place my child where he may be exposed to a negative influence in order that other children benefit from a good *chinuch* and good influence." However, this principle can be applied only by ignoring the intricacies of the *sugya* and principles emanating from it.¹³

¹² Translation from Chabad.Org, *Texts and Writings*.

¹³ For a brief but thorough treatment of the *sugya* I refer the reader to an article by קשר: עלון ישיבת הר עציון, דף קשר 1038 published in 1038. *Daf Kesher* is available on line at <<http://www.etzion.org.il/dk/5766/1038mamar2.html>>.

Tosafos commenting on the above גמרא state that in the case of a מצוה רבה, a great mitzvah, the principle does not apply, and one can tell one to even transgress a smaller mitzvah for the sake of a greater mitzvah. The רשב"א applies this not to any "great mitzvah," but only to a מצוה דרבים, a communal mitzvah. I would ask those who would apply the principle of אין אומרים לאדם חטא בשביל שיזכה חבירך to *chinuch*: When the original *takanah*, decree of Reb Yehoshua ben Gamla (בבא בתרא כא ע"א) was instituted requiring that instead of each father educating his own children, each town set up a Talmud Torah and educate its children there, did he not intend that all the children of that town attend, the non-*chashuvim* together with the *chashuvim*? Is *talmud Torah derabim* not both a מצוה דרבים and a מצוה רבה?

Then I have heard some quote a general rule, characterized as a "*kabbalah*, a hallowed tradition," that when it comes to the *chinuch* of your children, do not try to be מתקן (fix) the world, rather look out for your own child. I feel that this "*kabbalah*" is often invoked indiscriminately and applied beyond the bounds of the circumstances in which a rosh yeshiva may have said it to a student, and certainly without consultation. I would ask: does this also permit taking steps that will harm other children, i.e., demanding that a school separate children into segregated classes?

Finally, can we apply any of the above to students in an a priori manner? Can we, may we, assume about a prospective parent that he or his child will be a negative influence on the others because of some factor in the family background? May we reject the child based on such conjecture?

***Gedolei Yisrael* on the topic:**

The phenomenon we are describing is, for the most part, a bottom-up phenomenon. That is, it stems not from the leadership of the schools, and certainly not from the *Gedolei Torah*; it is driven by laymen, parents who send their children to school and wish to feel comfortable that their children are "safe," or in some cases, "elite."

In an encounter with Torah Umesorah *mechanchim*, parts of which I have described elsewhere, Reb Yaakov Kaminetsky, ztz"l said to us:

There are cities in which there is a day school, and in addition to the day school there is a *cheder*, a *frummer* school. If I would be asked where my grandchildren should be sent to, I'm not asked, but if I were to be asked, I would say, to the day school. Why? It's a more normal setting, children from different Jewish backgrounds, it's a broader exposure.

Rav Steinman *yb"l*, *Sblit"l*, attending a Torah Umesorah conference, famously told the *mechanchim* who were asking questions about whom to admit and whom to reject: "You would not accept Avraham Avinu into your *chadorim*, with a father like Terach!!"

Readily accessible on YouTube¹⁴ (הרב שטיינמן זועק על הגזענות בציבור) (החזרדי) is a conversation in which Rav Steinman is approached by the *menabel* of a *cheder* in Bet Shemesh with a *shaila*, a question. A widower with a child in his *cheder* married a woman from Bnei Brak and now wishes to enroll her son in the same *cheder*. However the *cheder* feels that the child, who is seen to come from a somewhat "more open, not non-*frum chas veshalom*, but more open environment" is not an appropriate candidate for their *cheder*. Do they have an obligation to accept her child just because this parent demands that they do so? Rav Steinman is incredulous at the question, and asks, "Of course that's what he wants to do. He got married and wants to send the child to the *cheder*. What should they do? Send the child to America?!" In the give and take that follows Rav Steinman reiterates again and again that the *cheder* should accept the child. At one point he stops and says, "Besides, who can assess and establish whether the child is suitable or not?" When the *menabel* interjects that one of the parents in the school says he can, Rav Steinman retorts that that is only *gaivah*, haughtiness. When the *menabel* says that this parent is actually a very *choshuver yungerman*, Rav Steinman retorts with, "*Ah choshuver? Grois gaiiva*. Don't think for a moment that it's *yiras shomayim*, it's *gaiivah*." When the questioners interject that the *yungerman* feels that these children will negatively influence his child, Rav Steinman reiterates that it all stems from *gaiiva*. He then relates how in Brisk there was a Talmud Torah run by the kehilla where he and at least some of the Brisker

¹⁴ < www.youtube.com/watch?v=vMOZNcbuzEM > .

