

Orthodoxy in Transition:  
The Vaad Ha'ir of Montreal in the Twentieth Century

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A Thesis  
In the Department  
of  
Religion

Presented in Partial Fulfillment of the Requirements  
For the Degree of Doctor of Philosophy at  
Concordia University  
Montreal, Quebec, Canada

April, 2011

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CONCORDIA UNIVERSITY  
SCHOOL OF GRADUATE STUDIES

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DOCTOR OF PHILOSOPHY (Religion)

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## Abstract

### Orthodoxy in Transition: The Vaad Ha'ir of Montreal in the Twentieth Century

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In 1922, a group of eastern European Jewish immigrants joined together to form the Jewish Community council of Montreal (*Vaad Ha'ir*) to coordinate and organize the growing Jewish population's communal needs. Merging Orthodox and secular elements, the Vaad Ha'ir of Montreal was founded to manage the basics of Jewish life in Canada: reliable kosher food, Jewish education, communal cooperation, and mutual aid. Beset by struggle, competition, recalcitrant butchers, wayward kosher slaughterers, and conniving wholesalers, the Vaad's history has been an active one.

Centering this study on the archives of the Vaad Ha'ir of Montreal in the 1950s and 60s, I have identified the challenges faced by voluntary Jewish communal bodies in North America. Although the archives are mostly limited to the mid-century period, the analysis takes us beyond that point into the twenty-first century to examine how these changes have affected Orthodoxy in the long term. Questions of ethnic identity, Orthodox adaptability, and communal boundaries are reflected within the records of this community, and form the basis of my analysis.

Although the Vaad Ha'ir aspired to recreate a European-style communal council that would dictate virtually every aspect of Jewish life, as was the case in Europe, the new North American reality would not permit such authority. Faced with new social and legal circumstances, the history of the Vaad Ha'ir illuminates the struggle of traditional

Jewish communities in North America to address the challenges of voluntary societies and personal freedom. By the end of the century, the agenda of the Vaad Ha'ir of Montreal was decidedly narrower than previously. This winnowing of communal power and influence provides evidence that that European-style communal councils were not easily amenable to the new reality of individual liberties in the new world.

For MH

without whose love and support  
none of this would have been possible.

## Acknowledgements

I would like to thank all of the members of my committee: Dr. Julian Bauer, Dr. Lionel Sanders and Dr. Christine Jamieson for their time, thoughtfulness and effort into reading my work. I am indebted to the guidance, advice, and camaraderie that I have enjoyed these past few years with Norma and Leslie and I look forward to years more fun together. Words are difficult to describe the role of my supervisor, Ira, who also supervised my MA. Not only has he given me countless opportunities to publish and expand my academic career, Ira has always been available, reliable, patient and wise. I would not have accomplished as much as I have without his guidance. My sincerest thanks to all of you.

I would also like to take this opportunity to thank my dear friend and mentor, Donald Boisvert. I learned one of life's greatest skills from Donald: how to teach. I will be forever grateful for his friendship and his example.

What can one say to Tina and Munit, who provided TLC and a place to talk and vent to me — and hundreds of other graduate students — over the years? What we didn't talk about in that office! And like good caregivers, they yelled and prodded when necessary. I wonder how many people would have graduated without Tina or Munit?

Much gratitude to Janice Rosen and H  l  ne Vall  e who put up with me sitting in the CJC archives day after day, photocopying, babbling, yelling, and often retelling long-involved Vaad Ha'ir stories. Their knowledge and reliability made my research a far pleasanter task than it might have been.

Pierre Anctil   tait aussi pr  sent aux archives souvent et on a pu partag   de bons temps ensemble. Mais Pierre repr  sente beaucoup plus que   a dans ma vie. Il est devenu un ami et un mentor. Et il m'a g  n  reusement fourni des occasions de conf  rencier et publier en fran  ais. Mit noenkeyt.

Many others have helped and guided me along the way as well, and I appreciate each of them. I would like to thank Shannon Hodge, Eiran Harris, Eddie Paul and the staff of the JPL for their Jobian patience and constant helpfulness.

To my friends who listened and waited very patiently over the years, I thank you. Thanks for feeding me or distracting me when necessary. You made the moments between writing memorable. Thanks to Lucie, Susan, Mike, Chantal, Beth & John. I want to thank Sruly & Chavi and their family for their open hearts and welcoming home. They are truly examples to observe. זאל דער קליינע דאקטאר באלד אן עכטער ווערן.

Words do not suffice to thank my family for their love, patience, and support. My father's illness has limited his abilities, but not his pride or his love. Although it

has been several years, Matt, Mom, and Shari, you have been rocks. It has been difficult at times, and you have always been there. This has been a busy road, sometimes good and sometimes not so good, and yet, at every step you were there. That's what family is there for.

Rona, Alyssa and Ashley have inspired me. I want to be a model for you the way others were models for me. But, it seems like you're doing okay already. I will love and support you unconditionally, the way I was. I'll always be there for you.

In memory of little Alex. He is missed.

“The Jewish Community Council of Montreal (the Vaad Ha’ir) is so nearly unique that its development well deserves the serious attention of anyone interested in the community.”<sup>1</sup>

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<sup>1</sup> *Voice of the Vaad* (1962): 11. (CJCCCNA/ZB/Cohen, Hirsch/1962).



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### A Note on Sources, Citations, and Transliteration

This work is based on the archives of the Jewish Community Council of Montreal (known as the Vaad Ha'ir). The collection contains some thirteen linear metres of textual records, of which approximately four metres (about twelve banker's boxes) contain ledgers and financial records exclusively. The balance are filled with reports, minutes, and correspondence. I examined every box with the exception of those containing uniquely financial information. Not only were the finances of the organization not of germane interest to this work, a forensic audit merits a large-scale project of its own, beyond the skills of this author.

The archives are on permanent loan from the Jewish Public Library of Montreal to the Canadian Jewish Congress Charities Committee National Archives, where I consulted them. In about 1995-96, these documents were discarded by the Jewish Community Council of Montreal and through the help of Ira Robinson, Claire Stern, Beverley and Eiran Harris, of the Jewish Public Library in Montreal, and Janice Rosen and H  l  ne Vall  e of Canadian Jewish Congress National Archives, the documents were salvaged and catalogued and made available to researchers. The initial haphazard treatment of these important documents resulted in incomplete files and a truncated time line. While some documentation remained from the early period in the 1930s (treated in "The Vaad Early Years"), the bulk of the collection covered the late 1950s and the 1960s. Although the documentary evidence available to me was mostly limited to the mid-century, I used other sources to compensate, such as the archives of other contemporaneous institutions, publicly available documentation, and the local press.

For each document, the following is provided: originator, recipient, title, date, and archival source. The absence of any of these details means that such information is not extant. For example, sometimes all that remains is a carbon copy or a draft without full details. The archival reference to the collection is “Canadian Jewish Congress Charities Committee National Archives/Jewish Public Library/Vaad Ha’ir Collection/MB 09” and will be abbreviated to “CJCCCNA/JPL/Vaad/MB 09.” Box numbers and file names follow for specific documents. The other most common archives accessed are from the Jewish Public Library of Montreal, abbreviated JPL and the privately held Herschorn collection. Finally, Montreal’s Yiddish daily, the *Keneder Odler*, is abbreviated *KO*. When referencing a newspaper article, page numbers are provided when available.

About 90% of the Vaad archives are in Yiddish with some few in Hebrew and the balance in English. Unless otherwise stated, all translations are mine.

Foreign words are presented in italics the first time they appear in a chapter and will also be entered into a glossary for easy reference. Subsequently, all such words will appear in normal font. If a foreign term is only used once, it will be defined in the text only. I used commonly-accepted spelling for Yiddish and Hebrew words, rather than the confusing and formal guidelines for academic Yiddish. In other words, I chose to use *hasid* over the academic *khosid* because the former is far easier to recognize and found much more commonly. The glossary will also include abbreviations, and acronyms of the organizations and associations referred to in the dissertation. Finally, since there can

be variations on the English spelling of foreign terms,<sup>1</sup> I accepted the variant spellings as they appeared in direct citations, without noting the discrepancy.

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<sup>1</sup> For example, the Vaad Ha'ir is alternately spelled as Vaad Hair, Vaad Hoir, Vaad Heir.

## Chapter 1

### Orthodoxy in Transition: The Vaad Ha'ir of Montreal in the Twentieth Century

As a conservative religious movement, Orthodox Judaism of the nineteenth and twentieth centuries claimed unaltered fealty to its historical tradition. However, although much has been retained of past tradition, it is impossible for a movement to exist for over two hundred years without external influence or social change. Especially in light of the traumatic challenges of emigration out of its home in eastern and central Europe, and its re-establishment in many places, including the individualistic and voluntary societies of North America, Orthodox Judaism has evolved and changed. In this study, by looking at one Orthodox communal body developed by European Jews in Montreal, I will examine the larger question of how Orthodox Judaism transformed European communal patterns to a model more fitting to its new Canadian environment. In this dissertation, I will examine the roots and foundations of Montreal's Jewish Community Council (JCC) — also called the *Vaad Ha'ir d'Montreal*— in order to examine how one group of Orthodox Jews faced the challenges of establishing a traditional life in the New World. A secondary question relates to the specific organization examined. The Vaad Ha'ir of Montreal has long maintained an image of a successful European-style communal organization transplanted to Canada. It is therefore, of great interest, to examine the European roots and influence of this Canadian creation.

The confrontation between Orthodoxy and the New World was a dramatic one, compared by a young Hungarian rabbi who arrived in New York City in 1880, to “[...]a world turned upside down. People walk on their heads in Columbus's land, not their

feet.”<sup>1</sup> Challenges that North American life presented to traditional Jews in the late nineteenth and early twentieth-centuries were multiple. Emigration overseas and confrontation with a new culture were neither the only nor the first threats to traditionalists. Culture wars began for most of the immigrants while still in Europe with the advent of the *Haskalah* (Jewish Enlightenment), which advocated for a modern Jewish community, demanding changes in education, political and civil rights. Zionism, socialism, and secularism were new ideologies that endangered the traditional Orthodox pattern of acquiescence, patience and prayer in face of historical challenge.

The study of a group’s identity maintenance in the midst of a larger, multicultural society has strong theoretical bases. Frederik Barth argues that the most salient feature of voluntary identity is not the content or expression of that character but rather the boundaries that regulate and sustain identity. Many ethnic groups have maintained their distinctive nature within larger societies despite mobility, movement, and exchange across societal boundaries. This perspective highlights the importance and vitality of social and communal structures that allow for the maintenance of ethnic identity in spite of social, economic, cultural, and political exchange:

[...] Cultural characteristics of the members may likewise be transformed, indeed, even the organizational form of the group may change – yet the fact of continuing dichotomization between members and outsiders allows us to specify the nature of continuity, and investigate the changing cultural form and content.<sup>2</sup>

Concomitant to understanding cultural maintenance in multicultural societies is the fact that ethnic identity in North America, is voluntary and intentional:

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<sup>1</sup> Jonathan D. Sarna, *People Walk on their Heads: Moses Weinberger’s Jews and Judaism in New York* (NY: Holmes & Meier Publishers, 1982), 78.

<sup>2</sup> Frederik Barth, *Ethnic Groups and Boundaries: The Social Organization of Culture Difference* (London: George Allen & Unwin, 1969), 14.

It makes no difference how dissimilar members may be in their overt behaviour – if they say they are A, in contrast to another cognate category B, they are willing to be treated and let their own behaviour be interpreted and judged as A's and not B's; in other words, they declare their allegiance to the shared culture of A's. The effects of this, as compared to other factors influencing actual behaviour, can then be made the object of investigation... The critical focus of investigation from this point of view becomes the ethnic *boundary* that defines the group, not the cultural stuff that it encloses.<sup>3</sup>

Another important measure of ethnic organization is that of institutional completeness. Raymond Breton's research shows that the more institutionally complete an ethnic group is — i.e. the more services offered within the community — the less frequent the need of members to seek help outside the community which results in insularity and higher levels of in-group socialization.<sup>4</sup> By recreating the national-cultural values of the homeland, religious institutions help consolidate communal insularity.<sup>5</sup> Breton adds that it is important to examine how a community works collectively to respond to internal or external stimuli that directly affect its members.<sup>6</sup> The Vaad Ha'ir of Montreal is an excellent choice in examining Jewish collective activity in mid-century Canada because it responds to several of Breton's and Barth's criteria: namely a religious organization with national values attempting to create socio-cultural boundaries designed to enhance and preserve ethnic identity in a larger societal context.

There has been a recent burgeoning of literature on Orthodox history and adaptation, which is important to this study. Adam Ferziger<sup>7</sup> argues that, as modernity increased the frequency and flagrancy of non-observance in nineteenth century central

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<sup>3</sup> Ibid., 15.

<sup>4</sup> Raymond Breton, "Institutional Completeness of Ethnic Communities and the Personal Relations of Immigrants," *American Journal of Sociology* 70 (1964): 202.

<sup>5</sup> Ibid., 204-05.

<sup>6</sup> Raymond Breton, "Stratification and Conflict Between Ethnolinguistic Communities with Different Social Structures," *Canadian Review of Sociology and Anthropology* 15 (1978): 148-49.

<sup>7</sup> Adam S. Ferziger, *Exclusion and Hierarchy: Orthodoxy, Nonobservance and the Emergence of Modern Jewish Identity* (Philadelphia: University of Pennsylvania Press, 2005).

Europe, the Orthodox response varied from complete exclusion to a hierarchical setup that included both the pious and the less observant, such that the former were advantaged over the latter:

Indeed, the realities of modern society made differentiation between good and bad Jews necessary for Orthodox group cohesion, but they also proved that it was a less accurate barometer of Jewish identity. Thus, the tensions between exclusivist and inclusivist trends within Judaism became a focal point of Orthodox discussion. By expressing a view that saw the Jewish people both as a whole and as individual parts with a clear perception of who stood at the top of the pyramid, the hierarchical approach enabled Orthodoxy to remain loyal to Judaism's exclusionary tradition without ignoring its inclusionary one.<sup>8</sup>

The hierarchies as described by Ferziger were slowly abandoned for segregation from the less observant as the threats to traditionalism mounted. The switch from hierarchy to segregation is both a marker of Orthodox separatism as well as an indicator of change in the communal organization of the Orthodox world, and hence will be an important measure of social evolution in this study. David Kraemer's work<sup>9</sup> in which he analyzes how Jewish eating patterns influence and are influenced by identity maintenance is also an important source for understanding the significance of food as a marker in Jewish society. Kraemer's hypothesis — that historically food functioned as Jewish social boundaries — is an important one for my work. Whether from gentiles, as was the intent of some of the earliest Jewish food customs, or today's traditionalist Orthodox who use alimentary rules to distinguish themselves from their irreligious brethren, food represents one of Judaism's oldest and most significant manifestations of segregationism. Clearly, distinctiveness or divisiveness based on dietary laws is germane to a study of a

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<sup>8</sup> Ibid., 15.

<sup>9</sup> David Kraemer, *Jewish Eating and identity Through the Ages* (New York: Routledge, 2007).



kashrut organization. David Ellenson's recent book<sup>10</sup> illuminates traditional responses to the challenges of modernity. Although the bulk of his book examines the concerns of German Jewry and its problem of self-identification in light of the new trends of Reform and Positive-Historical Judaism, he does offer one chapter on Jewish values in the North American context. Focussing on the conflict between traditional Jewish values and the individual freedoms of North America, Ellenson illuminates how European-corporate models of the Jewish community and those of liberal America affected Orthodoxy. Jeffrey Gurock's history of Orthodox Jews in America<sup>11</sup> is a highly significant tool for my work. Not only does Gurock offer anecdotal and historical documentation on the history of Orthodox Judaism in the United States, but he also posits an important analytical tool. In his work,<sup>12</sup> Gurock refers to resisters and accommodators, which roughly translates to traditionalists and modern Orthodox, respectively. Although I do not utilize his exact terms, many of my analyses of Orthodoxy are informed by the important distinction he traced between those who espouse modernity and those who reject it. In his recent work, Samuel Heilman<sup>13</sup> traces the trend among Orthodox Jews today to pursue a more conservative, traditionalist ideology, advantaging the stringent opinion over the less restrictive. Although reluctant to predict patterns, Heilman shows how influential and demographically successful separatist Orthodoxy is in twentieth century North America. His tracing of the "rightward shift" among American Orthodox Jews is reflected in the Canadian community, and hence is central to my analysis of

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<sup>10</sup> David Ellenson, *After Emancipation: Jewish Religious Responses to Modernity* (Cincinnati: Hebrew Union College Press, 2004).

<sup>11</sup> Jeffrey Gurock, *Orthodox Jews in America* (Bloomington: Indiana University Press, 2009).

<sup>12</sup> Jeffrey Gurock *American Jewish Orthodoxy in Historical Perspective* (Jersey City, NJ: Ktav, 1996): 1-62.

<sup>13</sup> Samuel C. Heilman, *Sliding to the Right: The Contest for the Future of American Jewish Orthodoxy* (Berkeley: University of California Press, 2006).

change in the Orthodox world. Finally, Kimmy Caplan's well-researched work<sup>14</sup> on late nineteenth and early twentieth century rabbis arriving on the shores of the US also illuminates the dilemmas faced by Orthodox rabbis of the era, particularly the conflict between tradition and the New World. Much of what he describes is paralleled within the Canadian rabbinic community.

### Haredism and Elite Religion

While Orthodox Judaism may appear monolithic, it is in fact, a highly compartmentalized and structured community. In order to situate the history of the Vaad Ha'ir in context, we must understand a brief history of Orthodoxy. Orthodox Judaism was born in the nineteenth century when reforms, secularism and other non-traditional ideas began to influence the Jewish community of Europe. When custom no longer reigned supreme over Jewish communities and axiomatic traditionalism gave way to modern ideas, Orthodox leaders were forced to define their religious position in concrete and self-conscious ways. Out of this process were born many different Orthodox theologies, including religious Zionism, modern Orthodoxy, and *Haredi* Orthodoxy.<sup>15</sup> Where modern Orthodoxy accepted and adapted certain elements of contemporary culture and ideologies, Haredi Orthodoxy<sup>16</sup> rejected most modern philosophies as threatening or defiling. Jacob Katz explains the origins of Haredism:

According to Sofer,<sup>17</sup> Jewish tradition had to be preserved in its totality, not only as far as its contents were concerned, but also with respect to its form, its system of thought, and its linguistic expression. That this could only be done

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<sup>14</sup> Kimmy Caplan, *Ortodoksiya ba'olam hachadash: rabanim vedarshanim be-Amerika* (Jerusalem: Shazar Institute, 2002).

<sup>15</sup> In Gurock's terms, the modern Orthodox would be classified as accommodators, while the Haredim are the resisters.

<sup>16</sup> Although of biblical origin (Isaiah 66:2), the academic use of the word Haredi has become more popular recently, replacing the older and somewhat judgmental, Ultra-Orthodox.

