

COMMUNICATIONS

MATERNAL IDENTITY

TO THE EDITOR OF TRADITION:

I wish to comment briefly on Rabbi J. David Bleich's "Survey of Recent Halakhic Periodical Literature: Maternal Identity" (*Tradition*, Vol. 19, No. 4 [Winter, 1981], 359-360). In his excellent review, Rabbi Bleich presents Rabbi Moshe Hershler's view that maternity is determined by the act of parturition as well as Rabbi Menashe Grossberg's position that maternity is the result of conception. While Rav Hershler's ruling is grounded primarily in halakhah, Rabbi Grossberg draws his support from aggadah and the appropriate comments of the *Kotnot Or*, on the relevant midrash. Rabbi Bleich concludes by citing the often quoted Gaonic ruling "that halakhic principles are not derivable from aggadic sources".

May I note, nonetheless, that the thesis of the *Kotnot Or* has already found expression in the *Moshav Zekeinim* and the *Perush Hatur Ha'arokh*, Gen. 46:10. By asking the same question as the *Kotnot Or*, as well as giving the identical response, the *Moshav Zekeinim* and the *Tur* clearly imply that they too accept the premise that the maternal relationship is established through conception rather than through birth. Whatever the inter-relationship between halakhah and aggadah may be—a subject which as yet awaits proper treatment—the weight of authority of *Tosafot* and the *Tur* must be reckoned with.

Furthermore, while Rabbi Grossberg may come to his conclusion based upon aggadic sources, Rabbi Yehuda Gershuni arrives at the same conclusion—namely, that conception is the legal determinant of maternity—based exclusively on halakhic grounds. See: *Sefer Kol Tosafayikh*, pp. 363-364. Cf., however, the view of Rabbi Ovadya Yosef as contained in an unpublished responsa, quoted by Moshe Drori in

his article "Genetic Engineering: Preliminary Discussion of its Legal and Halachic Aspects", 1 *Techumin* (Winter, 5740), 280 at 287, 289, 290. Rabbi Yosef maintains that conception is not the essential factor in maternity.

The above-cited "aggadic" sources may, perhaps, be squared with a third possible position—that the woman who provides the requisite genetic material is indeed the legal mother. See: Rabbi Moshe Soloveichik, "Halachic Determination of Maternity in Cases of *In Vitro* Fertilization," *Or Hamizrach*, Vol. 29, Nos. 1-2 (Nos. 100-101), Fall 1980 (pp. 122-128).

Dov I. Frimer
New York, New York

TO THE EDITOR OF TRADITION:

We have been much indebted to Prof. Hillel Goldberg's enlightening series on the Israeli scene. In the second part of his column in *Tradition* 19 (2) we were treated to an in-depth picture of the important work of Makhon Yerushalayim.

I feel, however, that in Prof. Goldberg's "brief foray into the history of Jewish publishing," (pp. 164-166), it would be an omission to remain silent regarding a significant development in the printing process itself. I refer to the change in the printing industry created by the perfection of the photomechanical (photo-offset) process of printing, especially in the 20th century. This method allowed for easy reproduction of previous editions of earlier prints in general and of *seforim* in particular. Because of this "photomechanical" revolution in printing, some of the best editions of 19th century Judaica were able to be reprinted, and earlier scholarly editions (such as the 1523 Venice edition of the Palestinian Talmud which is the accepted standard for quotation) were made available to the general public. In addition, over the years, this process was greatly

perfected and became cheaper (in producing new editions from earlier ones). With the reduction in comparable cost, more *seforim* were published and republished; and one no longer felt the need to be overly discriminating in what material reached print.

I, therefore, wonder, if the increased availability of *seforim* today is due specifically to the Holocaust, as Prof. Goldberg claims (p. 165); or rather, to the advances (both technological and monetary) in the photomechanical process of printing.

Recent years have seen increases, indeed, in other ways of preserving what has been said in the "tents of Torah." Many are the *talmidim* in our *yeshivot* today, who rush to copy (xerox) the notes of their rebbes' *shiurim*. Is this because of "the strong feeling that every manuscript . . . must be printed" and saved; or is it indicative of the cheap availability of xerox-copying machines to college youth in general? In other words, is it a specific Jewish phenomenon, or is the amount xeroxed by *talmidei hayeshivot* comparable to that of university students for secular courses. I recall a few years ago when a "packaged deal" was offered to the *talmidim* at Yeshiva University: for about \$100 one could acquire approximately 5,000 xeroxed sheets (filling 2 big boxes) of the Rav's notes on various *masekhtot* and topics. Was there any significance to this plethora of the Rav's Torah becoming available at that juncture, or did it just indicate a former talmid's access at the time to a cheap source of xeroxing?

Let us proceed further, The idea of "Torah Tapes" is becoming more common today. At least for the present (until video cassettes and video recorders become accessible to most), this remains the preser-

vation *par excellence*, of today's *shiurim* and Torah. The question is again: Is the "Torah Tape" phenomenon growing because of a "post-Holocaust rush" to hold to all that has been said in Jewish life, or does it only reflect a trend in our general culture, related to the ease and portability of cassettes and their recorders?

No one denies that there exist "too many" *seforim* on the market. I recall wondering, as a teenager, how much easier it must have been for *talmidim* of the 16th century who didn't have to study the ahronim, and how much easier for those of the 8th century who didn't have to study the rishonim and the like. But the point has always been that learning begets learning and *seforim* beget more *seforim*. In an age when printing has become that much easier and cheaper to produce, *al ahah kamah vekhamah!*

If we are to fault the publishers, it is not specifically in the number of books printed, but in the thick heavy paper, large print, and wide margins that characterize many of the *seforim* printed today which are, unfortunately, of dubious worth. It is to this that the main beneficiaries are "the publishers and the bookcase manufacturers."

In sum: while no doubt much of the printing immediately after the Holocaust was necessary to fill the void caused by the destruction of countless collections of Jewish books and manuscripts, the reason for the continued present "publishing explosion," I believe, is not related solely to the Holocaust, but rather, more directly to forces in the general publishing field that have made printing today easier and cheaper than ever before.

Rabbi Moshe Yeres
Brantford, Ontario

Quaytman, Wilfred, Ph.D., Editor

HOLOCAUST SURVIVORS

Special Issue of *Journal of
Contemporary Psychotherapy*

As one of the most catastrophic events of modern times, the Holocaust has had an indelible psychological impact on not only the thousands of survivors, but on succeeding generations as well. The legacy of this historic occurrence can be traced in an inordinately high rate of family conflicts, marital difficulties, childhood disturbances, and individual mental health crises among Holocaust victims and their children. In this important book, leading mental health professionals vividly document case histories of Holocaust survivors and their families, and provide key insight for treating the unique moral, psychological and philosophical problems of this tragedy-ridden population.

This distinguished collection of essays comprises the first Annual Holocaust Memorial Symposium of the New York Society of Clinical Psychologists. The most prevalent clinical syndromes are examined in detail, along with special guidelines and cautions for mental health professionals working in this crucial area.

“ . . . it is up to us, the survivors, to educate, share and help to bring home the full impact of our horrors. But it is also important to present, by our presence, the possible, the constructive, and the hope that we can survive, contribute, and continue to grow as individuals and as a people.”

—Herbert J. Freudenberger, Ph.D.
New York Society of Clinical Psychologists

Full Return privileges

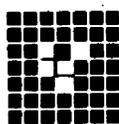
1980

88 pp.

LC 80-80071

0-89885-016-9

\$9.95



HUMAN SCIENCES PRESS

72 FIFTH AVENUE

NEW YORK, N.Y. 10011