Rav's children attended along with the children of the simple folk and the less than meticulous (*"alleh paraches, alleh julikes hoben dort gelernt"*). There were some "better" people in town who started a more elite school and sent their children there. "The town Talmud Torah was good enough for the Brisker Rav, I learned there as well," Rav Steinman says, "but not good enough for them." He ends by asking, "and do children not become spoiled in good *chadorim* as well?"

Rav Steinman's position was not merely a directive to schools to accept children, while allowing parents to segregate their children into increasingly narrower circles. When parents came to receive his blessings for a new elite girls school in Jerusalem, Rav Steinman, instead of giving them his blessings, told them to scrap the plans for the school and re-register their daughters in the local Bais Yaakovs in their neighborhoods. Over the next week, he gave the same directive to many others who asked. He said, "There is no inyan whatsoever to be frummer than Bais Yaakov. Anyone who registered their daughter at an elite school should negate the matter and re-register in the Bais Yaakov schools." Rav Steinman is quoted¹⁵ as explaining: "The Bais Yaakov schools do an extraordinary job in educating our girls, and there are a number of reasons why developing more "elite" schools is unwarranted. One reason is that **it is important that the parents understand that a child raised in a manner that is disconnected from her friends, can and does ruin the child forever. Children learn with their peers and the elitism can be most destructive to them**" (my emphasis).

The Satmarer Rav, Rav Yoel Teitelbaum, *ztz"l*, established a *cheder* in a neighborhood outside Williamsburg. Although some of those living in this neighborhood did live up to the standards the Rebbe had set in Williamsburg, a significant number did not. There was a question of whose children to accept. The Rebbe *ztz"l* instructed that all children who wish to be accepted in the *cheder* be accepted. "If they accept our *chinuch*," he said, "they will stay and thrive. If they reject our way of *chinuch*, they will eventually leave

¹⁵ The events in this paragraph and the quotes are cited as reported in the 5 Towns Jewish Times, Monday, July 25, 2011: <<http://www.5tjt.com/local-news/11089>>.

of their own accord.” Of those who entered, many more stayed than left.

The Chazon Ish, *ztz”l*, was strongly against any student being expelled from a *cheder* or yeshiva and often insisted that children who did not seem to fit the mold be accepted into strong yeshivot. On one occasion when a *bochur* was expelled from a yeshiva, he reacted with the following:¹⁶

- I don’t understand, he said. Have you ever heard a hospital to expel a patient because he is too ill?! If he is ill, he belongs in the hospital!
- A yeshiva expels a boy because he is not as he should be. Well if he is not as he should be, where should he be if not in the yeshiva?
- But the answer is that the individual does not interest them. All that matters is that their enterprise (i.e., organization, yeshiva, cheder, school and the like) continue to function.

Rav Samson Raphael Hirsh, *ztz”l*¹⁷ spends much time extolling the value of schools

...that do not cultivate social distinctions, schools that... are equally open to children of all social classes. In these schools the children of the rich sit side by side with those of the poor, sharing the same bench, engaging one another in fair competition in scholastic achievements and in the performance of their duties, and receiving equal treatment, equal consideration, equal attention, and equal recognition. At such schools the children learn to recognize and to implement a truth that holds good for all strata of society: the only quality to be sought and respected in every person is the human quality... his moral and intellectual accomplishments.

But the segregation of children into different groups, and at times their rejection from our schools, certainly in spirit and prob-

¹⁶ I heard this from Rav Aryeh Weinberg, *sblit”a* of Jerusalem to whom the Chazon Ish said this. It has since been published in the 4th volume of the *sefer Maaseh Ish* by Zvi Yabrov, Bnei Brak 5761, p. 46.

¹⁷ Rav Samson Raphael Hirsch, *Collected Writings of Samson Raphael Hirsch*, Volume VII, Feldheim Publications, 1992, pp. 108-109.

ably also by the letter of the law, runs counter to the *takana* that originally established public education in *Klal Yisrael*, namely, *Takonas Yehoshua Ben Gamla*.¹⁸ The Gemara tells us that because the situation in Eretz Yisrael at the time of the second Beis HaMikdash was such that only children who had fathers were taught Torah, the Kohen Gadol, Yehoshua Ben Gamla, instituted an edict that teachers of Torah be established by and in each and every county and each and every city in Eretz Yisrael and that children enter at age six or seven. The Acharonim¹⁹ write that the edict of Yehoshua ben Gamla changed the very nature of the mitzvah of בניכם ולמדתם אותם, teaching our children. Up to the תקנה this mitzvah was a responsibility of each father to his son. תקיב"ג took the responsibility for this mitzvah of בניכם ולמדתם אותם away from the individual father and placed it on the shoulders of the community. The community as a whole thus became responsible for each and every one of its children. This had significant practical implications. The Rogatchover Gaon was asked²⁰ whether a Jewish school may institute an admissions policy accepting only stronger students. He ruled that it is prohibited, based on *Takonas Yehoshua Ben Gamla*, which obligates each community to take responsibility for all of the community's children. Would it, should it, be different for children from "weaker" homes? And is the *Takona* only for fatherless children, or also for children whose fathers cannot take proper responsibility for their children's spiritual growth?!