<sup>17</sup> Rabbi Moses Sofer of Pressburg (Bratislava), 1762-1839, seen as the father of Haredism because he advocated complete rejection of modern ideas.

at the price of continued social and cultural isolation was clear to Rabbi Sofer and he was prepared to pay the price.<sup>18</sup>

Literally meaning to tremble, Haredim refers to those Orthodox Jews who reject the challenges of modernity by advocating a stringent and often maximalist interpretation of Jewish law based almost exclusively on texts rather than custom, within a separatist community with strong boundaries.<sup>19</sup> Chaim Waxman notes that Haredism — denying the individual personal choice — is associated with “the inevitable submission to the ultimate authority of the rabbinic scholarly elite.”<sup>20</sup> Although Haredism is traced to the mid-nineteenth century, its separatist ethos was initially limited to Hungary and Germany. The social isolationism that currently characterizes Haredism only truly manifested itself in eastern Europe in the pre-World War I and interwar period. Following the Holocaust, as I shall explain later, the social segregation associated with Haredi Orthodoxy achieved its fullest manifestation, and pre-modern Jewish communal unity no longer existed.

Conformity — as a manifestation of shared identity — is highly prized. The limitation of halakhic diversity to a single ideology requires communal obedience to the sages, who alone are given the authority to interpret the written sources.<sup>21</sup> Norman Lamm describes it as follows:

Unity, a great desideratum, is defined as uniformity. It is asserted that halacha, by definition, has one answer to every question — the halachic answer. Hence, diversity is essentially inimical to Orthodoxy. This view,

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<sup>18</sup> Jacob Katz, *Out of the Ghetto: The Social Background of Jewish Emancipation, 1770-1870* ((1973; reprint, NY: Schocken, 1978), 158. Indeed, many attribute to Sofer the prohibition on changing one’s language, dress or name, which is sustained within Hasidic circles.

<sup>19</sup> Menachem Friedman, “Haredim Confront the Modern City,” in *Studies in Contemporary Jewry, Vol. II*, ed. Peter Y. Medding (Bloomington: Indiana University Press, 1986), 75-76.

<sup>20</sup> Chaim Waxman, “The Haredization of American Orthodox Jewry,” in *Jerusalem Letters* (Jerusalem: Jerusalem Center for Public Affairs, February 15, 1998), 5.

<sup>21</sup> Bruce B. Lawrence, *The Defenders of God: The Fundamentalist Revolt against the Modern Age*. (San Francisco: Harper & Row, 1989), 123.

which makes up in consistency for what it lacks in communal conscience, is the working assumption of a large part of the Orthodox community. Because of its espousal of homogeneity, it naturally leads to the establishment of clear lines of authority, since there must be some arbiters to enforce uniformity and settle disputes.<sup>22</sup>

Menachem Friedman adds that the contemporary Haredi community is a product of two contradictory trends. While ostensibly based upon traditional norms and practices, Haredism, in rejecting the secularization of Jewish society, forms an elitist community organized in opposition to the trends of nineteenth century Jewish society. That elitism translates into a reliance on textual sources because traditional society is in such flux, a solid, unchanging source of law is needed, hence a return to textual tradition.<sup>23</sup> In this way, Haredism — despite its pleas to the contrary — is an entirely modern phenomenon.

Mary Douglas postulates that human social and religious behaviour is a product of an aversion to disorder. Douglas suggests that the drive to keep ideas, people, and movements well categorized — because that reduces human anxiety — also forces some simplified and often dichotomous unnatural divisions, such as inside and outside.<sup>24</sup> Such a Manichean division is a common feature of Haredi groups. Successful communities were created “by being Haredi, constantly fretful, anxious, and vigilant about their attachment to tradition, and by stressing the continuing importance of remaining behind the wall of virtue they had created around their insular enclave cultures.”<sup>25</sup> Haredism especially thrives, as Solovetichik posits, during periods of rupture.<sup>26</sup> In the words of

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<sup>22</sup> Norman Lamm, “Pluralism and Unity in the Orthodox Jewish Community.” In *Dimensions of Orthodox Judaism*, ed. Reuven P. Bulka (NY: Ktav, 1983), 272.

<sup>23</sup> Friedman, “Haredim Confront the Modern City,” 75.

<sup>24</sup> Mary Douglas, *Purity and Danger: An Analysis of Concept of Pollution and Taboo* (NY: Routledge, 2005), 2.

<sup>25</sup> Heilman, *Sliding to the Right*, 31.

<sup>26</sup> Haym Soloveitchik, “Rupture and Reconstruction: The Transformation of Contemporary Orthodoxy.” *Tradition* 28 (1994): 82. Mark Steiner argues that the rupture in Jewish life came with the decline in kehillah power, rather than emigration as Soloveitchik avers (Mark Steiner, “The Transformation of

Almond, Appleby and Sivan, “The community represents, as we have seen, a deliberate effort to preserve the essence (or fundamentals) of the tradition in an alien, post-traditional setting (within the limits set by an understanding of what this essence is).”<sup>27</sup>

Haredism may be understood as a separatist and conformist culture pursuing an elitist interpretation of traditional Jewish values, with an emphasis on rejecting modernity while advocating an ever-increasing singular viewpoint, most often dictated by the leadership. Soloveitchik describes it thusly, “A traditional society has been transformed into an orthodox one, and religious conduct is less the product of social custom than of conscious, reflective behavior.”<sup>28</sup> Haredi society also homogenizes by encouraging conformity in social behavior including linguistic choices and clothing styles. Usually associated with the idealization of “olden days” or the “home land,” implicit and explicit attempts are made to “recreate” the Old World, especially since the old is seen as better than the new. Lost is the irony that the freedom to develop such autonomous groups within the larger society was in fact a product of modern and pluralistic societies. Not only could such a community never have existed in pre-modern times, the attempts at recreating the Old World are obviously highly flawed, and hence projections of the values of the elders. Such idealizations reflect a greater emphasis on social and communal control than historical reality.

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Contemporary Orthodoxy: Another View,” *Tradition* 31 (1997): 46.) This begs the question of whether any kehillah movement was doomed to fail in North America since they were already on the decline in their original locales.

<sup>27</sup> Gabriel A. Almond, R. Scott Appleby, and Emmanuel Sivan. *Strong Religion: The Rise of Fundamentalisms around the World*. (Chicago: University of Chicago Press, 2003), 48.

<sup>28</sup> Soloveitchik, “Rupture and Reconstruction,” 71.

Finally, much of Haredi society — in its perceived need to save itself — has rejected the ancient notion of communal responsibility for all Jews. Haredi society has separated itself from the Jewish masses. As Menachem Friedman observes:

This, I believe, is where we must locate the genesis of Haredi religiosity as a social phenomenon — based, it is true, on a traditional way of life which it seeks to preserve, but tinged by a form of revolt against the pattern of life of traditional-religious society. It is a revolt directed toward ‘liberation’ from the ‘mass’ (*hamoyn*) and from established members of the community as an elite religious society. Haredi religiosity can thus be defined as the religiosity of an elite.<sup>29</sup>

Others have also noted the innovativeness of traditionalist Jews demanding institutional separation from the larger Jewish society. Charles Liebman adds:

Whereas isolation from non-Jews is encouraged, distancing oneself from other Jews is a problem. It has only become *halakhically* normative in the modern era. In fact, I suspect that one difference between groups of modern and pre-modern Jewish extremists is that the latter had to develop a distinctive program and elaborate world view to legitimate their isolation from and/or hostility toward the Jewish community.<sup>30</sup>

A local Montreal group of rabbis from all denominations addressed the same problem in the early 1960s:

There can be little doubt that the very survival of the Jewish community depends on the degree of unity we can muster. This is an era of growing denominationalism and interreligious rivalry that was unknown a generation ago. Orthodoxy, Conservatism and Reform, are competing all the way down the line. There is much to be said for this. It bespeaks life and a vibrancy and a vitality. But there is a point beyond which denominationalism must not go. There are areas where *Klal Yisroel*<sup>31</sup> — the total fellowship of Israel is involved, which should not be allowed in competitive hands.<sup>32</sup>

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<sup>29</sup> Friedman, “Haredim Confront the Modern City,” 75.

<sup>30</sup> Charles S. Liebman, *Deceptive Images: Toward a Redefinition of American Judaism* (New Brunswick, NJ: Transaction Books, 1988), 30.

<sup>31</sup> The entirety of the Jewish people.

<sup>32</sup> CJCCCNA/DA/15.3/4/12/Synagogue Council/Letters – 1964-67/Sympathy, speedy recovery, congratulations.

Liebman further posits that since much of the elite rabbinic leadership remained in Europe at the beginning of the mass emigration, folk religion predominated in the forms and practices of Judaism among the immigrants to North America. The lack of elite leadership — or at least the lack of organized leadership — provided freedom of expression to folk-based customs resulting in an emphasis on community and identity and less on the classical texts, rules, and minutiae, characteristic of the European elite. Such an emphasis advantaged ideas or feelings over practice. Liebman argues that change in elite religion demands conciliation with the texts,<sup>33</sup> while for the folk-based practice, alterations are acceptable if they are approved by the community. As long as Jewish identity remained intact, the specifics, such as Sabbath observance, Jewish education and the use of the *mikve*<sup>34</sup> were permitted to decline.<sup>35</sup> Membership and communal pride could compensate for actual halakhic observance,<sup>36</sup> as Liebman describes:

The absence of a religious elite meant that the traditionalist immigrants were especially susceptible to a breakdown in religious consensus. To a greater extent than ever, the folk now set their own standards independently of the elite. The traditionalist immigrants were certainly not irreligious, nor did they wish to conceal their Jewish identity. But they did desire to be accepted and integrated into American society. As East Europeans they viewed their Judaism in communal-ethnic terms. Their world was divided into Irish, Italians, Poles, Jews, and so on, not Catholics, Protestants, and Jews. And while they were not irreligious, neither were they religious in the elitist sense in which one's life is bounded by a legal textual tradition.<sup>37</sup>

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<sup>33</sup> In his groundbreaking article, "Rupture and Reconstruction," Haym Soloveitchik concludes that prior to the Holocaust, traditional Jewish life was mainly mimetic, where children learned by example. Since that time, dislocations have resulted in an overwhelming return to texts and documents as the source of authority, usurping the place earlier filled by examples and models. Such a rupture, as he refers to it, has caused a dramatic shift in traditional behaviour, making it highly self-conscious where it used to be axiomatic. Another result of basing behavioural decisions directly on texts is the potential difference and segregation between groups who rely on different texts within the canon.

<sup>34</sup> Ritual bath used primarily by women as a purification process after menstruation. Like Shabbat and Kashrut, use of the mikve is considered a fundamental element of an Orthodox life.

<sup>35</sup> Since acculturation was about appearance outside the home, many of the traditions at home in this era were supported by the women (Gurock, *Orthodox Jews in America*, 99-102).

<sup>36</sup> Charles Liebman, "The Religion of American Jews," in *Understanding American Judaism I: The Rabbi and the Synagogue*. Ed. Jacob Neusner (NY: Ktav & Anti-Defamation League of Bnai Brith, 1975), 27-36.

<sup>37</sup> *Ibid.*, 34.

Liebman further explains that such a position gave rise to certain dichotomies, especially in Kashrut. For example, although without any basis in *halakha* (Jewish law), many an American immigrant Jew, who would never permit *treyf*<sup>38</sup> in the house, saw no problem with eating such outside the home. In another example, while both pork and seafood were equally non-kosher, disgust for the pig remained while many Jews developed a taste for shrimp.<sup>39</sup>

The analysis of folk and elite religion is significant because it represents an important process in Orthodox evolution. As a text-based culture, Haredism is indeed anathema to folk religion which advantages custom over written sources. Turning to texts for justification combined with a de-emphasis on communal custom as a legitimate source of authority resulted in a rejection of folk religion. Not only is the switch from folk to elite religion a concrete metric to measure changes in the Orthodox community, but this evolving development helps illuminate another significant change on the religious horizon: the Haredization of North American Jewry. As North American Orthodoxy becomes more Haredi, several changes can be measured. Advantaging stringency over leniency, relying on texts over custom and moving from a hierarchical organization to a separatist one are all observable measures of Haredization.

### The Kehillah in Europe

As this dissertation focuses on communal organizations, it is important to understand how these structures functioned in their original settings. Since the vast

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<sup>38</sup> Non-kosher. Please see ‘treyf’ and ‘neveila’ in glossary.

<sup>39</sup> *Ibid.*, 35-36. Don Siegel refers to Chinese food as “safe treif.” By this he means that Jews have permitted themselves, through various non-halakhic logical gaps, to justify certain foods as kosher, especially when the ingredients are unfamiliar, implying that if you’re not sure what is in it, it must be acceptable (Don Siegel, *From Lokshen to Lo Mein: The Jewish Love Affair with Chinese Food* (Jerusalem: Gefen, 2005), 21-22.



majority of Montreal Jews at the time, including the founders of the Vaad Ha'ir, came from the territories once controlled by the Polish-Lithuanian Commonwealth,<sup>40</sup> it is to that social history that we now turn.

For centuries, corporate Jewish communities in Europe were governed through communal organizations called *kehillot* (singular: *kehillah*). The kehillah was a form of autonomous Jewish government under the aegis of the local government. Such councils were responsible for virtually all municipal services, including religious life, education, social welfare, labour control and tax collection. The powers of different kehillot could vary greatly depending on place and circumstance, although generally, all Jews were required to be represented by the kehillah. Individual Jews were represented through the local kehillah and larger regional or national Jewish councils to the national government or crown. Salo Baron describes the kehillah's unique form of autonomy, where Jewish tradition predominated:

Buttressed by the legal recognition of State and Church; imbued with the spirit of a nomistic and ethical, i.e. activist religion; bound together by strong economic ties, outside animosity and a communal responsibility both theoretical and practical; permeated with a profound reverence for tradition; it was a sort of little state, interterritorial and non-political, but none the less quasi-totalitarian. What it lacked in police or military facilities for law enforcement, it more than compensated for by supernatural sanctions of religion, which made of every deviation from the norm, however slight and however secular in character, a serious offence against religion.<sup>41</sup>

Although extant in various forms and eras, the eastern European apex of these councils came in the sixteenth, seventeenth, and eighteenth centuries. Until the partitions of Poland in the late eighteenth century, the local kehillot were organized in hierarchical

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<sup>40</sup> Prior to the partitions of Poland in 1772, 1793, and 1795, the vast majority of eastern European Jews lived under Polish-Lithuanian control.

<sup>41</sup> Salo W. Baron, *The Jewish Community: Its History and Structure to the American Revolution, In Three Volumes* (Westport, CT: Greenwood Press, 1942), Vol. I, 208.

bodies which formed larger provincial and national governing councils.<sup>42</sup> Regular tax remittance ensured the crown's indifference to daily life in Jewish communities. Howard Sachar states that, "The Polish monarchy had no intention of interfering with this authority, so long as the Jews paid their taxes to the royal treasury."<sup>43</sup>

Such general disinterest often permitted injustices and unfair practices to dominate in Jewish locales. Typical of premodern Jewish society, there were two sources of authority in the kehillah: learning<sup>44</sup> and wealth.<sup>45</sup> Thus, while the rabbis dominated religious life, the wealthy also wielded tremendous power and influence. Gershon Hundert explains how, "Members of a limited number of prosperous families in each community held the offices of leadership. That is, the system is best described as oligarchic."<sup>46</sup>

The superiority of the wealthy and learned was taken for granted in Jewish society and was the order of things. Frequently, the moneyed and influential kehillah leaders absolved themselves and their families from the harshest decrees or financial demands, leaving the indigent to carry an unfair proportion of the burden, as Robert Seltzer notes:

Internal tension within the *kehillot* also surfaced; complaints were widespread that the Jewish institutions were controlled by an oligarchy of wealthy families who exploited their connections with the Polish ruling class to monopolize positions of authority and to place most of the tax burden on the poor.<sup>47</sup>

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<sup>42</sup> For a detailed review, see *ibid.*, esp. Vol. I, 208-82.

<sup>43</sup> Howard Morley Sachar, *The Course of Modern Jewish History*, updated edition (NY: Dell, 1977), 32. See also Gershon David Hundert, *Jews in Poland and Lithuania in the Eighteenth Century: A Genealogy of Modernity*. (Berkeley: University of California Press, 2004), 80-81.

<sup>44</sup> Baron, *Jewish Community*, 213-15; Haim Hillel Ben-Sasson, "The Middle Ages," in *A History of the Jewish People*, ed. Haim Hillel Ben-Sasson (Cambridge, MA: Harvard University Press, 1976), 678.

<sup>45</sup> Shaul Stampfer, *Families, Rabbis and Education: Traditional Jewish Society in Nineteenth-Century Eastern Europe* (Portland, Oregon: Littman Library of Jewish Civilization, 2010), 145-48; Mark Zborowski & Elizabeth Herzog, *Life is With People: The Jewish Little-Town of Eastern Europe* (NY: International Universities Press, 1952), 263-65.

<sup>46</sup> Hundert, *Jews in Poland and Lithuania*, 79.

<sup>47</sup> Robert M. Seltzer, *Jewish People, Jewish Thought: The Jewish Experience in History* (NY: Macmillan, 1980), 483.

Further exacerbating the internal disorganization, which more often than not resulted in popular dissatisfaction, was the deteriorating state of the Polish commonwealth. As the nation dissolved in the face of foreign aggression, tax demands increased, local mismanagement in the *kehillot* multiplied, and in many cases rebellion or at least protest ensued.<sup>48</sup> By the end of the nineteenth and early twentieth centuries, rabbinic power had diminished in the urban *kehillot* although it was still significant in smaller communities.<sup>49</sup>

The diminishing power of the *kehillah* on the one hand, and the enthusiasm for modernity on the other, further eroded traditionalism among eastern European Jews of the nineteenth and twentieth centuries. Large numbers of Jews eagerly greeted the opportunities provided by secularism, socialism, Zionism and other forms of political and social activism. Concomitant with secularization was the loss of power of the religion's leaders, the rabbis. In fact, many of the secular movements intentionally organized in ways competitive with the traditional element.<sup>50</sup>

Further, resentment over the *kehillah*'s tax collecting was commonplace, and occasionally revolts broke out.<sup>51</sup> Particularly vexing was the *korobka*: a sales tax on kosher meat paid to the crown and collected by the *kehillah*,<sup>52</sup> a strategy that would be reintroduced on North American shores, angering many.<sup>53</sup>

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<sup>48</sup> Hundert, *Jews in Poland and Lithuania*, 107-12.

<sup>49</sup> See for example, Abraham Ain, "Swislocz: Portrait of a Jewish Community in Eastern Europe," *YIVO Annual of Jewish Social Science* 4 (1949): 90. In 1844, the Imperial Russian government officially abolished the *kehillot*, although, Jewish self-government was still patterned after the defunct councils.

<sup>50</sup> Many of these secular group offered lectures, Shabbat gatherings, and ideological indoctrination (Arthur A. Goren, *New York Jews and the Quest for Community: The Kehillah Experiment, 1908 – 1922* (NY: Columbia University Press, 1970), 11-12; Daniel Soyer, *Jewish Immigrant Associations and American Identity in New York, 1880 – 1939* (Cambridge: Harvard University Press, 1997, 16-17).

<sup>51</sup> Raphael Mahler, *A History of Modern Jewry, 1780 – 1815* (London: Valentine, Mitchell, 1971), 291-98.

<sup>52</sup> *Ibid.*, 416-17; Baron, *Jewish Community*, II, 256-60.

<sup>53</sup> Goren, *New York Jews*, 10. In fact, soon after chief rabbi of New York City Jacob Joseph was named in 1888 to help organize Kashrut chaos, protesters called for an "anti-korobka" demonstration (Caplan, *Ortodoksiya*, 26-27).

## Immigration

Arrival in North America only exacerbated the fragile traditionalism of many new arrivals, as Jeffery Gurock explains:

The religious values of most immigrants of this period, rather, can be better symbolized — using the rabbi’s metaphor — as Jews who carried their tefillin<sup>54</sup> or candlesticks on the long trek to America but over the course of time utilized them with ever decreasing frequency. They certainly did not angrily commit these sacred objects to the deep. If anything, while drifting away from many religious practices — even as they continued to follow many others — these Jews harboured more than a modicum of residual guilt when they failed to perform certain mitzvot.<sup>55</sup>

America was a place of voluntary identity, individual freedoms, and separation of Church and State. “Civil rights were granted to individual persons within the context of a modern nation-state rather than to corporate semiautonomous ethnic bodies residing with the nation.”<sup>56</sup> None of these characteristics augured well for a traditional form of European Judaism that formerly depended on communal control, captive populations, and social pressure. The voluntary nature of North American society lacked the previously efficacious power of social coercion. Limited social, educational, and residential rights outside the community — either through law or social prejudice — conferred tremendous social power onto the rabbis of the old kehillot. For example, the dramatically larger number of men who abandoned their wives and families only after arrival in North America suggests that opportunities for such public impiety and independence were lacking in earlier Jewish societies. Where Jews were forced into some form of legal community, peer pressure and social coercion functioned as successful enforcers of religion. The freedom — both constitutional and social — of North America belied and

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<sup>54</sup> Phylacteries. Boxes with scriptural verses used during the weekday morning services.

<sup>55</sup> Gurock, *Orthodox Jews in America*, 94.

<sup>56</sup> David Ellenson, *After Emancipation*, 31.

undermined the traditional power of the rabbis. For example, *cherem* (public excommunication) was a significant threat in Europe because rabbis not only wielded power in their local community, they could also influence other communities whose authorities would often support the ban of excommunication. Such a ruling may appear harsh and frightening, even in America, but the excommunicated one had far more opportunity to resettle elsewhere incognito than he or she did in Europe. Indeed, as distinct from eastern Europe, one could live as a secular Jew without any formal ties to the community. Further, the lack of rabbinical unity — spurred by the forced merger of ideologically diverse rabbis into one metropolitan area as well as competition for authority in locales with no rabbinic precedents — abetted the sinner. For if one rabbi condemned you, it was often just as easy to find another one to support you, especially since central authority and efficient communication were lacking. Anarchy and decentralization only aided those who chose to ignore rabbinic authority.

Jeffrey Gurock writes of “[...]the endemic problems of voluntarism, disunity, and lack of control that always undermined religious life in a large and wide-open North America.”<sup>57</sup> New tactics would have to be devised in North America to ensure a modicum of rabbinic control over the Jewish community. “Orthodoxy had to learn what all religious groups in America must inevitably learn: in a voluntary state, religion can operate only by persuasion.”<sup>58</sup> One learned rabbi even questioned the purpose for rabbis in America at all, since no one poses halakhic problems — a rabbi’s primary task.<sup>59</sup> Indeed, by mid-century, many traditionalists or Haredim realized that successful adaptation would require the creation of a new communal style that would limit

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<sup>57</sup> Gurock, *Orthodox Jews in America*, 115.

<sup>58</sup> Sarna, *People Walk on their Heads*, 8.

<sup>59</sup> Caplan, *Ortodoksiya*, 181.

individualism — anathema to traditionalists — all-the-while taking advantage of North America’s personal liberties to create newly separatist communities.

### Kashrut in America

Although Orthodoxy was challenged on many fronts, Kashrut represented the most complex religious conundrum of the New World. While the majority of immigrant Jews bought kosher meat,<sup>60</sup> their reasons varied. Some purchased kosher meat in allegiance to tradition and practice, while for others it represented ethnic fidelity.<sup>61</sup> However, the less religious group was hardly concerned about the details of the preparation of the meat, being satisfied by purchasing nominally kosher meat. Many relied on a sign in the butcher’s window, without delving too deeply into details.<sup>62</sup> Further, as folk Judaism developed into an ethnic identity, eating styles became more important than Kashrut. Thus was born the notion of kosher-style or semi-kosher, where the meat was not slaughtered according to kosher laws, but the ingredients were typically Jewish, prepared in classically Jewish ways.<sup>63</sup> Finally, many of the less religious group would come to neglect Kashrut completely after the Second World War.<sup>64</sup> With respect

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<sup>60</sup> A 1917 estimate cited 2/3 of New York City’s Jews bought kosher meat, regardless of their religious affiliation, totalling an annual consumption of 156,000,000 pounds of kosher meat (Goren, *New York Jews*, p. 78)). Regarding Montreal, see Israel Medres, *Between the Wars: Canadian Jews in Transition*, tr. Vivian Felsen (Montreal: Véhicule Press, 2003), 41.

<sup>61</sup> Harold P. Gastwirt, *Fraud, Corruption, and Holiness: The Controversy Over the Supervision of Jewish Dietary Practice in New York City, 1881-1940* (Port Washington, NY: Kennikat Press, 1974), 6.

<sup>62</sup> As Rabbi David Willowski, the Ridbaz once sarcastically noted, “Az men ruft ihm Mendel, meg men essen fun sein fendel [If one calls him Mendel, it is permitted to eat from his pot],” cited in Aaron Rothkoff, *Bernard Revel: Builder of American Jewish Orthodoxy*, (Philadelphia: Jewish Publication Society of America, 1972), 12.

<sup>63</sup> Liebman, “The Religion of American Jews,” 35.

<sup>64</sup> Jenna Weissman Joselit, “Food Fight: the Americanization of Kashrut in Twentieth-Century North America,” in *Food and Judaism: A Special Issue of Studies in Jewish Civilization, Volume 15*, ed. Leonard J. Greenspoon, Ronald A. Simkins, & Gerald Shapiro (Lincoln, NE: Creighton University Press, 2004), 343; Gastwirt, *Fraud*, 7-8; Jonathan D. Sarna, *American Judaism: A History*, (New Haven: Yale University Press, 2004), 278.

to Montreal, the following observation was offered at the Vaad Ha'ir's Annual General Meeting in 1946:

Rabbi Cohen<sup>65</sup> regretfully stated the fact that many of our people do not conform with these great ethical and religious commandments which we have inherited from our forefathers. He stressed the fact that Kashruth is not being observed as strictly as it used to be by some of our people, and especially by the younger generation.<sup>66</sup>

The question of kosher meat was central to Jewish life in immigrant North America. As food consumption is a daily and basic human need, the obtaining of kosher food in a new place would demand immediate attention. Also, since the majority of Jews at this time purchased kosher meat from Jewish butchers, much money was to be made in the production and sale of kosher meat.

In the early part of the twentieth century, most synagogues in North America were unable to pay regular or significant salaries to their rabbis.<sup>67</sup> Few individual rabbis were hired by a single synagogue and many rabbis spent years in search of a secure position.<sup>68</sup> A consortium of congregations would sometimes gather together one salary and the rabbi would be shared amongst them. This era, therefore, posed challenges to a rabbi seeking a salaried position.<sup>69</sup> These limited options led rabbis to seek their fortunes in the kosher food industry, as noted by Gurock:

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<sup>65</sup> Tzvi Hirsch Cohen (1860 – 1950) was Montreal's first chief rabbi, named to head the Rabbinical Council upon its founding in 1922. For further biographical details on Cohen, see Ira Robinson, *Rabbis and Their Community: Studies in the Eastern Orthodox Rabbinate in Montreal, 1896 - 1930* (Calgary: University of Calgary Press, 2007), 21-34; Steven Lapidus, "Maggid of Montreal: Rabbi Hirsch Cohen on the Dilemmas of the Canadian Rabbi," *Jewish History* 23(2009), 179-93.

<sup>66</sup> Minutes, AGM, January 12, 1947 (CJCCCNA/JPL/Vaad/MB 09/1/13/25<sup>th</sup> AGM/1947 – original in English).

<sup>67</sup> As late as 1930, at a meeting held in Lakewood NJ, the Agudath Harabonim decried the financial difficulties faced by Orthodox rabbis in America. (*Keneder Odler (KO)*, May 8, 1930).

<sup>68</sup> Caplan, *Ortodoksiya*, 108.

<sup>69</sup> Kimmy Caplan, "The Concerns of an Immigrant Rabbi: The Life and Sermons of Rabbi Moshe Shimon Sivitz," *Polin* 11 (1998): 195.

Kosher supervision concessions were more than merely a source of honor, responsibility or even power in the American Jewish community. A rabbi's control of a particular butchery was a most important source of steady income, a chance for personal income many were unwilling to share and unable to do without. Rabbis did not trek to western outposts like Des Moines and Sioux City, Iowa with the primary goal of building great Jewish communities. Rather they were drawn by the large stockyards of these cities and the monetary rewards to be earned as kashruth overseers.<sup>70</sup>

Further exacerbating the situation was the lack of control over kosher meat production in the New World.<sup>71</sup> In the Vaad's own words:

In history the problem of Kashruth organization has proven even more severe as orthodox [sic] Jews broke the settled pattern of life in 'the old country' and migrated to the New World to settle in large urbane [sic] centres under new social and religious conditions. In consequence there was greater difficulty in assuring certainty of Kashruth. There was also a breakdown of community discipline, so that the controversies and clashes of interest became more violent in their wording and less restrained in the methods of dispute.<sup>72</sup>

Given the expansiveness of the kosher meat industry,<sup>73</sup> it was not surprising that this profitable industry became the locus of internecine tension. In numerous places, such as Montreal, Winnipeg<sup>74</sup> and New York,<sup>75</sup> a grave internal battle was fought over control of the lucrative kosher meat industry. Both the reliability of kosher meat and its profits were sources of community-wide strife, making Kashrut a central concern of early immigrant rabbis and the Jewish community.

### Kehillot in North America

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<sup>70</sup> Gurock. *American Jewish Orthodoxy*, 215-16.

<sup>71</sup> Indeed, in 1915 it was estimated that only 40% of the kosher meat sold in New York was in fact kosher. By 1925, this number had risen to 60%, still a far cry from well-organized kosher meat production (Gastwirt, *Fraud*, 36). Similar estimates were obtained for Montreal (Ira Robinson, "The Kosher Meat War and the Jewish Community Council of Montreal, 1922 – 1925," *Canadian Ethnic Studies*, 22 (1990): 43.

<sup>72</sup> "Beginnings of the Vaad," *Voice of the Vaad*, undated, 1962 (CJCCCNA/ZB/Cohen, Hirsch/1962).

<sup>73</sup> Gastwirt estimates that 90% of cattle sold in New York City was slaughtered kosher, even though fully half was sold to non-kosher retail outlets. (*Fraud*, 29).

<sup>74</sup> M. S. Stern, "Communal Problem Solving: The Winnipeg VA'AD HA'IR 1946," *Jewish Historical Society Journal* 4(1980): 5-6.

<sup>75</sup> C.f. Gastwirt, *Fraud*.



In early twentieth century North America, Jewish communities were coping with the great influx of eastern European immigrants. Growing communities needed communal organizations. Although there were some local associations, there were few umbrella groups to coordinate community needs, and certainly no effective national organizations. As this was a time of tremendous personal, social and religious upheaval, concerns about identity and continuity arose.

Adding to the turmoil, the diverse geographic, ethnic, and linguistic origins of the immigrants led to infighting and competition for resources.<sup>76</sup> Internal tension also arose between the established Jews (referred to as Uptowners) and the far more numerous yet poor recent immigrants (called Downtowners) who felt their needs and concerns were ignored by the elite. This competition for power, authority, and privilege led to the perceived need for a communal structure that would permit Jewish continuity within the new, voluntary, and multicultural context and that would be broad enough to incorporate all the disparate elements into a single functioning body. As Goren explains:

[...] an operationally useful definition [of Jewish identity] had to embrace a group splintered by dogma, culture, localism, and class. To reach and, hopefully, to control the radical, the Orthodox, the Zionist, and the *landsmanshaft*<sup>77</sup> Jew demanded a conception of community that coincided with the bounds of a multifarious ethnicity.<sup>78</sup>

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<sup>76</sup> Joseph Kage, *With Faith and Thanksgiving: The Story of Two Hundred Years of Jewish Immigration and Immigrant Aid Effort in Canada - 1760 – 1960* (Montreal: Eagle Publishing Company, 1962), 43; Soyer, *Jewish Immigrant Associations*, 122. In fact, in New York, Jews of different national origin lived on different blocks: “Clustered in their separate Jewries, they were set side by side in a pattern suggesting the cultural, if not physical, geography of the Old World,” (Moses Rischin, *The Promised City: New York’s Jews, 1870 – 1914* (Cambridge, MA: Harvard University Press, 1962), 76).

<sup>77</sup> Fraternal organizations whose membership is based on European cities/towns of origin that provided medical and burial benefits to its members as well as opportunities for social interaction.

<sup>78</sup> Goren, *New York Jews*, 247. Although many of these references emanate from the American scene and there is much comparison between Canada and the US experience, there are also important distinctions. See for example, Gerald Tulchinsky, “The Contours of Jewish History,” in *The Jews in Canada*, ed. Robert J. Brym, William Shaffir, & Morton Weinfeld (Toronto: Oxford University Press, 1993), 5-21; Jonathan D. Sarna, “The Value of Canadian Jewish History to the American Jewish Historian and Vice Versa,” *Canadian Jewish Historical Society Journal*, 5 (1981): 17-22; John Porter, *The Measure of Canadian Society: Education, Equality, and Opportunity* (Ottawa: Carleton University Press, 1987), 140-162.

Perhaps the greatest challenge faced by immigrants to North America was the voluntary nature of society. Adhesion to any Jewish community was no longer a legal requirement and had become a question of choice. Denied the legal power of conformity, Jewish communities required restructuring to survive in the New World.

Some community leaders, first in New York City and later in Montreal and elsewhere, looked to the European kehillah as an example for their own communal organization in North American cities. Often the distance from the homeland led to an idealization of the ways of the Old Country. Michael Weisser argues that, in the twentieth century, the kehillah system was best suited to situations of dislocation when, “many [Jewish] communities reverted to their most primitive, instinctual relations and attitudes.”<sup>79</sup> Lucy Dawidowicz states, that during times of change and crisis, “In Jewish tradition communal unity has near transcendental value.”<sup>80</sup>

Although it would be voluntary and without state-sanction, these leaders believed that the centuries-old model could be modified and refashioned to the new reality. They further believed that some kehillah-style organization could help maintain ethnic identity in vast America while coalescing the distinct groups within the Jewish community into a unified organ.<sup>81</sup>

### Montreal Jewry

Although it is no longer the case, Montreal was the most populous Jewish community in Canada until the 1970s. As well, for much of its history, the Montreal

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<sup>79</sup> Michael R. Weisser, *A Brotherhood of Memory: Jewish Landsmanshaftn in the New World* (NY: Basic Books, 1985), 143.

<sup>80</sup> Lucy S. Dawidowicz, *The War against the Jews: 1933 – 1945* (NY: Bantam, 1975), 468.

<sup>81</sup> Goren, *New York Jews*, 3 - 4; Ira Robinson, “The Foundation Documents of the Jewish Community Council of Montreal,” *Jewish Political Studies Review* 8 (1996): 69.

Jewish community constituted the largest ethnic minority in the city. Its centrality led it to serve as home to many Canadian Jewish national leaders and often provided a model for other Canadian Jewish communities. Pierre Anctil describes Montreal's importance on the national scene:

Aussi depuis le début du siècle, les Juifs de Montréal donnaient-ils le ton à l'effort organisationnel consenti par leur communauté à travers le pays ; souvent leur embarras, leurs difficultés, face surtout à l'antisémitisme montréalais, étaient répercutés et discutés dans les autres centres juifs du Canada. En ce sens, à l'époque que nous étudions, le Juif montréalais demeurait le paradigme de la judéité canadienne en devenir, et sur lui se fondaient les espoirs de progression socio-économique et d'intégration à la société entière : nul n'était mieux placé que lui au pays pour briser le cercle d'isolement et d'infériorité dans lequel se débattaient la masse de ses coreligionnaires.<sup>82</sup>

However, despite growth and development, Jewish Canada remained without any national organization. The vast distances of the Canadian landscape combined with a more developed network running into the northern US rather than across Canada made national organization a tremendous hurdle.<sup>83</sup> Even though Canadian Jewish Congress (CJC) was founded in 1919, it remained virtually inactive until 1933, leaving a vacuum in national Jewish organization.

The Montreal Jewish community grew significantly in a short period of time. The entire community counted only 181 souls in 1851, and by 1882, at the beginning of the wave of mass emigration out of Russia that succeeded the assassination of Czar Alexander II, fewer than one thousand Jews lived in Montreal. The community grew considerably in the wake of the failed 1905 revolution. At the turn of the century there

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<sup>82</sup> Pierre Anctil, *Le rendez-vous manqué : Les Juifs de Montréal face au Québec de l'entre-deux-guerres* (Québec: Institut québécois de recherche sur la culture, 1988), 35.

<sup>83</sup> The only possible exception was the Federation of Zionist Societies of Canada (founded in 1899) whose executive director, Clarence de Sola would argue in the 1930s that a Canadian Jewish Congress was not necessary because the Zionist Federation fulfilled a national role. Gerald Tulchinsky, *Branching Out: The Transformation of the Canadian Jewish Community* (Toronto: Stoddart, 1998), 263-64.

were about 7,000 Jews in Montreal, 45,802 by 1921, and 57,997 in 1931 — an increase of more than 700% from 1900 to 1931. By 1941, the community counted over 63,000 souls.<sup>84</sup>

The established Jewish community in Montreal prior to the Eastern European immigration, like those in several other East Coast cities, was generally of western or central European descent and better educated than the post-1880 immigrants. In New York and other cities on the Atlantic coast, these uptowners were overwhelmingly of German origin. Montreal did not receive as large an influx of German Jews in the mid-nineteenth century as did other locales, and Montreal's established elite tended to come from Poland and Russia, and hence shared common roots with many of the downtowners. Many, if not most, of this elite had established themselves economically, socially and linguistically by 1880. In fact several historians refer to a veritable golden century of tolerance and opportunity for the Canadian Jewish elite in the hundred or so years prior to the eastern European immigration.<sup>85</sup> Frequently, authority in Jewish North American communities, like other immigrant communities, was based on time of arrival:

In America, as in other immigrant countries, social stratification and class structure are connected with arrival date; the earlier arrivals form a sort of aristocracy. Original cultural differences between the groups are intensified by this 'class division.' The dominant group – the early arrivals – form the upper crust. They consider themselves superior to and

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<sup>84</sup> Louis Rosenberg, *Canada's Jews: A Social and Economic Study of Jews in Canada in the 1930s*, ed. Morton Weinfeld, (Montreal: McGill-Queens University Press, 1993), 20 & 31; Tulchinsky, *Branching Out*, 22.