Why, in view of the above, should there be so many children who spend months at home because they have no school to go to? (No, it is not always about tuition.) Why should it be necessary to get a rabbinic edict from Eretz Yisrael to close down all of the schools in a town until all of its students are placed? Should not all children be accepted into all of our schools?

Why is it that many *bnei Torah* insist on *yeshivish* and non-*yeshivish* classes in their children's schools to the point that, given a

¹⁸ *Bavli, Baba Basra* 21a.

¹⁹ Bnei Yissoschor in *Tamchin D'Oiraisa, Sefer Nehora D' Oraisai*, מאמר חמישי פרק א' סע"ק 1; see also Ohr Sameach on RaMBaM, first commentary in *Hilchos Talmud Torah*.

²⁰ Responsa *Tzofnat Paneach* Vol. 2, Chapter 17.

contentious situation, they are unwilling to put the question to their own *roshei yeshiva*? The *menabel* of a *Bais Yaakov* related to me recently how he had a class of girls who were not getting along with each other. Seeing no way to remedy the situation he finally decided to remix the classes so as to create a calmer, more congenial mixture of children. This meant remixing the children and in the process doing away with the preexisting *yeshivish/non-yeshivish* divide. One of the fathers adamantly refused to go along with it and kept badgering the *menabel* to stick to the status quo. What's more, he would not agree to the *menabel's* proposal that the question be put to this parent's *rosh yeshiva* (who was not the *menabel's rosh yeshiva*), instead opting to pull his daughter out of the school.

I can hear the answer. *Because no matter how many pshetlach and rationalizations anyone can muster, parents still wish to protect their children, and children do need to be protected from outside influences.*

Some anecdotal data

I mentioned above that I was once involved in abolishing in a school the segregation of the children into *yeshivish* and *non-yeshivish* classes. This school catered to a population of children who spanned the spectrum from the children of *roshei yeshiva* and *b'nei kollel* to children from Modern Orthodox homes, all the way to those who were not committed to Jewish practice at all. Because there was much opposition to my plan, I interviewed many of the teachers who had been teaching at the school for 25 years or more. I asked them how many children they remembered who had come to the school from Modern Orthodox homes and were now kollel yungeleit or kollel wives. After a moment's contemplation they said it was in the tens, probably in the hundreds. I then asked them how many children they knew who had come from *yeshivish* homes and become less observant by coming in contact with the children from less observant homes in the school. They could not think of one.

I discussed this question with relatives and friends of mine who remembered the influx of children from Hungary into our day schools in 1956. Many of these children perforce came with weaker and more open backgrounds. They had been exposed to more than most of us had been. And yes, there were some negative influences that accompanied these children. However, all agreed that they

were short-lived and limited, most of the immigrant children eventually fitting in and adopting a *frummer* lifestyle, many becoming strong *bnei Torah*. The same probably holds true for the Russian immigrants that entered regular day schools and yeshivos.

The unacknowledged motive:

I suspect that one reason that parents insist on keeping their children away from the slightest possible exposure to anything they fear, is that they do not believe that the schools or they themselves can counteract even the smallest negative exposure. They doubt their ability to educate their children, to enable them to discern right from wrong, but most important, to withstand the pull of the attractive but forbidden. They don't trust themselves to imbue their children with the *emunah* and conviction that it is good and important to exercise self-control. They feel unable to build in their children the inner commitment to ethical and moral principles and ideals. We seem to have essentially given up on education as a strong enough positive influence. In such an atmosphere all we have left is a defensive stance.

This is most obvious in the area of *midos*, where I have heard parents, teachers, and educators express the feeling that we cannot be *mechanech*. Allow me to cite an example or two.

This past June the boys of a Brooklyn yeshiva ketanah high school were alleged to be harassing its neighbors. It seems that during their midday break the boys were rowdy, making much noise and throwing objects into their neighbors' backyards and at their windows. At some point, it seems that after having directed numerous complaints to the school administration to no avail, the neighbors called in the media. Seen on the evening news was a newsman talking to the administrator of the yeshiva (through a mesh door). In response to the newsman's question as to why the yeshiva allowed the boys to continue harassing the neighbors, the administrator answered, "We can't do anything. Boys are boys. You cannot control them."