<sup>85</sup> See Benjamin G. Sack, *History of the Jews in Canada: From the Earliest Beginnings to the Present Day* (Montreal: Canadian Jewish Congress, 1945), 57; Tulchinsky, *Branching Out*, 55; Irving Abella, *A Coat of Many Colours: Two Centuries of Jewish Life in Canada* (Toronto: Lester & Orpen Dennys, 1990), 37. For a critique of this position, see Richard Menkis "Historiography, myth and group relations: Jewish and non-Jewish Quebecois on Jews and New France," *Canadian Ethnic Studies* 23 (1991); & Steven Lapidus, "The Golden Century? Canada's Jews in British North America," in *Canada's Jews: In Time, Space, and Spirit*, ed Ira Robinson (Boston: Academic Studies Press, forthcoming).

distinct from the ‘minority’ groups of late-comers, and attempt to maintain social distance from them or to mold [sic] them into a certain pattern.<sup>86</sup>

The new immigrants were overwhelmingly eastern European and poor. They were further splintered by ideology. Alongside traditionalists arrived secularists, communists, socialists, anarchists, Yiddishists, and Zionists. Despite common origins, Montreal’s uptown was apprehensive about the newcomers. The arrival of large numbers of new and often radical immigrants enlarged the chasm between uptown and downtown,<sup>87</sup> and the large influx of working-class Jews altered the Montreal Jewish reality demographically as well as culturally.<sup>88</sup> “Important among these was the fact that the ‘poor co-religionists’ stubbornly refused to conform to the rigid formula of Canadianization as laid down for them.”<sup>89</sup> Representing uptown, the lawyer Maxwell Goldstein expressed their concerns in 1909:

The cause of many of our troubles is the vast influx of foreign Jews into the Dominion. They form ghettos among themselves and create a great deal of prejudice... The difficulty with us is how to co-operate with these people. They must not be ignored. The only thing to do is to take them by the hand, and lead them by persuasive methods to recognize their duties to the community. Recently owing to the stringency of our immigration laws, and owing also to the fact that our means of assistance have become exhausted, the tide of immigration has greatly lessened in volume. If it could be restrained for a few years longer, I have no doubt but what we should be able to assimilate and consolidate all sections of the community.<sup>90</sup>

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<sup>86</sup> Marshall Sklare, *The Jews: Social Patterns of an American Group* (NY: Free Press, 1958), 5.

<sup>87</sup> Goren, *New York Jews*, 12-17. See also Steven M. Lowenstein, *Frankfurt on the Hudson: The German-Jewish Community of Washington Heights, 1933-1983, its Structure and Culture* (Detroit: Wayne State University Press, 1989), for a similar analysis of post-1900 German-Jewish immigration and adaptation in New York City. Israel Medres, *Montreal of Yesterday: Jewish Life in Montreal 1900 – 1920* (Montreal: Véhicule Press, 2000), 74. In fact, even prior to the large wave of emigration, there were instances when uptowners in Montreal tried to slow the arrival of Jewish immigrants to Canada to maintain their perceived precarious balance. Sack, *History*, 172.

<sup>88</sup> Abraham Rhinewine, *Der yid in kanada: fun der frantzoyzisher periyode biz der moderner tzayt* (Toronto: Canada Press, 1925), 203-04.

<sup>89</sup> Sack, *History*, 242-43. In his critique of the New York Kehillah, for example, Mordecai Kaplan saw it “as nothing but a Jewish social pacifier.” (Goren, *New York Jews*, 247-48).

<sup>90</sup> *Jewish Chronicle*, (London), July 16, 1909.

Established Montreal Jewry had its own vision as to how to Canadianize the new immigrants, a vision which the new arrivals did not often share. These tensions between uptown and downtown would serve as contributing factors in the perceived need to create a Jewish communal superstructure.<sup>91</sup> Joseph Kage explains that:

The new immigrants introduced a different outlook on various problems. They were a more vigorous and more dynamic group. Their dynamism was accentuated by their lower economic status and desire for improvement as well as by their insecure past, which was conducive to the quest for ethnic organization and a meaningful milieu of social acceptance. Moreover, their consciousness of Jewish life as an ethnic form or organization was also more dynamic, being based not only on religion but on national feeling as well.<sup>92</sup>

Another important element of the Montreal story is the traditionalist and conservative nature of the community. In Montreal, a separate sub-culture was easy enough to form, and Montreal's Jewish community is *sui generis* for many reasons. Socio-political vicissitudes in Montreal permitted the growth of a unique community. Montreal Jews — as neither Francophone nor Anglophone — took advantage of the social vacuum provided by the two solitudes to develop and grow in their shadows, creating a strong sense of Jewish identity. Further, the denominational nature of the Quebec educational system facilitated ethnic identification. The Lithuanian presence in Montreal emphasized Yiddish language, culture and education.<sup>93</sup> In Canada, the relatively later Jewish emigration (post-1881) and the absence of a significant mid-nineteenth century German immigration wave, left Montreal with a smaller Reform following and less complete assimilation, than was the case in some American cities. Where eastern

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<sup>91</sup> Sack, *History*, 216-17; Abella, *Coat*, 157.

<sup>92</sup> Kage, *With Faith and Thanksgiving*, 41-42.

<sup>93</sup> David G. Roskies, "Yiddish in Montreal: *The Utopian Experiment*," in *An Everyday Miracle: Yiddish Culture in Montreal*, ed. Ira Robinson, Pierre Anctil & Mervin Butovsky (Montreal: Véhicule Press, 1990), 28.

European immigrants in the United States, for example, faced assimilationist leaders in the uptowners, Yiddishists in Canada were helped by traditionalist communal leaders,<sup>94</sup> which also helps explain the unique cooperation between the Orthodox and the Labour Zionists in the Vaad Ha'ir.<sup>95</sup>

The evidence of Montreal's unique stature as a traditionalist haven can be understood from two opposing perspectives: success in the Yiddishist and Orthodox circles. Among the very first — and the few successful — Yiddish day-schools in North America were those in Montreal. In general, more Jewish children in Montreal and Toronto attend day schools (Orthodox and not) than any other city in North America.<sup>96</sup> On the other end of the spectrum is the contemporary fact that whereas Montreal boasts as many as one hundred Orthodox congregations, if not more, fewer than a half-dozen synagogues are non-Orthodox. Thus secular and Orthodox traditionalists have both found in Montreal fertile ground for their ideologies.

Contemporary measures indicate that whereas in the US, approximately 13% of the Jewish population considers themselves Orthodox,<sup>97</sup> in Montreal, 22% call themselves Orthodox and another 13% refer to themselves as “traditional Sephardi,” composing a large traditional segment of 35% of the community.<sup>98</sup> Adding to the

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<sup>94</sup> Eugene Orenstein, “Yiddish Culture in Canada Yesterday and Today,” in *The Canadian Jewish Mosaic*, ed. Morton Weinfeld, William Shaffir, and Irwin Cotler (Toronto: John Wiley & Sons, 1981) 294-97.

<sup>95</sup> In Roskies words, “To prepare for battle, the secular revolutionaries led by the Po'alei Zion [Labour Zionism] established the Vaad Ha'ir [of Montreal].” (“Yiddish in Montreal,” 28).

<sup>96</sup> The proportion in Montreal is as high as 34% where most US cities average about 12% (Ira Robinson, “Canadian Jewry Today: Portrait of a Community in Process of Change,” in *Changing Jewish Communities* (Jerusalem: Jerusalem Center for Public Affairs, September 15, 2006), 3.

<sup>97</sup> Heilman, *Sliding to the Right*, 65. Daniel Elazar estimates the figure of professing Orthodox at 11% although as many as 40-45% of all Jews express allegiance to Orthodoxy (Daniel J. Elazar, “How Strong is Orthodox Judaism – Really? The Demographics of Jewish Religious Identification,” *Jerusalem Center for Public Affairs* (January 1991), <http://www.jcpa.org/dje/articles2/demographics.htm>, accessed November 2, 2010).

<sup>98</sup> This number is much higher than the American urban average of 6% and Toronto's 10% (Charles Shahar and Randal F. Schnoor, *A Survey of Jewish Life in Montreal*. Montreal: Federation CJA, 1997, 5-7. It even

conservative image, 12% of Montreal's Orthodox Jews label themselves Haredi.<sup>99</sup> Sociological data from two 1990 surveys indicated that, "Montreal Jewry is more observant and more Orthodox than other centres of Canadian Jewry. Montreal Jews are also generally more communally active than Jews elsewhere."<sup>100</sup> In terms of synagogues, by the end of the twentieth century, no more than two Reform temples were present in the Montreal landscape, and Conservative synagogues did not number more than half a dozen.

Further, visions of a community organization were often opposed. Uptown relied on appointed representation, while downtown favoured democratic elections.<sup>101</sup> Since uptown was so badly outnumbered by downtown, a free vote would jeopardize its prestige and power. This struggle over representation, however, harked back to the kehillah battles of Europe, where the wealthy and powerful dominated the poorer masses, often to the latter's disadvantage. Thus, a council that would satisfy the needs of the wealthy oligarchy, while not neglecting the concerns of the new immigrants, was necessary. Further, the lack of sufficient remunerative positions for the city's rabbis led many to the most lucrative enterprise available to them at the time: kosher meat production and its supervision.<sup>102</sup> Rabbinic competition, along with chaos in the kosher

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surpasses the New York City Orthodox proportion of 19% (Jacob B. Ukeles and Ron Miller. *Jewish Community Study of New York: 2002*. NY: UJA Federation of New York (October 2004)). <http://www.ujafedny.org/assets/documents/PDF/who-we-are/community-study-02/JCommStudySummary.pdf>, accessed November 2, 2010.

<sup>99</sup> Of these, some 80% are estimated to be Hasidic (Charles Shahar, *A Comprehensive Study of the Frum Community of Greater Montreal*. Montreal: Federation CJA & Ahavas Chesed, 2003,7).

<sup>100</sup> This study reported that in Montreal, 54% have meat and dairy dishes (this was the only Kashrut-related question), and 28% identify as Orthodox (Jay Brodbar-Nemzer, Steven M. Cohen, Allan Reitzes, Charles Shahar, Gary Tobin. "An Overview of the Canadian Jewish Community," in *The Jews in Canada*, ed. Robert J. Brym, William Shaffir, & Morton Weinfeld (Toronto: University of Toronto Press, 1993, 51).

<sup>101</sup> See Kage, *With Faith and Thanksgiving*, 54-55; Tulchinsky, *Branching Out*, 261-62; Goren, *New York Jews*, 218-27.

<sup>102</sup> Robinson, "The Kosher Meat War," 42; Israel Medres, *Between the Wars*, 42.



meat industry, were prominent impetuses in the founding of the Jewish Community Council and consequently, in its continued infighting.<sup>103</sup> Besides using the income from kashrut supervision to defray the overhead costs of the Council, the founders of the Vaad would offer regular remuneration to the rabbis along with financial support for Jewish education in the city.<sup>104</sup> In the words of Hirsch Wolofsky,<sup>105</sup> the primary mover behind the council:

Certainly the need was a crying one. The condition of disorganization in Montreal Jewish life was appalling. Between the rabbinate, and the shoctim, together with the lesser “sacred vessels” [clergy], there was no real affinity, either legal or spiritual. Every rabbi or *shochet*,<sup>106</sup> for example, had a private contract with a some wholesale butcher who dictated to his “employee” both the manner of his services and the quantum of his remuneration. The result was that shoctim received such pitiably small wages that they could barely earn their livelihood. The whole chaotic situation reacted unfavourably also upon the status of the rabbinate; to make confusion worse confounded, there was between the rabbi and the shoctim, a conspicuous absence of *esprit de corps*.

I felt, therefore, that the only way to bring order out of this chaos, to establish the religious services of the shoctim and the rabbi upon a dignified basis was to elect by popular vote, a community council in which all sections of the population would be represented, and through which the standard of living of those affected might be appreciably raised, kashruth maintained, and a fund created for the support of all Jewish educational institutions, irrespective of their particular sectarian persuasion.<sup>107</sup>

### The Montreal Vaad Ha'ir

As publisher and editor of both of Montreal's Jewish newspapers, the Yiddish-language daily, *Der Keneder Odler*, and the English-language weekly, the *Canadian Jewish Chronicle*, Hirsch Wolofsky bridged the gap between uptown and downtown.

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<sup>103</sup> See Robinson, “The Kosher Meat War.”

<sup>104</sup> Robinson, “The Foundation Documents,” 75.

<sup>105</sup> Born in Szydlowiec, Poland in 1878, Hirsch Wolofsky arrived in Montreal in 1900. A communal activist, he was instrumental in Zionist organizations as well as the Canadian Jewish Congress. His writings include a biblical commentary as well as an important autobiography. (Robinson, *Rabbis*, 94-95 & 119-26; Chaim Leib Fuchs, *100 yor yidishe un hebraishe literature in kanada* (Montreal: Ch. L. Fuchs Book Fund Committee, 1980), 102-03.

<sup>106</sup> Kosher slaughterer.

<sup>107</sup> H. Wolofsky, *Journey of My Life* (Montreal: Eagle Publishing, 1945), 86.

Publishing in Yiddish, yet flowing easily with the elite of the community, Wolofsky had the respect of the powers that be along with the support of much of downtown. Indeed, some even saw the very establishment of Wolofsky's Yiddish daily in 1907 as "instrumental in the development of organized Jewish community life by providing a network among the various Jewish groups in Montreal."<sup>108</sup> In 1912, Wolofsky began to use his newspaper to advocate for the establishment of a community council. Wolofsky carefully observed the situation in New York City, where the kehillah had disbanded in 1922 after a mere fourteen years of existence.

The first caution he learned from the New York experience was to engage those elements of the community, especially the socialist (radical) sector, that had boycotted the New York council. Wolofsky, therefore, planned for inclusiveness, trying to combine all elements of the community. He proposed a council that would equally represent uptown, the workers and political activists and the traditional.<sup>109</sup> In Montreal, blurred divisions helped create a broader membership. While some elements of the Yiddish intelligentsia were avowed secularists, many others remained traditional.<sup>110</sup> Wolofsky himself, a traditional Labour Zionist, was but one of many in Montreal who advocated for a strong Yiddish identity without abandoning traditional Judaism, which was not the case in other cities, where such identities were seen as incompatible.<sup>111</sup> Indeed, many secular elements of Montreal's Jewish community were amenable to organizing a Vaad Ha'ir because:

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<sup>108</sup> Medres, *Montreal of Yesterday*, 81.

<sup>109</sup> Ira Robinson, "Two North American *Kehillot* and Their Structure: Philadelphia and Montreal," *Proceedings of the Eleventh World Congress of Jewish Studies*, 1994, (Division B: The History of the Jewish People, Vol. III: Modern Times), 142.

<sup>110</sup> Roskies, "Yiddish in Montreal," 22-23.

<sup>111</sup> Although Gurock notes that even some Arbeter Ring (Workmans' Circle – socialist labour association) members would appear in synagogue on the High Holydays, despite their reputed Marxist rejection of religion (*Orthodox Jews in America*, 105-06)

Yiddish for them [Montreal's Labour Zionists] was never an end in itself; it was a means towards achieving cultural integration: of uniting east and west, the folk and the intelligentsia, the *frume* (religious) and the *fraye* (secularist). Yiddish was to be the vehicle of national liberation.<sup>112</sup>

From the Vaad's perspective:

It is a remarkable and significant fact that each of these movements [Jewish labour, Zionist, & Congress] — by virtue of their constitution and interest remote from the problems of religious organization — had a hand in the establishment of the Vaad Hair organization.<sup>113</sup>

The other important element in Wolofsky's plan was to aim big. He planned to establish a council that would be responsible for a broad spectrum of communal tasks. Publishing his proposal, *A Kehillah for Montreal: Outline of a Plan for the Formation of such a Body*, in 1922, Wolofsky planned to: (1) to create a *bet din* (rabbinical court) responsible for the supervision of kashrut, halakhic rulings, marriages, divorces, the proper functioning of the *Talmud Torahs* (Jewish day schools), a yeshiva, and religious education; (2) to prevent profiteering among Jewish businessmen; (3) to fundraise for the Peretz and Folks *shule* (the secular Yiddishist schools) and to standardize teaching methods in these schools; (4) to establish a Jewish school system; (5) to organize and control the landsmanshaftn and loan syndicates; (6) to avoid unnecessary strikes and provide labour arbitration; and (7) to establish new Jewish institutions such as a hospital, etc.<sup>114</sup> Attempting to satisfy all parties, Wolofsky offered labour arbitration and workplace standards for workers, support of secular schools for the Yiddishists and secularists, and rabbinic authority and kosher supervision for the Orthodox.

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<sup>112</sup> Roskies, "Yiddish in Montreal," 36.

<sup>113</sup> "Beginnings of the Vaad," *Voice of the Vaad*, undated, 1962 (CJCCCNA/ZB/Cohen, Hirsch/1962).

<sup>114</sup> Robinson, "The Foundation Documents," 80-86. As early as August 30, 1907, in the inaugural issue of the *Keneder Odler*, Wolofsky put forth what he referred to as the "fundamental principles" for the newspaper, a list that included many of these very concerns, such as education, Jewish national self-awareness, charity, justice, and union representation. David Rome and Pierre Anctil, *Through the Eyes of the Eagle: The Early Montreal Yiddish Press 1907-1916* (Montreal: Véhicule Press, 2001), 33-34.

Rabbinic authority would be vested in the hands of a *Vaad Harabbonim* (rabbinical council) founded as an arm of the Vaad Ha'ir. Long-serving Hirsch Cohen was named President of the Vaad Harabbonim (akin to chief rabbi), a position he held unto his death in 1950.

Besides honorary positions, the lay committee of the Vaad Ha'ir —the Council — was composed of representatives of the member organizations, which varied from one to two per association. The Council was responsible for hiring the executive director, approving new Vaad Harabbonim members, and hiring new shochetim. It met four times annually. Composed of ten elected members, five members appointed by the presidium, as well as all committee chairs and several honorary appointees, the executive wielded most power and met monthly.<sup>115</sup> The highest lay committee consisted of the presidium, initially three, later more former executive council members.<sup>116</sup>

Interestingly, while Wolofsky looked to New York's kehillah experiment as a model, he ignored New York's disastrous, short-term fling with a single chief rabbi for the entire city. Rabbi Jacob Joseph (1848 – 1902) of Vilna was named chief rabbi by a consortium of Russian synagogues in 1888. During his tenure, he was assailed by competitors and recalcitrant kosher butchers, was often completely ignored, and was but feebly supported by the community. Poor and in ill health, he died in 1902 in ignominy.<sup>117</sup> Despite this tragic failure in the New York experiment, a rabbinical council and chief rabbinate were set up immediately upon the founding of the Vaad Ha'ir.

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<sup>115</sup> The size of the executive council was reduced in later years.

<sup>116</sup> “Constitution and By-Laws of Jewish Community Council of Montreal, 1958” (CJCCCNA/JPL/Vaad/MB 09/6/1/1958).

<sup>117</sup> For more on Jacob Joseph, see Abraham J. Karp, “New York Chooses a Chief Rabbi.” *Publications of the American Jewish Historical Society* 44 (1955); Jacob Mark, *Gedoylim fun unzer tzayt: monografyas, karakter-shtrikhen, un zikhroynes*, (New York: Orium Press, 1927).

In October of 1922, one hundred and sixty-four delegates representing seventy-three local Jewish organizations participated in the founding conference of the Vaad Ha'ir of Montreal. Calling it the Jewish Community Council of Montreal, Wolofsky avoided the word *kehillah* to escape any bad associations with the European model that many immigrants rejected as well as to distance himself from inevitable comparisons to the failed New York attempt at Jewish communal unity. Although we will examine the Vaad Ha'ir's mandate in greater detail below, for now it suffices to point out that Wolofsky's initial proposal was quite wide and encompassing. In fact, his proposal, despite the removal of the word *kehillah*, was quite faithful to the European model that previously dominated much of the social and political life of the Jews. Most blatantly, concluding the proposal with the word "*etcetera*," permitted Wolofsky — or anyone else for that matter — to envision an open-ended, limitless mandate.

### Methodology

The primary methodological approach in this dissertation is historical-critical based upon examination of the available archival records of the Vaad Ha'ir and Vaad Harabbonim. As a study in social history, I have examined the archives for events, rulings, and issues that reflected the social concerns of the organization. Among the thirty-seven boxes examined is a large collection of minutes of the Annual General Meetings (AGM), the rabbinical council and the presidium. There is extensive rabbinic and organizational correspondence, kashrut rulings, details of kashrut supervision, arbitration court documents, Vaad Ha'ir publications, and rabbinic rulings.

Both to corroborate the information as well as to fill in the lacunae left by an incomplete archival record, I examined newspapers and other journalistic sources — such

as unpublished handbills, academic texts, personal memoirs, story anthologies, and other ephemeral sources. To further substantiate information, wherever possible, I searched the records of other contemporaneous individuals or organizations whose archives might provide a different perspective on the events as described in the Vaad Ha'ir's own minutes. I was partly aided in that the Vaad itself frequently maintained copies of the letters or claims made against them, thereby permitting me to examine both sides of an issue.

To create a coherent chronology of the events and trends traced in the dissertation required reclassifying the data in a more conceptual and logical way rather than simply by committee agenda. Doing so, I was able to weave the primary documents together with newspaper details and other textual sources, creating a fuller and clearer picture, in some cases from both sides of the issue. The context and content of the Vaad Ha'ir's committee meetings reflect the concerns of the larger Orthodox world.

I chose to pursue an historical approach and not an oral historical one for a variety of reasons. First, oral reports on contentious, public institutions or events can be misleading. People may not always speak honestly, even anonymously, on communal events or individuals. Second, the reluctance I encountered from many (close to ten) individuals to speak off the record led me to believe that this would not be a fruitful avenue of research. As the research is based on never-before published documents that touch upon sensitive issues for many in the community, some disinclination to be interviewed is not surprising. Many are unwilling to go on record speaking of chief rabbis or well-known business establishments. Further, with so many reluctant individuals, I feared that collecting oral histories from those willing to speak, might be

skewed. Finally, this dissertation is a documentary analysis of the evolution of the Vaad Ha'ir and Vaad Harabbonim at mid-century based on their own records. It was not my goal to create a history of the Vaad Ha'ir for the latter twentieth century, for which contemporary oral histories would be most necessary.

In the context of North American Orthodoxy, this study is unique. It is the only study that examines a traditional Jewish communal association in Canada, or anywhere in North America, over an extensive period of time based upon that organization's own documents. While histories of Orthodox organizations and communities do exist, they are usually produced by amassing data from outside the object of study itself. Extensive examinations of the records of other Orthodox communal organizations in North America have not been conducted. This is due to many reasons. Perhaps the fact that many North American Orthodox organizations are not that old results in fewer analyses at this time. As well, in most cases, complete and organized records were not kept. With respect to those organizations that do have extensive records, access is not easily available to members of the public. Furthermore, in all cases but this one, the records remain in the hands of the original organization. Such was not the case with the records of the Vaad Ha'ir of Montreal which are housed in a public archive and hence are publicly accessible. Therefore, detailed histories of Orthodox adaptation to North America have often been stymied by an inability to access an extensive internal record. This study — based upon internal documentation — illuminates the evolution of Orthodoxy from within, providing a unique perspective on Jewish adaptation to North America, recorded by the very people on the forefront of these changes.

This dissertation will demonstrate that the process of change in Orthodoxy as it relocated from Europe to America as described above influenced the Vaad Ha'ir of Montreal as well. This evolution is evident in the strategies and changes that the Vaad Ha'ir of Montreal developed in response to the demands of an evolving society. Such adaptations can be measured using the analytical frameworks discussed above. Specifically, I will assess the extent of Haredization — the process whereby a group or organization adopts the values and habits of Haredi society — through examining the shift from folk standards to elite standards, the switch from hierarchy to exclusion as a way of dealing with deviance, and the disempowerment of women. An analysis of these questions will clarify the process of change with the Vaad Ha'ir. My hypothesis is that the Vaad Ha'ir's own records will demonstrate how this organization — like many others of its era — shifted from a universal and open organization to one with a much narrower agenda and limited constituency, which reflects a process of haredization seen throughout the twentieth century orthodox world.

The dissertation is divided into eight chapters. In the first, I will examine the history of communal organizations in Europe, establish the history and evolution of Orthodoxy and trace the issues that beset the Montreal Jewish community in the early twentieth century. The second chapter will address the establishment of the Vaad Ha'ir of Montreal and its early years, which were beset with disunity and threats to the Vaad's solvency. The third chapter will elaborate on the kosher meat market of Montreal, the slaughterers and butchers and their interactions with the Vaad Ha'ir. Chapter four is devoted to the threats that the Vaad Ha'ir faced from imported kosher meat and displeased wholesale butchers. Chapter five continues the theme of control over kashrut



with details about fraud and deception, both from within and without the organization. Rabbinical relations, specifically tensions between the European Vaad Ha'ir and the North American born rabbinate as well as Hasidic immigrants occupy chapter six. The last decades of the twentieth century and the first of the next fill out the last chapter, prior to conclusions. The early history of the Vaad from the day of its establishment will be the focus of the next chapter.

## Chapter 2

### The Early Years of the Vaad Ha'ir and Vaad Harabbonim of Montreal

In order to provide as complete a background as possible to the concerns of the 1950s and 60s, it is important to review the Vaad's history through its foundational years. In this chapter, we will examine the challenges that confronted the Vaad Ha'ir in its early days of the 1920s and 30s. Not only will we examine a brief history of the Vaad Ha'ir, but these early decades also provide evidence of the threats to the Vaad Ha'ir. These years were also witness to a massive Jewish school strike due to monetary problems. This strike was remarkable in that it was spearheaded by a womens' auxiliary, albeit, this would also be the last time women were directly engaged in the Vaad Ha'ir's work.

On December 17, 1922, the Vaad Ha'ir of Montreal was officially founded to control Kashrut, Jewish education, labour arbitration, equity in Jewish business, and general governance of the community. Four thousand voters, affiliated with seventy-three local Jewish organizations participated in the founding conference, electing a presidium of thirty-three executive members with Hirsch Wolofsky as head of the householders' group, Lyon Cohen heading the synagogue slate, and Joseph Shubert representing the workers.<sup>1</sup> Unfortunately, almost immediately, the initial enthusiastic cohesiveness gave way to disunity and competition. Most seriously challenged was the realm of Kashrut — because the founding of the Vaad Ha'ir meant control over the pricing of kosher meat. Disorganization benefited many of the retailers, and hence an organization such as the Vaad Ha'ir threatened income. As the most remunerative and extensive of the Vaad Ha'ir enterprises, Kashrut would remain its Achilles heel.

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<sup>1</sup> Robinson, "Foundation Documents," 76.

Although the Vaad Ha'ir did fund Jewish education for several decades, Kashrut, and to a lesser extent halakhic problems, came to dominate the Vaad's energies, and kosher food would remain its overwhelming focus, as the other elements of Wolofsky's original proposal eventually fell in the face of communal disunity.

Indeed, within months of its establishment, the Vaad came under such severe attack that it nearly disintegrated. During the first decades of the Vaad's establishment, two interrelated battles dominated the Vaad's energies. One, to be expected in a new organization, was to unify the previously bellicose and competing circles of rabbis and slaughterers under the single aegis of the Vaad Ha'ir and Vaad Harabbonim. The second problem which undermined the Vaad's work and required it to expend considerable energy, was the chaos in the production of kosher chicken, which was, of course, exacerbated by disunity in the kosher trade generally.

The first concern, unity, remained a challenge for many years. In fact, once established, the Vaad Ha'ir divided along the same fault lines that had been present before its creation. Rabbi Tzvi Hirsch Cohen, by virtue of his acceptance by the Montreal Jewish establishment, had become, by the 1920s, the *de facto* chief rabbi of Montreal. Prior to his nomination as head of the Rabbinical Council of the Vaad Ha'ir in 1922, he had been opposed by a competing rabbi, Yudel Rosenberg.<sup>2</sup> The latter, arriving in Montreal in 1919 from Poland and Toronto, had previously represented a group of dissident shochetim and butchers. Although initially, the two rabbis saw the value in

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<sup>2</sup> Yudel Rosenberg (1859–1935) was born in Skaryszew, Poland and was raised and educated in a Hasidic household. After several failed business attempts, he went into the rabbinate in Tarlow, Lublin, Warsaw, and Lodz, prior to emigrating to Toronto in 1913, and to Montreal in 1919, where he died. For more information on Rosenberg, see Robinson, *Rabbis*, 57-68; *Ibid.*, “‘A letter from the Sabbath Queen’: Rabbi Yudel Rosenberg Addresses Montreal Jewry,” in *An Everyday Miracle: Yiddish Culture in Montreal*, ed. Ira Robinson, Pierre Anctil, and Mervin Butovsky (Montreal: Véhicule Press, 1990), 101-14.

coming together to found the Vaad Ha'ir, it would not take long for this fragile unity to be challenged. Under increasing pressure from dissident butchers, Rabbi Rosenberg, accompanied by another recent arrival, Rabbi Sheea Herschorn,<sup>3</sup> seceded from the Vaad to create their own competing Kashrut group, thus threatening the solvency and authority of the Vaad Ha'ir, resulting in what became known as the Kosher Meat War.<sup>4</sup> The “war” lasted for close to three years with butchers choosing between Herschorn’s and Rosenberg’s *Vaad haKashrut d'Montreal* (Kosher Council of Montreal) and the Vaad Ha'ir. In December of 1925, with little fanfare or foreshadowing, the battle cries simmered down and the dissident rabbis and butchers returned to their jobs. Although infighting would hardly die down, the threat of disbanding had passed.<sup>5</sup> The primary casualty in the long and draining battle was the extensive mandate Wolofsky had envisioned. Although it would use its financial resources to support and fund Jewish education in Montreal, including the radical (socialist and left-leaning) schools, the Vaad Ha'ir’s primary authority would remain in the realm of Kashrut, civil status laws, and halakhic arbitration. It would never achieve the breadth of mission initially proposed. Indeed, the early fighting either weakened the Vaad so that it was unable to achieve more than Kashrut, or it taught the executive of the Vaad Ha'ir the difficulty in maintaining such a vast mandate.

The second dominant concern of the Vaad’s first decades was the status of poultry slaughter. Where the Vaad’s first challenge was to achieve peace among the rabbis as to

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<sup>3</sup> Sheea Halevi Herschorn (1893–1969) was born in Krilovitz, Ukraine and came to Montreal in 1921. He joined the Vaad Harabbonim in 1923 and was named Chief Rabbi of Montreal in 1951 until his death (Ira Robinson, “Herschorn, Joshua (Sheea) Halevy,” in *Encyclopaedia Judaica*, ed. Michael Berenbaum and Fred Skolnik (2<sup>nd</sup> ed. Detroit: Macmillan Reference USA, 2007, 44).

<sup>4</sup> Robinson, “The Kosher Meat War,” 44.

<sup>5</sup> *Ibid.*, 49.

who was permitted to provide reliable supervision, the second major threat came from the commercial and legal aspects of the poultry trade. At issue was the fact that cattle slaughter was controlled through federal legislation. Hygiene laws demanded that certain methods, health regulations and locations be respected when dispatching cattle and other large animals.<sup>6</sup> As the Vaad signed contracts with federally-approved abattoirs, they were able to maintain some control over who could kill for the kosher trade. On the other hand, chicken slaughter, of less concern to the government, probably because of its ubiquity and basic necessity, took place without much legal control. Without such rules, it was difficult to stop an individual from killing chickens in the market-place and declaring them kosher. Lack of regulation in the poultry trade in general further limited the Vaad's power to control kosher poultry slaughter. In 1922 and 1923, Rabbi Rosenberg, hoping to exert greater control over Kashrut, appealed to the Montreal municipality in the name of hygiene to regulate the permissible location of poultry slaughter:

I beg that you take into consideration that Montreal should, in the Hygienic respect regarding chicken killing, not be lower than all large cities in Canada. Having been Chief Rabbi of Toronto for five years,<sup>7</sup> it was there established a By-Law that poultry must not be killed in private places; not in a chicken store and not in a market, but there were established five special sanitary places where the Jewish rabbis thus occupied should kill the poultry under the supervision of the Chief Rabbi. The same was also put in force in all other

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<sup>6</sup> For example, in 1949, the federal government prohibited the practice of selling intestinal casings to the general public without being hygienically cleaned. However, once cleaned, according to the Vaad, it was hard to distinguish between kosher and non-kosher casings, and hence the Vaad asked for special permission to allow the women to clean the casings at home. (Letter to Veterinary General of Canada from JCC, May 5, 1949 (CJCCCNA/JPL/Vaad/MB 09/14/81/Kashrut/Kishke-Stuffed/1947-49)). Based on fears of contamination, the Department of Agriculture refused. (Letter to Hechtman, from T. Childs, Veterinary Director General, May 17, 1949 (CJCCCNA/JPL/Vaad/MB 09/14/81/Kashrut/Kishke-Stuffed/1947-49)).

<sup>7</sup> The situation was not as rosy in Toronto as Rosenberg claimed. A delegation of American rabbis, including Joseph B. Soloveitchik and Eliezer Silver, visiting Toronto in 1940, referred to the "chicken abattoirs where currently lawlessness reigns." (As cited in Aaron Rakeffet-Rothkoff, *The Silver Era: Rabbi Eliezer Silver and His Generation* (Jerusalem & NY: Yeshiva University Press & Feldheim Publishers, 1981), 137-38).

large Canadian cities; except Montreal which is still lacking in that respect like an Indian city in the middle ages.<sup>8</sup>

Although a slightly modified version of the by-law passed, it was later overturned.

On appeal, it was found to be unconstitutional since it unfairly prejudiced Jewish citizens and poultry dealers. As Robinson concludes:

[...] the failure of the court to sustain article 29 of By-law 828, indicated that in Montreal, as elsewhere in Canada and the United States, the rabbis could only hope to enforce or defend their rights through the civil court system rather than through legislated monopolies.<sup>9</sup>

Attempting to achieve unity among the rabbis and shochetim all-the-while trying to control the anarchy in the poultry trade were the two dominant themes and struggles of the next two decades. Appealing to the legal system to help enforce control and reign in recalcitrant butchers would characterize much of the Vaad Ha'ir's early years.

#### Chicken Slaughterers' Union

In the same period, the Vaad came under attack from the Chicken Slaughterers' Union, as it would again in the 1930s and 50s. The primary disagreement focussed on remuneration. Where the Vaad Ha'ir planned to use a portion of the *shechita gelt*<sup>10</sup> to support itself and the Jewish schools, the chicken slaughterers were more single-minded. They saw slaughtering fees in their entirety as belonging to those who slaughtered and not to any other communal body. This position gainsaid the purpose of the Vaad Ha'ir, which was to use kosher meat fees to support other communal organizations, and the European kehillah model upon which the Vaad was fashioned. Although the "meat tax"

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<sup>8</sup> Ira Robinson, "Toward a History of Kashrut in Montreal: The Fight over Municipal By-law 828 (1922-1924)," in *Renewing Our Days: Montreal Jews in the Twentieth Century*, ed. Ira Robinson and Mervin Butovksy (Montreal: Véhicule Press, 1995), 32-33.

<sup>9</sup> *Ibid.*, 38.

<sup>10</sup> Slaughtering fees: a per head or per pound income for slaughtering. In this era, most cities charged about 1.5 cents per pound for beef, while in Montreal, the fee was often closer to 3 or 3.5 cents.

was a controversial element in Jewish communal history, slaughtering fees were considered by the founders and supporters of Montreal as a legitimate source of funds for the community, as kehilla leaders have done for centuries. “Korobka?<sup>11</sup> Call it what you want. But the fact is that a certain form of korobka is now here.”<sup>12</sup> Breaking with Jewish tradition — especially in the eyes of the Vaad — the slaughterers argued that they were simple employees who expected full remuneration from their employer and denied any communal or social responsibility.

The “chicken fight” of the early 1930s was spearheaded by Getsel Laxer. An ordained rabbi, Laxer came to Canada in 1900, and settled in Sherbrooke, where he served as rabbi, cantor, shochet, and Hebrew teacher. He moved to Montreal in 1913 because Sherbrooke lacked proper Jewish education for his children. As he did not like slaughtering, he also hoped to get away from that profession, but was unsuccessful and remained a shochet.<sup>13</sup> A militant fighter, Laxer headed several secessions and court cases against the Vaad, particularly in 1925 and again in 1927-28, which are related in detail in Robinson’s book.<sup>14</sup>

We will examine another challenge to the Vaad raised by Laxer in 1933 that has not been addressed. Before discussing Laxer’s part in this particular episode, we must address the crisis in the Jewish schools of the period which precipitated the fight between the Vaad Ha’ir and the slaughterers’ union.

On December 9, 1932, in response to the increasing financial difficulties of the Jewish schools in Montreal and the concomitant lack of fiscal support from the Vaad

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<sup>11</sup> Tax on kosher meat.

<sup>12</sup> *KO*, October 4, 1932.

<sup>13</sup> Ira Robinson, *Rabbis and Their Community*, 72-73.

<sup>14</sup> *Ibid.*, 114-15.

Ha'ir, the Ladies' Auxiliary of the United Talmud Torahs passed a resolution to act on behalf of all Jewish schools in Montreal:

One fact is certain. The Jewish women of this community will not look on and permit Jewish education to become pauperized and degraded, while tens of thousands of dollars are collected annually from Kosher meat without any appreciable amount of these enormous sums being devoted to Jewish education as is the prevailing opinion among a large section of our community.<sup>15</sup>

On January 13, 1933, after months without salary, the teachers in the Jewish school struck. Accusing the slaughterers' union of keeping too much of the shechita gelt, leaving the schools without enough money, the *Canadian Jewish Chronicle* offered editorial support to the striking educators:

As we go to press the first rumblings of an impending catastrophe in our community are being heard. After months of delay and hoping, the teachers of the Talmud Torah have declared a strike and Montreal Jewry is faced with one of the ugliest problems that has ever confronted us. There is no need to rehash the plight of these men whose miserable pittance of a salary has been unpaid for half a year, nor is there any necessity to stress the disintegration that will take place in the religious upbringing of more than a thousand of our children, the future Jews of this community.

The focal point in this jig-saw puzzle of money-raising is the Vaad Ho'ir and the Shochetim, in whose hands lies the destiny of the entire situation. The "fiddling" which is going on while the Talmud Torah is "burning" has provoked the entire community to a pitch of indignation, and instead of consolidating their position, the vacillating Vaad and the high-handed Shochetim are bringing opprobrium upon themselves and upon the time-hallowed institution of Kashrut.

We have it on the highest authority that the Shochetim refuse to budge one inch from their position and refuse to give up anything from their salaries. Wage-slashing has become a popular pastime in all walks of life, and we have no doubt that in many instances it was fully justified. The Jews of Montreal would therefore like to know by what right these men hurl defiance in the face of the community and continue to pocket their share of the income at the same rate they did years ago.