This response is not an isolated incident. I heard it from a principal of a boys school who, when asked why he did not stop his students from harassing the students of a different boys school with which his school shared a property, answered, "*men ken nisht*

kontrolliren kinder,” you can’t control children. I heard it from the administration of a yeshiva where the boys were constantly involved in fistfights. I heard it from the administration of a girls school in which some girls were being catty and socially isolating one of their peers. And I heard it from a parent who challenged a school’s very strict disciplinary measures taken against children who hit other children. “How can you make rules against human nature?” this parent protested. A lack of knowledge and expertise, not knowing how to intervene, leads to a lack of resolve to change things, and eventually becomes ennobled as a “*shita*” in *chinuch*, i.e., “Adults should not get involved when children bicker or fight. It is important to allow them to work it out amongst themselves.” Unfortunately, the ramifications of such an attitude go much farther than just the area of children’s social relationships, it eats at the very core of our *chinuch*.

This approach assumes and accepts as reality the idea that children are not changeable, that they are who they are, i.e., their natures are basically inborn and you cannot “legislate” these natures away with school rules, or with the use of positive and negative consequences. Nor can you change them by talk, i.e., with *mussar*. Thus we rarely speak to our children of attaining spiritual heights, or of self-improvement.²¹ We make the unspoken assumption that these will either happen on their own, or won’t happen; it all depends on the child’s nature.²² The best we can do is provide them with a clean wholesome environment that will not contaminate

²¹ This sentiment is captured well in the title of Rabbi Dr. Abraham J. Twerski’s book *Self-improvement? I’m Jewish! : Overcoming Self-defeating Behavior* (Shaar Press / Artscroll Mesorah Publications, 1995).

²² It is interesting that this position, at its core, closely resembles that of the “Nativists” in philosophy and education. Writers like Jean Jacques Rousseau (1712–1778) held that adults should allow children to grow and mature naturally, and not interfere in their upbringing, certainly not with disciplinary measures, and for the most part, not even with educational intervention. Allow the child to develop on his own, to explore his world, and his natural inner beauty will reveal itself, could be described as their mantra. This led to the progressive education approaches of Henry David Thoreau and others. This is hardly the directions that observant religious parents would choose for their children.

them with heresies or with the attractions of the all-pervasive world of the *yetzer hora*. In this vision the world is often depicted as a *mabul* and the *cheder/yeshiva* as a *teiva* in which to seek shelter.

Children are then sent to *cheder* not so much to learn as to be kept safe. In such an atmosphere of fear, it's every person for him or herself—each person works hard to save his own children. People worry little for each other. Most important, each person wants to be able to say, “*ani es nafshi ve'es nefashos ansbei beisi hitzalti*,” I saved my soul and those of my family. Little consideration is left for others.

To summarize: The practice of segregating children is harmful. It is extremely harmful to the children being discriminated against (i.e., the weaker student, the student coming from the less Chassidish or less yeshivish home, or from homes that are less ethnical, or culturally different from the community's majority population), and I would suggest that the permissibility of this practice needs to be examined. We need to ask, is this just, is it *ישר בעיני יי*?²³ Parents may see problems in their children learning with and being exposed to children from other backgrounds. I will not suggest that this is totally problem free. I would, however, suggest that the solution our communities have implemented is questionable and creates even greater problems.²⁴ Furthermore it often harms even the “better” student whom it is meant to advantage, as when it fosters elitist tendencies and bad *midos*. It harms the entire Orthodox Jewish community by dividing us and by giving rise to the unintended consequence of the most extreme elements in our society engaging in what we all agree is despicable behavior by denigrating those whose observance differs from their own. At another level, it

²³ The reader would be well served by reading the Netziv's פתיחה לספר ספר בראשית published in his Chumash *Ha'amek Davr* at the beginning of ספר בראשית.

²⁴ By definition a solution to a problem can be considered such only if it does not create greater problems. The Tchebiner Rav, *ztz"l* on hearing of a solution being suggested to solve a very real communal problem, noted that the proffered solution was contrary to halacha and therefore could not be the solution. He interpreted the *posuk* (Mishlei 21:30) אין חכמה ואין עצה לנגד השם as saying that if an עצה is נגד השם, contrary to the שולחן ערוך, it is certainly אין עצה, not a solution.

is especially painful to see parents making decisions for their children's *chinuch* that are based on one-dimensional criteria, as when parents think only about the makeup of a class or school and fail to consider the full range of their child's behavioral, psychological, and educational needs.

I have not offered any solutions to this problem. They would all perforce be utopian and unrealistic, in short *היילכתא דמשיחא*, solutions that only Moshiach's coming can implement. It is my hope, however, that at least some parents reading this will take the time to consider all of their child's needs before placing their child in a school. And, but perhaps this is asking too much, that parents allow and trust the *menablim* and *menahalos*, the principals of their schools, to create properly balanced classes, taking a multidimensional perspective that gives weight to the various needs of their *talmidim* and *talmidos*. This could benefit many children. If we achieve this, even to a small measure, this article will have been worth writing. ❧