Let us not lose sight of the issue. The Vaad was created for the purpose of subsidizing Hebrew education. That they have not fully succeeded in the former is not entirely their fault, but that they have not turned over money

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<sup>15</sup> *Canadian Jewish Chronicle*, December 9, 1932.



received in the form of taxes is something that arouses resentment in the community.

The pivotal point in the dispute has now become the Shochetim union and with an avarice one would not easily associate with the type of function they are called upon to perform, these men threaten to disrupt the work of years and throw the Talmud Torah into an inextricable condition. Threats and blustering arguments will not bring us to any solution. It will require a rational and prudent guidance to come to a decision that should prove satisfactory to the Vaad, to the Shochetim and to the Talmud Torah. Meanwhile, the teachers' strike, which seemed to most people a threat, has become an unprecedented reality among Montreal Jews.<sup>16</sup>

Great activity greeted the beginning of the strike. As twenty-eight teachers walked out and fourteen hundred Jewish children were affected, meetings were called by the teachers, the Ladies' Auxiliary of the Vaad Ha'ir and the school directors.

Connecting the school problem with the Vaad, the *Canadian Jewish Chronicle* added that:

No one can speak of Talmud Torah without immediately mentioning Vaad Ho'ir. To the man in the street, it is a cruel joke, to whisper that the Vaad Ho'ir is a name only, that the directors are call-boys for the shochtim. You may or may not believe it to be a form of racketeering, but the average man would like to know how can the shochtim tell the council of 45 in the Vaad Ho'ir how the income shall be disbursed.<sup>17</sup>

Representatives of the Vaad Ha'ir and Vaad Harabbonim also engaged public pressure.

In an emotional appeal in the Yiddish press, Yudel Rosenberg, in the name of the Vaad Ha'ir, emphasized the importance and centrality of Jewish education,<sup>18</sup> and Hirsch Wolofsky also wrote of the need for the Vaad Ha'ir to support Jewish education.<sup>19</sup>

The Vaad, at this time, turned to its women for support. Mostly engaged in the battle to ameliorate Jewish education, the women formed a Womens' Auxiliary to which Mrs. Anna Raginsky was named chair. Not only did they picket butcher shops that were

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<sup>16</sup> "The Strike Has Begun," *Canadian Jewish Chronicle*, January 13, 1933, p. 1.

<sup>17</sup> Henry Broker, "Hebrew Teachers on Strike!" *Canadian Jewish Chronicle*, January 13, 1933, p. 9.

<sup>18</sup> *KO*, January 20, 1933.

<sup>19</sup> *KO*, February 7, 1933.

not affiliated with the Vaad Ha'ir, an "army of 300 women" distributed cards to private households to pledge support for the Vaad Ha'ir by boycotting unaffiliated retail butchers.<sup>20</sup>

The situation only worsened as the public learned that the shochetim, led by Getsel Laxer, rather than negotiate, demanded an increase from sixty-two percent of the slaughtering fees to sixty-six percent.<sup>21</sup> At a public meeting before the shochetim, Chief Rabbi Cohen appealed for resolution:

You, gentlemen! Shochtim! If Kashrut and Torah to you is merely a matter of a few dollars each week and you are not willing to make sacrifices even for the dignity of our Holy Torah, for the sake of our religion, for the sake of Kashrut then I say to you, gentlemen, **THAT YOU ARE NOT WORTHY TO BE SHOCHTIM.**<sup>22</sup>

In response to the rabbi's emotional appeal, the shochetim declared themselves willing to "consent to 50% of the rabbi's recommendations," although it was not clear what that meant. In fact, the meeting concluded at three AM with the Vaad announcing that they would begin hiring new shochetim.

In further support of the JCC, an editorial on February 10, 1933, in the *Canadian Jewish Chronicle* called on Montreal Jewry to stand with the Vaad Ha'ir against the unfair demands of the slaughterers' union. "The shochetim are no more interested in the preservation of Kashrut than the stevedore in the wharf is. To them it is merely a lucrative way of making a living..."<sup>23</sup>

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<sup>20</sup> *KO*, February 2 & March 17, 1933.

<sup>21</sup> The Vaad proposed a 10% decrease in slaughtering fees to support Jewish education (*KO*, February 17, 1933, p. 1).

<sup>22</sup> Henry Broker, "Vaad Ho'ir Advertises for New Shochtim," *Canadian Jewish Chronicle*, February 10, 1933, 8; *KO*, February 6, 1933, 1).

<sup>23</sup> *Canadian Jewish Chronicle*, February 10, 1933, 1.

By the autumn of 1933, the Vaad finally reached an agreement with the shochetim that ended the school strike,<sup>24</sup> but as we will see below, another fight broke out when the Union violated the agreement. In a lengthy statement entitled “The Treason of the Slaughterers’ Union against the Montreal Jewish Community,”<sup>25</sup> the Vaad Ha’ir traced the roots of the teacher’s strike to the battle spearheaded by Laxer in 1928. In 1930, an agreement, which ended the 1928 fight, was reached in which the shochetim were to receive sixty-two percent of the income from slaughtering fees for a fifteen-hour work week, which amounted on average to fifty-three dollars per week per shochet, including the elderly ones, whom the Vaad suggested would be better off on pension.<sup>26</sup> The Vaad felt that this amount was too high, especially since the Talmud Torahs and the National Yiddish Schools<sup>27</sup> were in difficult financial straights.

The Vaad Ha’ir believes it to be unfair that as one element of communal employees, who tear their hearts out in order to teach Jewish children Torah and Jewish culture, are simply starving, living on average on four-months salary, while it is criminal that a second element of communal employees should receive some fifty dollars per week the entire fifty-two weeks per year.<sup>28</sup>

In order to compensate, the Vaad raised slaughtering fees one half-cent per pound, to defray school costs. However, the shochetim demanded that this pay raise be given to them. Six months of fighting ended in September of 1933 with some reconciliation. The Union was to acknowledge the Vaad as singular authority in Kashrut (i.e. they cannot

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<sup>24</sup> *KO*, September 17, 1933.

<sup>25</sup> Dated to February, 1935. (CJCCCNA/ZA/1935/2/17/Vaad Hair).

<sup>26</sup> This refers to the agreement from 1925 through 1928, when the shochetim were entitled to two-thirds of the shechita gelt. In a letter to Rabbi Meir Shapira of Yeshivas Chochmei Lublin in 1930, Laxer complained that from a commission of 2/3, the shochetim were switched to a base salary. (Robinson, *Rabbis*, 78).

<sup>27</sup> It is interesting that the Vaad does not refer to the school by its formal name of National Radical (socialist) School.

<sup>28</sup> “The Treason of the Slaughterers’ Union against the Montreal Jewish Community,” February, 1935. (CJCCCNA/ZA/1935/2/17/Vaad Hair).

slaughter independently or for another organization); the Union members must only slaughter for Vaad-approved butchers; and they cannot conspire against the Vaad or act against the Vaad's interests. For its part, the Vaad agreed to pay the shochetim (at that time fourteen men) 31.11% of the slaughtering fees.<sup>29</sup> Initially, the shochetim were also to help with supervision of the butcher shops, but within a few weeks, they withdrew from that task claiming it was too difficult, and the Vaad agreed. This agreement, specifying financial support for the Jewish schools, ended the strike.<sup>30</sup>

As in many other events in the Vaad's history, peace only reigned for a short period before two events resulted in the breaking of the contract. First, Laxer went to civil court to challenge the Vaad's singular status as Kashrut authority in the city. Second — considered the greater crime by the Vaad — the Union sent a shochet to a non-Jewish slaughterhouse to *shecht* (slaughter) kosher meat to avoid the Vaad's purview. Robinson ascribes Laxer's motives to a rejection of the rabbis of the Vaad. Considering himself an expert in *shechita*,<sup>31</sup> he disdained the rule of the Vaad rabbis, as he was their equal if not superior. In his eyes, he and the shochetim he led deserved the entire profit from slaughtering.<sup>32</sup> The Vaad also understood Laxer's motives to be financial. The Union reneged on their agreement because they wanted to control the entire \$80,000 annual income from slaughter.

Like the Montreal Retail Butcher's Guild did in the 1950s (see chapter 4), Laxer's Slaughterers' Union rejected the Vaad's position as a communal organization and

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<sup>29</sup> Further details of the Board of Arbitrators can be found in the *Canadian Jewish Review*, August 25, 1933, p. 5.

<sup>30</sup> Getsel Laxer's activities did not end here. In 1935, the Wilsil abattoir accused him of purposefully slowing down the work of other shochetim. (Memorandum, August 14, 1935 (CJCCCNA/JPL/Vaad/MB 09/14/65/Kashrut correspondence/Wilsil Ltd./1930-62).

<sup>31</sup> Kosher slaughter.

<sup>32</sup> Robinson, *Rabbis*, 81.

demanded all the funds from shechita. Denying the Vaad's role as organizer and supporter of communal operations, they were essentially refuting the Vaad's position as a kehillah organization responsible to support various communal agencies. Refusing a meat tax meant that the Guild rejected the Vaad Ha'ir as a kehillah organization.

### Poultry Slaughter

Several plans were proposed to deal with decades of anarchy in the kosher poultry business. The first attempt to control chicken slaughter, as noted above, came as early as 1922, when Rabbi Rosenberg argued for the by-law 828 to limit locales for chicken slaughter, but this method did not work for long.<sup>33</sup>

Although monopolization of any segment of the meat industry would not be legally supported, fraud was considered a crime by the government. Thus, rather than argue for the right to organize a trust, the Vaad would look to prosecute fraud. As early as 1931, in a case of two butchers who falsely advertised their wares as kosher, a Quebec Sessions Court judge ruled that, "[I]t is an offence under the criminal code of this Dominion to indicate by sign or otherwise, that an object advertised as kosher is not kosher."<sup>34</sup> The defendants appealed their case a year later, and the appeals judge supported the initial ruling. Especially damning was the testimony of a witness who claimed to have purchased meat at said butchers specifically because it was advertised as kosher, and hence the appellants were found guilty of misleading a specific individual.

The judge explained that:

The offence alleged is based on Article 406-B, of the Criminal Code, which makes it an offence to publish knowingly, an advertisement destined to encourage directly or indirectly the sale of any goods and containing any

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<sup>33</sup> For a full account of these events, see Robinson, "Toward a History," 30-41.

<sup>34</sup> Letter to JCC from Crestohl & Crestohl, Advocates, January 20, 1931 (CJCCCNA/JPL/Vaad/MB 09/4/51/Legal – Crestohl & Crestohl/1928-55). See also, *Canadian Jewish Chronicle*, January 23, 1931, 6.

false statement or false representation of a nature to encourage the sale or disposal of such goods.

What constitutes a false pretence? It is a representation, either by words or otherwise, of a fact, either present or past, which representation is known to the person making it, to be false, and which is made with a fraudulent intent to induce the person to whom it is made, to act upon such representation.<sup>35</sup>

Again, in 1933, the Vaad turned to the courts to sue B. Black for selling non-kosher meat as kosher. There is no evidence of the outcome of that case, although its existence is illuminating. It exposes how the Vaad was able to fight individual cases of fraud through the court system. Although helpful in fighting specific instances, these cases did not offer the Vaad overall control over Kashrut. Indeed, these examples helped the Vaad understand the impotence of the political system in controlling Kashrut. Without other recourse, the Vaad rabbis turned to internal methods to control the chicken industry.

The first project was to develop a foolproof way of identifying kosher poultry after slaughter. Initially, the Vaad proposed a kosher ring that would be placed around the slaughtered chicken's foot with the date of the slaughter, the words kosher and Vaad Harabbonim and the name of the shochet.<sup>36</sup> It was designed so that when opened or removed, the ring would break to ensure that it could not be re-used.<sup>37</sup> Besides the Yiddish press, Vaad Ha'ir also advertised the use of such new kosher rings through handbills to remind the public to purchase only Vaad-approved and Vaad-supporting

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<sup>35</sup> "Court of the King's Bench (In Appeal)," District of Montreal, No. 9709. March 1, 1932 (CJCCCNA/JPL/Vaad/MB 09/4/50/Legal/Caplan vs The King/1932); *Canadian Jewish Chronicle*, March 4, 1932.

<sup>36</sup> *KO*, January 21, 1932.

<sup>37</sup> Letter to Ketchum Manufacturing Co. Ltd. from Vaad Ha'ir, June 20, 1938 (CJCCCNA/JPL/Vaad/MB 09/15/93/Kashrut-Meat Stamps/Ketchum Manufacturing/1929-49).

butchers.<sup>38</sup> As well, an agreement signed between the Vaad Ha'ir and the chicken slaughterers dated to 1933 required the shochetim to attach a special symbol, a ring or a lead seal (called a *plombe*), with the Vaad's logo to every kosher chicken.<sup>39</sup> While providing some help in regulating Kashrut, control of the lead seals was often a problem in Montreal. As late as the mid-1950s, there was concern about controlling the distribution of the plombes.<sup>40</sup>

Similar problems regarding the processing of kosher poultry affected many cities in North America. Reference was made above to the lawlessness of poultry slaughter in Toronto during the 1930s. Additionally, in New York City, the Kashruth Association was established in 1932 to ensure that kosher poultry was properly slaughtered by an approved and select group, that the shochetim were able to work safely and halakhically, and that the slaughtered birds were labelled to reflect the supervision of the New York rabbis. To enforce their position, at a public meeting in November of 1934, the rabbis prohibited as *treyf* any chicken not bearing their metal *plombe*:

And, therefore, in accordance with our Holy Torah, for safeguarding the observance of its dietary laws, we herewith do with the full strength and severity of the law, solemnly declare, pronounce, issue and publish an *issur* (religious prohibition), to go into effect forthwith on poultry not slaughtered in accordance with the above regulations or not bearing an authorized token, as above described, declaring that such poultry is forbidden to be consumed by Jews. Utensils in which birds not killed in accordance with these regulations have been cooked, may not be further used without previous inquiry of a Rabbi, who shall determine whether they may be used again.<sup>41</sup>

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<sup>38</sup> Undated handbill (CJCCCNA/DA/10(A)/6/Clippings 1945/Vaad Ha'ir). This title is an agglomeration of items from several different years, hence the date of 1945 on the archive name is not indicative of the date of the handbill itself.

<sup>39</sup> Agreement between Vaad Ha'ir and chicken dealers, 1933-34 (CJCCCNA/JPL/Vaad/MB 09/20/3/Supervision Agreements/Chicken Dealers/1933-34).

<sup>40</sup> See Minutes, Executive, October 16, 30 & 31, 1956 (CJCCCNA/JPL/Vaad/MB 09/11/6/Executive Council/Minutes/1956).

<sup>41</sup> As cited in Aaron Rakeffet-Rothkoff, *The Silver Era*, 148.

In 1935, this ruling was challenged by a Bronx-based poultry manufacturer who was not under the Association's aegis. Not only did the rabbis win, they renewed the ban on plombe-free chickens in 1939. However, despite all these efforts, it was estimated that the Kashruth Association's plombe was found on merely eight percent of kosher poultry in New York City in 1940.<sup>42</sup> Montreal was quite aware of the situation in New York<sup>43</sup> and fought to establish similar control over chicken slaughter, but without the support of legislation. Where Gastwirt, in his monograph on Kashrut in New York City, opines that "These [kosher poultry] laws were only as effective as the agencies responsible for them,"<sup>44</sup> in Montreal, the leadership saw kashrut enforcement only as effective as the kosher consumer. "[...] the only authority or power which our community has is the moral power of human beings and the goodwill of members of our community."<sup>45</sup> And often, in the early years, the Montreal rabbinate relied on its women.

#### Role of Women in the Early Twentieth Century

Women have clearly been implicated in food production since the dawn of time. By the turn of the twentieth century, women had become actively organized in the realm of food consumption and preparation. For example, in 1902 in New York City, thousands of immigrant Jewish women of the Lower East Side struck against untenable increases in the cost of kosher meat by boycotting and protesting outside butcher shops.<sup>46</sup> Beside the dramatic fight led by the Jewish women of Montreal to support Jewish education from kosher killing fees in 1932-33 described above, in 1922, Montreal Jewish

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<sup>42</sup> Aaron Rakeffet-Rothkoff, *The Silver Era: Rabbi Eliezer Silver and His Generation* (Jerusalem & NY: Yeshiva University Press & Feldheim Publishers, 1981), 151.

<sup>43</sup> Letter from Kashruth Association of Greater New York (Heb.), August 26, 1938, Herschorn Papers/Robinson Collection/Rabbonim, Agudas.

<sup>44</sup> Gastwirt, *Fraud*, 135.

<sup>45</sup> "Case of Eastern Beef Packers vs. JCC," 1948 (CJCCCNA/JPL/Vaad/MB 09/2/40).

<sup>46</sup> Paula E. Hyman, "Immigrant Jewish Women and Consumer Protest: The New York City Kosher Meat Boycott of 1902," *American Jewish History*, 70(1980).



women boycotted kosher butchers and protested in front of their shops to discourage anyone from entering, in order to fight an unfair rise in prices.<sup>47</sup>

Thus, the Vaad appealed to the women of the community to become actively engaged in the pursuit of consistent Kashrut. Taking advantage of their influence in the local Jewish press, the Vaad Ha'ir used the media to its advantage. Aside from the regular practice of publishing the names and addresses of those butchers who falsely claimed kosher status, the Vaad also used the press to print broadsides and announcements regarding the status of kosher meat in general. Not shying away from hyperbole, the Vaad, in a printed handbill entitled, "The Jewish people fight against the Amalekites, Hamans, and Hitlers of each generation," compared the sale of falsified kosher meat to repressive regimes.<sup>48</sup> Another ad demanded that Jews buy kosher in order to support the educational goals of the Vaad.<sup>49</sup> Many of these announcements were specifically directed at homemakers:

Jewish Housewives:

Demand from your butcher or chicken-dealer, that a Tag issued by the Rabbinical Council and Jewish Community Council, stamped and dated by the Shochet, shall be attached to the wing of the fowl. This will give you the maximum guarantee that the fowl is KOSHER and FRESH.  
If the fowl was delivered to you without the above-mentioned Tag — SEND IT BACK IMMEDIATELY, as it is under suspicion of being TREIFA.  
Rabbinical Council of Montreal,  
Rabbi H. Cohen, President.  
Jewish Community Council  
A. Drazin, President<sup>50</sup>

In 1933, the Vaad warned women that besides the regular *treyfnyaks* (people selling non-kosher meat), a new fraud was in place. Certain butchers advertised the supervision of a

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<sup>47</sup> See Robinson, "The Kosher Meat War," 44.

<sup>48</sup> Handbill, May 1933. (CJCCCNA/JPL/Vaad/MB 09/L-24/Vaad Scrapbook).

<sup>49</sup> *Canadian Jewish Chronicle*, June 23, 1933, 2.

<sup>50</sup> Appeared in the *Canadian Jewish Chronicle*, September 23, 1932. Found in CJCCCNA/DA(A)/Box 6/clippings 1945/Vaad Ha'ir.

Rabbi Kanner, whom the Vaad assured Jewish women, did not exist and this meat was entirely treyf.<sup>51</sup>

Another call for support from Jewish women appeared:

Jewish Housewives!

Hundreds of trefah fowl are being sold to Jewish housewives as kosher. The Kosher Ring of the Vaad Ho'ir as illustrated, is the only assurance that the fowl delivered is strictly Kosher. Look for the Ring. Demand the Ring.

Jewish Community Council<sup>52</sup>

Again in 1935, the Vaad Ha'ir published an appeal to women in the *KO*:

B”H 4 Elul 5695<sup>53</sup>

The Vaad Ha'ir Appeals to Jewish Women  
Returning home from summer vacations with your children, and you will certainly order meat. You should know that there are Jewish butchers who have “signs” with Yiddish words in their store windows, but:

they sell treyf meat.

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Jewish Women! Jewish Mothers!

Do not sully the clean minds of your children with treyf and *neveila*.<sup>54</sup>

Buy your meat products exclusively in the Vaad ha'ir butcher shops. You be assured that you will purchase kosher meat for your money.

You will thereby be supporting our educational institutions because the net income from Kashrut will be given to our schools.

Look for the sign of the Vaad Ha'ir when buying meat or delicatessen.

Vaad Ha'ir<sup>55</sup>

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<sup>51</sup> *KO*, May 26, 1933

<sup>52</sup> *Vaad Ho'ir Bulletin*, March 29, 1934 (CJCCCNA/DA/10(A)/6/Clippings/1945/Vaad Ha'ir).

<sup>53</sup> Corresponds to September 2, 1935.

<sup>54</sup> Improperly slaughtered meat. Please see glossary.

<sup>55</sup> *KO*, September 4, 1935.

Despite all the attempts to control chicken production, resolution remained elusive. In 1936, the Vaad Ha'ir reported on another short-lived breakaway group of shochetim and rabbis who called themselves the *Vaad Hakehiloth* (Council of Communities).<sup>56</sup> Three years later, chaos still reigned in chicken slaughter. There was no centralized control of the kosher chicken symbols, and many slaughterers were not signing the exclusivity agreement demanded by the Vaad. The Vaad Ha'ir claimed that lack of mutual respect and trust was destroying the ability to organize and control chicken shechita. The only resolution was to give control of chicken slaughter to the Vaad who would determine where, when and who could slaughter chickens for the kosher market. Reminiscent of Yudel Rosenberg's earlier attempt, the Vaad suggested limiting chicken slaughter to five locales: two on Roy Street, one in Rachel Market and one on St-Lawrence Boulevard near Fairmont Street and another at the corner of St-Viateur Street.<sup>57</sup> This memo also foreshadowed another kosher chicken problem of the 1940s: chickens that were plucked using hot water.

#### Flikin' Chicken<sup>58</sup>

In the autumn of 1942, the Vaad received a request from a group of retail butchers and chicken dealers. The petitioners complained that it was hard to hire people to pluck chickens, and yet, consumers had become accustomed to cleaned and prepared birds. In order to de-feather the chickens, these dealers were using people who were poorly trained and uninterested, and often the resulting chicken was not appetizing to the "modern Jewish customer," whom it was feared might buy non-kosher chickens as long as they

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<sup>56</sup> Memorandum regarding the Situation of the Kosher Meat Trade, May 1, 1936 (CJCCCNA/JPL/Vaad/MB 09/20/5/Supervision Agreement/Vaad & Shochetim/1936-63).

<sup>57</sup> "Can Order be Introduced into Chicken Slaughter?" August 2, 1939 (CJCCCNA/JPL/Vaad/MB 09/14/56/Kashrut Correspondence/Chicken Shochetim/1939-48).

<sup>58</sup> *Flikn* is Yiddish for pluck.

were plucked and pleasantly presented. One method for easier plucking involved plunging the chicken into hot water (approximately 122 degrees Fahrenheit). The retailers requested that the Vaad permit the chickens to be soaked in warm water prior to plucking by machine, which would result in a sanitary, clean and pleasant-looking product.<sup>59</sup>

The Vaad itself summarized the problem in an internal memo in early 1943. A chicken wholesaler, a M. Lauzon of the Atwater Market, whose chickens were slaughtered by Mr. L. Tykocky, first purchased a plucking machine in 1937 that required prior soaking of the chicken in hot water. Tykocky, whose name appears again in chapter 5, denied having placed kosher seals on soaked chicken. As the Vaad did not unequivocally prohibit this practice, another chicken dealer, Mintz, purchased a similar machine. He was then visited by Rabbi Nosson Note Aframovitch of the Vaad who informed him in writing that if the water was no warmer than 115 to 120 degrees Fahrenheit, it was permissible to use such a machine. Once plucked kosher chickens were made available, many retailers began to purchase their chickens from Dominion Poultry, whose birds were so prepared. “This fact,” continues the 1943 memo, “was well known by the rabbis.”<sup>60</sup> Since the rabbis did not act on this information for several years, many butchers who used to buy live chickens and slaughter and pluck them, were under the impression that the hot-water plucked chickens were permissible. The proof lay in Rabbi Aframovitch’s letter of permission. By the summer of 1942, the practice had

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<sup>59</sup> “Petition from Kosher Retail Butchers and Chicken Dealers to the Vaad Harabbonim and Vaad Ha’ir of Montreal,” September 1, 1942. (CJCCCNA/JPL/Vaad/MB 09/14/56/Kashrut-Correspondence/Chicken Shoshetim/1939-48).

<sup>60</sup> “Memorandum about the Problem of Accepting as Kosher Poultry that was washed after Shechita to Facilitate plucking,” February 10, 1943 (CJCCCNA/JPL/Vaad/MB 09/14//56/Kashrut Correspondence/Chicken Shochetim/1939-1948).

become so commonplace that even without a machine, butchers were soaking slaughtered chickens in hot water in order to ease plucking. Concerned with this practice, the Vaad convened a rabbinic meeting. In light of the dearth of pluckers (due to wartime conditions), the rabbis deemed the situation critical (*sha'as had'khak*) and therefore could not prohibit such chickens. Truly pious Jews (*Haredim l'davar Hashem*) should not use such chickens. When Chief Rabbi Cohen was informed, he prohibited the consumption of such chickens and a formal ban was issued. But the ruling was difficult to impose because the butchers previously considered this practice acceptable and certain rabbis had already permitted it. Even Rabbi Herschorn believed it acceptable, but acknowledged Cohen's authoritative ban. Although pious Jews would not consume these chickens, the majority of Jewish women had become accustomed to cleanly plucked chicken. In response to Cohen's opinion, the Vaad pronounced the soaking of chicken prior to plucking a breach in custom and therefore unacceptable to pious Jews. However, since pluckers were still unavailable, in places where machines were used to pluck the chicken, a pious Jew — aside from the shochet — was to be present to ascertain that the water not rise above the maximum temperature permissible under halakha. The Vaad would not permit soaking in places where there was no plucking machine, because such soaking required higher temperatures. Finally, it was not permitted to use plucking machines in busy or very public places to minimize the acceptance and awareness of this practice.<sup>61</sup> This compromise did not last long.

Soon, the Vaad backtracked. In March of 1943, the Vaad forwarded a memo to all kosher butchers in Montreal, prohibiting the sale of hot-water plucked chickens as kosher, because they are in fact, “really treyf.” To underscore their point, the rabbis

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<sup>61</sup> Ibid.

called hot-water plucked chickens the spiritual parallel to Hitler's contemporaneous attempt to destroy Jews physically.<sup>62</sup> The Montreal Association of Ritual Fowl and Poultry Slaughterers complained to the Vaad in May of 1943 that the Vaad's prohibition on hot-water plucked chickens was not fair. Since the Vaad banned all meat from any shochet whose kills were hot-water plucked, the slaughterers whose shops have permission to machine-pluck are at a greater advantage.

Finally, in late 1943, the Vaad, in concert with the Union of Orthodox Rabbis of the US and Canada,<sup>63</sup> formally prohibited as non-kosher all hot-water soaked chickens, regardless of temperature. Any slaughterer who permits fowl to be hot-water plucked will have all his slaughter — poultry or meat; soaked or not — declared treyf.<sup>64</sup>

The *Canadian Jewish Chronicle* offered the following summary of the situation:

There has been considerable excitement around the offices of the Jewish Community Council, recently, because of *geparte* chickens, which in basic English means: Hot-water plucked chickens...

The rabbis have declared this 'inhuman' act, after conferences and correspondence with American rabbis to be NOT KOSHER. This week, a large conference was held at the Vaad Hoir office in which the Rabbinical Council, the Kashruth Committee of the Vaad Hoir, the shochetim as well as 'balebatim' (householders) from various Congregations participated. The conference admitted that there may be truth in the argument that a 'chicken is easier to pluck when first dunked into a hot-bath' — but '*Din is Din*' and that we must follow our tradition scrupulously. One of the participants rightly said, 'our brethren in Europe will thank God to have a piece of bread and here we argue about getting clean-plucked and easy-plucked chickens?' Another gave a very 'sound' argument saying: MY grandmother, of blessed memory, lived a long and healthy life although she never 'steamed' her chickens and I am sure that because of it... The Jewish women in Montreal will now have to scrutinize their chickens. The chickens will have to get along without a hot 'bath' after being killed:

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<sup>62</sup> Open letter to butchers from Vaad Harabbonim, March 1, 1943 (CJCCCNA/JPL/Vaad/MB 09/14/56/Kashrut Correspondence/Chicken Shochetim/1939-48).

<sup>63</sup> The Union of Orthodox Rabbis of the US and Canada (aka Agudath Harabbonim) was a conservative rabbinical body that rejected as members graduates of North American yeshivot.

<sup>64</sup> Open letter from JCC, December 27, 1943 (CJCCCNA/JPL/Vaad/MB 09/14/56/Kashrut Correspondence/Chicken Shochetim.1939-48).

The women will have to do the finishing touches on the chicken cleaning themselves, just as their grandmothers did ...<sup>65</sup>

In the case of hot-water plucked chickens, the Vaad Ha'ir exhibited a response pattern that will be repeated several times. Initial acceptance of a new practice turns into an ambiguous reluctance which is then turned finally into outright refusal, usually justified by the argument that such an act was never permitted before. We shall see over and over again in this study how frequently, members of the Vaad Harabbonim, while perhaps initially reluctant to rule harshly, eventually give in to the stricter position. This is a typically Haredi response that implies that it is always simpler to refuse a leniency than to support it. As we shall see, such strictness serves both to avoid radical changes in a conservative community, as well as supporting the social boundaries around the inner-sanctum.

### Conclusion

The experiences of the early years taught the leaders of the Vaad Ha'ir several important lessons. Firstly, the struggles during this period exposed the difficulties in using legislation and political influence to organize kashrut. Clearly, the failures of the legal system to support the Vaad's work was a clear indicator that kashrut in North America must be regulated internally. Outside legal support would be minimal or non-existent. Secondly, the fierce battle between the Vaad Ha'ir and the slaughterer's union represented another bitter lesson: the shochetim, despite their status as religious functionaries, would fight for money and power like any other party. Rather than support the theological enterprise that the Vaad was trying to build, some shochetim were more concerned with their fiscal gains than their religious responsibilities. In fact, this period

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<sup>65</sup> *Canadian Jewish Chronicle*, December 31, 1943.

foreshadowed some of the internal in-fighting that would characterize the struggle for kashrut in Montreal. Thus, the two major struggles of this period — organization of the poultry slaughter and the battle with the shochetim, evinced both future travails for the Vaad Ha'ir, as well as a dangerous level of internal disunity, whose threats to the Vaad's survival would be repeated several times over the century. Finally, the engagement of women in the public support of kashrut and the Vaad Ha'ir itself, while compelling and successful in this case, will be minimized over the years. In fact, the school strike of 1932-33 will be the last major involvement of women in the Vaad's work.

The two decades following the establishment of the Vaad Ha'ir of Montreal were often consumed with suppressing existential challenges to the Vaad's very solvency. Despite the energy-consuming struggles and not-infrequent threats to the Vaad's very existence, the latter managed to establish itself and create an infrastructure, that although perhaps not entirely successful, nevertheless helped remedy some of the chaos in kosher meat production. Although the Vaad did not succeed in its entire mandate, it did create some success in areas outside of Kashrut.

In 1940, for example, the Vaad set aside money for the Mizrachi<sup>66</sup> organization and for Youth Aliyah. The Vaad also continued Rabbi Cohen's time-honoured Ezras Torah fund which helped support indigent rabbis and scholars. Money was also allocated to the *Yishuv Hayoshon* – the Orthodox community in Palestine.<sup>67</sup> As well, throughout these decades, the Mishpot Shalom – the Vaad-sponsored arbitration court continued to address labour problems, minor financial misunderstandings, and of course, divorce. In 1941

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<sup>66</sup> Short for *Mercaz Ruchani* (spiritual centre), Mizrachi was an Orthodox-Zionist political movement founded in Vilna in 1902.

<sup>67</sup> Activities Report, AGM, December 15, 1940 (CJCCCNA/JPL/Vaad/MB 09/1/7/1940 AGM).



alone, in the middle of the war, the arbitration court heard as many as one hundred cases.<sup>68</sup>

During the war years, aside from its own internal activities, the Vaad was also engaged in war relief for Jews caught in the Nazi juggernaut overseas as well as those German Jewish youth who were interned in Canada. For example, in 1942, the Vaad proudly reported the initial success of their program of forwarding aid packages to Jews in Polish ghettos, with the help of the Polish-government-in-Exile, through Lisbon. The Vaad averred this to be the first direct help offered to Polish Jews from Canada.<sup>69</sup>

There is one more activity in which the Vaad was engaged in the 1930s that demands brief mention. As is known, although founded in 1919, the Canadian Jewish Congress remained moribund until 1933-34, during Hitler's rise to power, when it reconvened. The CJC eventually grew to achieve its prominence in national Jewish leadership. During the period of the CJC's inactivity, there was no national Canadian Jewish organization. As part of its sense of itself as a traditional kehillah, the Montreal Vaad aspired to national prominence. Little documentation remains for this period, and we know that the Vaad Ha'ir never achieved national status, but such a movement was afoot among some elements of the Montreal Vaad. At a meeting in 1934, the chairman of the Kehillah Committee — convened under the auspices of the CJC – Central (Ontario) Division — resolved to create a centralized, national rabbinical authority to be solely responsible for kashrut and “control over the rabbinical profession,”<sup>70</sup> based on a memo penned by

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<sup>68</sup> See for example, Annual Report of the Mishpot Hashalom, December 15, 1941 (CJCCCNA/JPL/Vaad/MB 09/1/8/AGM-1941).

<sup>69</sup> “Executive Director's Report,” December 27, 1942 (CJCCCNA/JPL/Vaad/MB 09/1/9/AGM-1942).

<sup>70</sup> CJC – Ontario Region (CJCCCNA/BC/1934).

Mordechai Peters,<sup>71</sup> Secretary of the *Kehillah* Committee of CJC and Executive Secretary of the Montreal Vaad Ha'ir.<sup>72</sup> Although, in 1937, a sub-committee was struck to pursue the possibility of a national Kehillah,<sup>73</sup> by 1939, when Toronto's local kehillah disbanded,<sup>74</sup> no more mention can be found of a national kehillah. Presumably, the collapse of Canada's second largest kehillah coupled with the enormous stress related to the outbreak of war redirected energies away from this project, which by war's end was no longer on any national agenda.

Beginning in this period, and continuing throughout the century, the Vaad Ha'ir, although preoccupied with Kashrut concerns, was engaged in other important work as well. The Vaad maintained educational subsidies (derived from shechita gelt), the Ezrath Torah fund for indigent scholars, legal assistance and translation of documents, a family (divorce) arbitration court, the Beth Din, and perhaps its greatest endeavour outside Kashrut, help and support for Soviet Jewry. The Vaad was the first Jewish religious body to have received permission to establish contact with Soviet Jews. Beginning in the late 1960s, the Vaad translated and shipped bibles, prayerbooks, and other tangible assistance.<sup>75</sup> Rabbi Hechtman visited behind the Iron Curtain several times and the Moscow Chief Rabbi was a guest of the Vaad's in 1968. Vaad rabbis were even active in public demonstrations and rallies in defence of Soviet Jewry.<sup>76</sup> The Vaad was also

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<sup>71</sup> Mordechai Peters (Petrushka), who was also known as Abraham David Peters, served as executive director of the Vaad Ha'ir until his death in 1955. He arrived in Montreal in 1925, when he worked for the Hebrew Immigrant Aid Society for a short time prior to switching to the Vaad (Fuchs, *100 yor*, 203).

<sup>72</sup> CJCCNA/JPL/Vaad/MB 09/06/11/Correspondence – CJC/ 1933-60.

<sup>73</sup> CJCCNA/BC/1937.

<sup>74</sup> Steven A. Spiesman, *The Jews of Toronto: A History to 1937* (Toronto: McClelland & Stewart, 1979), 298.

<sup>75</sup> Beverley Harris, Eiran Harris, Claire Stern, *Jewish Community Council of Montreal (Vaad Ha'ir): A Finding Aid* (Montreal: Jewish Public Library, 1996), 4-5; "Vaad Hoir d'Montreal: Facts and Figures," undated (CJCCNA/JPL/Vaad/MB 09/13/1/History-1930-78).

<sup>76</sup> *Voice of the Vaad: Golden Jubilee*, 36-41.

engaged in work with students, such as the Torah Youth Leadership program and “Student for Shabbos’ program where out-of-town university students would be paired up with traditional families for shabbos.<sup>77</sup>

At this point, I will now turn to the next two decades, where the bulk of the Vaad archives will illuminate the concerns of the Montreal Jewish Community Council at mid-century. We begin with an overview of the kosher meat industry in Montreal.

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<sup>77</sup> Minutes, Executive Council, July 21, 1964 (CJCCCNA/JPL/Vaad/MB 09/12/14/Executive Minutes/1964). In the summer of 1966, some forty-eight Jewish youth were arrested in the Snowdon district for loitering. Leaders at the YM-YWHA intervened and offered services to Jewish youth. One suggestion was to open the Y on shabbos so there would be something for these kids to do. However, no halakhic permission was found, and Rabbi Soloveitchik, when consulted, refused to give permission (Minutes, Rabbinate, July 25 & August 1, 1966 (CJCCCNA/JPL/Vaad/MB 09/19/6/Rabbinate – Minutes/Various Dates)).

## Chapter 3

### The Kosher Meat Market in Montreal

In this chapter, we will examine the rules and regulations of kashrut in general and meat production in particular. While the fine details of this complex legal system will be avoided, a general understanding of kosher meat production is vital to a full comprehension of the Vaad Ha'ir challenges and mission. Subsequently, we will examine how the legal minutiae of kashrut were imposed upon the clients of the Vaad, with specific requirements of slaughterers and butchers.

The adjective kosher means fit or proper, indicating that a food item or ritual object is properly prepared and acceptable for use or consumption by Jews.<sup>1</sup> As we are concerned about food, we will limit our discussion to that realm. The laws of Kashrut, which refer to the compendium of laws surrounding the preparation of food that is ritually acceptable, are the focus of much of this project. At its simplest, the Torah prohibits the eating of certain animals, fish and fowl. The Torah also prohibits the cooking of a calf in its mother's milk. These are the biblical bases for the dietary laws which are elaborated upon considerably in the Talmud.

The essential parameters are as follows: all fruits and vegetables are considered inherently kosher, although they must be clean of all visible insects — alive or dead — because these are prohibited to be eaten by the Torah. All fish with scales and fins are considered kosher — thus eliminating shellfish — and require no special preparation. No meat and dairy products may be eaten or prepared together, requiring separate sets of utensils for each food type, and in fact, one is enjoined to wait some time between eating

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<sup>1</sup> “Kasher or Kosher.” *Encyclopaedia Judaica*, ed. Michael Berenbaum and Fred Skolnik, 2<sup>nd</sup> ed. (Detroit: Macmillan Reference USA, 2007), 821.

dairy and meat products. The most complex series of laws relate to the preparation of meat for kosher production.

First, limits are placed upon the species that may be consumed. Jews may only eat of animals that chew their cud and have split hooves, resulting in a ban on carnivorous animals. Second, there are parts of these animals that, despite kosher preparation, remain forbidden, such as blood and certain veins. Third, those animals permitted to be eaten must be slaughtered in such a way that the animal dies immediately with little trauma or pain, emphasizing the humaneness in the laws of kosher slaughter (*shechita*). Fourth, it must be posthumously ascertained that the animal was in general good health, thus requiring the verification of certain internal organs — mainly the lungs — to ensure there were no scars or lesions which could result in the animal being declared non-kosher.

Easily, the most intricate area is in the slaughtering and in the post-killing inspection. Kosher slaughter consists of a continuous incision with a highly sharpened knife that results in the severing of the trachea, esophagus, carotid arteries, and the jugular veins. Although the cutting of all these vessels is not always necessary, this is the usual pattern. To ensure the immediacy of death, several rules relate to the blade and cutting process. The blade, which must always be visible throughout the cutting, must be honed to its sharpest for each slaughter, and is checked before and after each cut by the *shochet* to ensure there are no nicks which would tear the vessels rather than slice through them as required.<sup>2</sup> Such an improperly slaughtered animal is called *neveila* –

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<sup>2</sup> Jeremiah J. Berman. *Shehitah: A Study in the Cultural and Social Life of the Jewish People* (NY: Bloch, 1941), 1-8.

carrion. Extra pressure or hesitation during slaughter would also disqualify the kill, as would prior stunning or the slaughter of an animal that is not fully conscious.

Once killed, mammals must undergo posthumous examination to ascertain that the animal was healthy at time of slaughter. A sickness or sign of ill-health that would cause death within twelve months renders an animal *treyf*.<sup>3</sup> Thus, only healthy-looking, ambulatory animals can be slaughtered, but even then a post-mortem must verify that there was no fatal illness or pre-existing condition. In fowl, an examination of the intestines is done, and in cattle, an inspection of the lung for lesions is usually sufficient. If any lesion is found on the lung, it must be determined if the scab is hiding a pulmonary puncture which would render the animal *treyf* by all standards. If the lesion is easily removable, Ashkenazic custom has it that the animal is kosher. The Sephardic (Hasidic and Haredi as well) standard custom is to be stricter on this issue and reject the animal as *treyf*, because the lung is not *glatt* (smooth). Thus, “glatt kosher meat” refers to cattle whose post-mortem pulmonary inspection reveals no lesions at all, while simply kosher means that any abrasions found would not be classified as fatal. Both are considered kosher, but *glatt* represents a higher standard of observance. In today’s market, virtually all kosher meat is *glatt* because the ease of selling *treyf* carcasses makes it simpler to reject any non-*glatt* cattle.

The last stage in kosher meat preparation is the removing of blood, veins and certain fats. After the post-slaughter bleeding, major veins are removed as the initial process of removing blood. This is called *treiboring* (Yiddish) or *nikkur* (Hebrew).

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<sup>3</sup> For a detailed elucidation of the intricacies of post-slaughter inspection in English, see S. I. Levin and Edward A. Boyden, *The Kosher Code of the Orthodox Jew* (1940, reprint, NY: Hermon Press, 1969), which is a literal translation of the section of the Code of Jewish Law (Shulchan Arukh) that treats this subject.

Following nikkur, blood is further removed by soaking the meat in water for half an hour, then covering it with coarse salt to absorb the blood while lying the meat on an angled board so the blood can drain, and finally concluding the process by rinsing the meat three times to remove residual blood or salt. This process, called *kashering*, must be completed within seventy-two hours of shechita or the blood is considered to be set in the meat. To avoid this, the meat may be soaked (or some say simply washed) before seventy-two hours has expired and a new count can begin.<sup>4</sup> These, with a considerable number of minor clauses, customs, and stringencies comprise the parameters of kosher slaughter. Finally, in the early twentieth century in North America, most butchers prepared beef for their customers, soaking and salting it as part of the service, where it was often the housewife's job to do the same for poultry at home.

Intricate legal systems introduce opportunities for multiple interpretations which is frequently the case in Jewish law. Kashrut — perhaps more than any other area of halakha — has spawned a plethora of standards and opinions some of which are mutually incompatible. Kashrut, has, therefore, especially in the modern era, been a source of dissension and schism in Judaism. The classic example of this is the banning of Hasidic slaughter by non-Hasidic Lithuanian rabbis in the eighteenth century. The Hasidim believed that the slaughtering knives must be extremely sharply honed and that the contemporaneous knives were insufficient for their purposes. Lithuanian rabbis, faithful to their traditional knives, argued that too-sharp knives will nick more easily, thus invalidating more animals than usual.<sup>5</sup> As part of a larger, failed attempt at suppressing

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<sup>4</sup> Zushe Yosef Blech, *Kosher Food Production*, (Ames, Iowa: Blackwell, 2004), 187-201.

<sup>5</sup> The Lithuanians preferred 'thick' or 'non-polished' knives, while the Hasidim used the 'thin, polished' knives. The replacement of iron knives with steel — thin and easily honed, yet strong and less likely to

Hasidism in the eighteenth century, some *mitnagdic*<sup>6</sup> rabbis prohibited as non-kosher, the meat slaughtered by Hasidic shochetim, *de facto* questioning their very Orthodoxy.<sup>7</sup>

While such issues are no longer divisive between mitnagdic and Hasidic Haredim, many Haredi groups will only buy meat slaughtered by a shochet from their community or endorsed by their leader.<sup>8</sup> Clearly, such choices have economic ramifications, which in many cases may be even more important than the halakhic ones. Just as the requirement of kosher meat kept Jews socially distant from non-Jews, differing standards of Kashrut have kept many different Jewish groups from easily interacting with each other. Social isolation comes easily when dietary restrictions are invoked.

Besides social behaviour, Kashrut had great practical value as well. Rabbinic income was a significant element of the kosher supervisory business. As one of the few consistent sources of income within the Jewish economy, kosher slaughtering has frequently been the site — like many economic endeavours — of controversy, acrimony, and corruption. Since kosher slaughter is always necessary, it was often during difficult economic times (such as the early days of the twentieth century or the Depression years) that competition for this rare income became fierce, often accompanied by duplicitous, if not criminal, activity. Cases of Kashrut fraud permeate the histories of many North American Jewish communities. Rabbi David Willowsky, using Kashrut as a metaphor, famously stated that America is a “*treifa* [impure] land where even the stones are

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nick — resolved many of these issues. (Stampfer, *Families, Rabbis and Education*, 347-51). It is also noteworthy that distinct rules of shechita ensured employment for Hasidic shochetim.

<sup>6</sup> Non-Hasidic, most often Lithuanian.

<sup>7</sup> Mordecai L. Wilensky, “Hasidic-Mitnaggedic Polemics in the Jewish Communities of Eastern Europe: The Hostile Phase,” in *Essential Papers on Hasidism: Origins to Present*, ed. Gershon David Hundert (NY & London: NYU Press, 1991), 253-57.

<sup>8</sup> Such selective purchasing was practiced in Europe as well, where often meat from a shochet from a different sect was rejected (Ada Rapoport-Albert, “Hasidism after 1772: Structural Continuity and Change,” in *Hasidism Reappraised*, ed. Ada Rapoport-Albert (London & Portland: Littman Library of Jewish Civilization, 1996), 76-140.



impure.”<sup>9</sup> So corrupt was the Kashrut system in New York City, that some claimed that the majority of kosher meat sold in New York was actually non-kosher. Gastwirt reports that among the thousands of kosher butchers contacted, very few did not also deal in treyf meat.<sup>10</sup> Thus, the production of kosher meat in North America has been and continues to be a source of communal friction and competition. We shall see that the Vaad Ha’ir of Montreal was not immune to these same challenges.

Although Kashrut is ritually complex, the practical aspects of contemporary Kashrut are just as intricate. Unlike other ritual items in Judaism, kosher food is not produced within the narrow confines of a controlled environment. Rather, food emanates from a myriad of different locations and sources. It thus requires a complex, organized, and multifarious approach, challenging the limits and capabilities of the most efficient organization. The intricacies and convolutions of food production, federal laws, and Kashrut requirements make the production of kosher food in the contemporary world challenging and demanding. Generally, the Montreal Jewish community was well-known for its consistent and reliable kosher supervision during the middle of the twentieth century. Once kosher supervision was finally organized and centralized under the Vaad Ha’ir after years of chaos and “Kosher meat wars,” and prior to the fracturing that would take place at the end of the century and into the next, Montreal and its kosher symbol, the MK, boasted an international reputation for excellence. In a report on the cost of kosher meat in the mid-1970s, the “high standards” of Kashrut and shechita in Montreal were stressed.<sup>11</sup> But this high standard was never easy to maintain. In this chapter, we will

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<sup>9</sup> Rothkoff, *Bernard Revel*, 4.

<sup>10</sup> Gastwirt, *Fraud*, 113.

<sup>11</sup> Interim Report by the Special Committee to Investigate the Disparity in Kosher Food Prices, 1976 (CJCCCN/JPL/Vaad/MB 09/14/82/Kashrut/Klein Committee Report/1976). The Klein Committee, a

examine the questions of Kashrut that faced the Vaad Ha'ir of Montreal, and the roles of the shochet, butcher, and union.

### Requirements for Shochetim

As the primary agent in fulfilling the communal requirements for kosher slaughter, the shochet is considered a member of the official clergy of a community (*klei kodesh*). Not only must his work be precise and perfect, the shochet must be a practicing Jew, and his character must be above suspicion. Since the thirteenth century, to avoid any potential conflict of interest, kosher slaughterers were no longer permitted to act as meat vendors. Since the shochet or *bodek* (post-slaughter inspector) ultimately determined whether meat was kosher, the temptation to act leniently regarding one's personal profit was seen as too overwhelming.<sup>12</sup> In fact, other conditions designed to prevent conflict of interest were also imposed, such as prohibiting a shochet in a town from being related to a retail butcher<sup>13</sup> and eventually making the shochet a community official,<sup>14</sup> to be paid a regular salary, no longer dependent on how many kosher kills he performed or supervised.<sup>15</sup>

In Montreal too, the Vaad enacted special rules for kosher slaughterers. Besides following the halakhot of shechita and post-shechita inspection, slaughterers also needed to follow the Vaad's idiosyncratic guidelines. They had to stamp or otherwise differentiate kosher cuts from non-kosher. In the case of chickens, a lead seal called a *plombe* in Yiddish, was attached to the wing. Additionally, they had to contract to

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sub-committee of the Vaad Ha'ir itself was struck in mid-1975 to investigate the disparity in kosher meat prices. This interim report was submitted in 1976 and no final report was ever found or referred to.

<sup>12</sup> Berman, *Shehitah*, 43-44.

<sup>13</sup> *Ibid.*, 46.

<sup>14</sup> *Ibid.*, 49.

<sup>15</sup> *Ibid.*, 61. In modern times, kosher slaughterhouses are usually affiliated with a non-kosher wholesaler who will buy the meat that ends up being non-kosher. This was not always the case in earlier times, where declaring a carcass non-kosher could involve significant financial loss.

slaughter exclusively for the Vaad and for Vaad-approved retail establishments. They could not slaughter privately nor for any other kosher-supervisory body. Excerpts from a 1959 contract between the Vaad and a group of shochetim further explicate these details:

(2) The Shochetim hereby individually and collectively agree to undertake to slaughter, kosher, stamp and mark all cattle, calves, sheep and lambs in accordance with the rites and customs of the Mosaic Law, as it is being done on the day when this Agreement is signed, namely: the shochetim are to stamp cattle and calves in the Canada Packers site only, and to perform their duties at such places only as will be indicated by the Vaad or its duly authorized agent. Such stamping and marking shall be done only on the killing floors of the various abattoirs, and with such stamp only as will be supplied to them by the Vaad.

(5) The shochetim, parties to this Agreement, hereby individually and collectively agree to perform their duties abovementioned only for such person, persons or companies as the Vaad may designate, and for no others; and the said shochetim individually and collectively agree and bind themselves to cease slaughtering for any party immediately upon their being requested to do so by the Vaad.

(6) The shochetim individually and collectively further agree to report to the Vaad the number of cattle, calves, sheep and lamb slaughtered and stamped as Kosher by them in the various abattoirs, such reports to be furnished daily to the Vaad whenever slaughtering takes place, on stationery which will be supplied to them by the Vaad.

(7) The shochetim individually and collectively further bind and oblige themselves to refrain from teaching to anyone the duties and functions of a slaughterer of Kosher cattle, etc., or of fowl or poultry, without the express consent in writing duly given by the Vaad.

(11) [...] The retired shochet must abandon any rights which he may have as a shochet in the City and District of Montreal, in accordance with the Mosaic Laws, and shall no longer be eligible to exercise the functions of a shochet in the City and District of Montreal, without the consent and approval of the Vaad and the shochetim.<sup>16</sup>

Several elements in this agreement illuminate the primary concerns of the Vaad: the meat must be slaughtered properly; it must only be supplied to Vaad-approved retailers; the shochetim must be ready to desist slaughter if the Vaad designates the recipient to be

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<sup>16</sup> Memorandum of Agreement between JCC and “The Shochetim,” December 1, 1959 (CJCCCNA/JPL/Vaad/MB 09/20/5/Supervision Agreements/Vaad & Shochetim/1936-63). Identical conditions were enforced as early as 1942 (CJCCCNA/JPL/Vaad/MB 09/13/10/Kashrut Agreements/Finkelstein, L./1942-43).

unworthy; and shochetim must not work for or teach their trade to anyone else in the Montreal area. These rules provide evidence of the Vaad's concern over Kashrut as well as financial control over the industry.

### Requirements for Butchers

The retail butcher shop remained the focus of the Vaad Ha'ir's greatest concerns because it was most often at that level that the kosher industry was threatened. Modernity had introduced doubt in the trustworthiness of kosher butchers. Whereas previously, Jewish butchers were imbued with confidence and entrusted with Kashrut because, "[...]no Jew would ever deliberately or through carelessness intermix kosher and terefah meat,"<sup>17</sup> by the eighteenth century, Rabbi Abraham Helma of Emden, required all kosher meat to be marked with a seal as kosher by the shochet, or it was forbidden, "because the meat dealers were suspect in his eyes."<sup>18</sup>

Rabbi Moses Weinberger, comparing the Old and New Worlds, concluded that privacy and individual rights are threats to Kashrut:

He [the new immigrant to New York City] does not realize how different the situation is from that which existed in his old small town where the shochet knew exactly how many animals he slaughtered, and how many of them were kosher and non-kosher. Nor even was this really necessary, for in our small towns every stone had seven eyes! People knew everything that was done and said, even behind closed doors. Not even the stupidest butcher or non-Jew could make any problems — which is not true here, where even if all the shochetim joined together to monitor a particular butcher, he could still mislead them. Who could force him to show what was out back in the icehouse? Who could inspect what was hidden in holes and crevices — bones, thighs, hoofs, stomachs, intestines, several types of livers and lungs?<sup>19</sup>

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<sup>17</sup> Berman, *Shehitah*, 155.

<sup>18</sup> *Ibid.*, 160. Helma's actions resulted in the banning of kosher meat that was not marked, which had been previously permitted. Rabbi Ezekiel Landau of Prague ruled that an organized Jewish community may do so in the aim of enforcing observance.

<sup>19</sup> Sarna, *People Walk*, 49-50.

In Montreal in the 1940s, the Vaad Ha'ir required that a kosher butcher provide assurance that he only sold meat that was approved by the Vaad. He was to verify such at time of delivery and was responsible for the post-slaughter koshering process — the *mashgiach*<sup>20</sup> was assigned only to ensure the butcher's satisfactory completion of his requisites. The owner was to sign his allegiance to the Vaad, allowing the mashgiach or rabbis of the Vaad access to all parts of the business, including the owner's car, and in some cases, the exclusive key to some establishments. If found guilty of fraud or error the owner was to be willing to forgo his kosher status, including informing his customers of this change, and permitting the Vaad to publicly advertise this change in status. As well, once closed, the owner had to agree to desist selling meat — kosher or not — for the subsequent four weeks.<sup>21</sup>

By 1953, the requirements of the kosher butcher had evolved somewhat. At this time, it was required, "That the Merchant hereby further binds and obliges himself to keep his business premises closed on the Jewish Sabbath, Jewish Holidays, and all other occasions decreed by the Jewish Orthodox Religion."<sup>22</sup> In late 1955 and early 1956, the Vaad suggested several amendments to contracts with new butchers. As of that date, kosher meat stores were to remain closed on Saturday night as well to avoid any hint of *chilul Shabbat* (Sabbath violation).<sup>23</sup> The merchant was also to agree to "not sell or transfer his business of the Certificate above referred to, without the authorization of the Council, nor to deal in 'non-kosher' products of any kind whatsoever under his name nor

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<sup>20</sup> The mashgiach is appointed to supervise the production to ensure that all is kosher.

<sup>21</sup> Application for retail butchers, November 10, 1944 (CJCCCNA/JPL/Vaad/MB 09/13/19/Kashrut Agreements/Various Bs/1933-1986).

<sup>22</sup> Memorandum of Agreement between JCC and Hyman Bernstein, Merchant, December 24, 1953 (CJCCCNA/JPL/Vaad/MB 09/13/19/Kashrut Agreements/Various Bs/1933-1986).

<sup>23</sup> A memorandum distributed to all kosher retail butchers in Montreal, September 8, 1955 added that the blinds are to be left open all day Saturday to discourage anyone attempting entry on the Sabbath. (CJCCCNA/JPL/Vaad/MB 09/7/59/Correspondence 1955).

under any other name.”<sup>24</sup> Finally, all butchers were required to receive the Vaad’s permission to bring in any kind of business partner.<sup>25</sup> In 1956, for example, a butcher wanted to engage a partner who had previously been a non-kosher butcher and the Vaad would not permit it.<sup>26</sup> The following is a translation of a Yiddish codicil that was attached to the contract:

I, the undersigned, \_\_\_\_, owner of the butcher shop \_\_\_\_, which is found at the following address \_\_\_\_, declare without any reservations or conditions that I agree to undertake the following conditions and will obey them to the fullest through which the Vaad Harabbonim of Montreal will be convinced that I am a thorough religious Jew and will follow all the mitzvot.

- a. Aside the legal contract with the Vaad Ha’ir of Montreal, I agree to undertake to be a *shomer shabbos* (Sabbath observer) and holidays. This means that I personally will fulfill all the laws of Sabbath and Holidays, including, obviously, not driving on Sabbath or Holidays.
- b. Put on tefillin daily and attend synagogue on Sabbaths and Holidays.
- c. Respect the laws of Kashrut at home and in my business, for example, removing veins from the meat, salt and soak the meat, and rinse off the flesh within three days of slaughter, and follow all other requirements of Jewish law.
- d. If, Heaven Forbid, there is evidence against me that I have done something against the law, and the Vaad Harabbonim will require their sign to be returned, I agree to return the sign within twenty-four hours.<sup>27</sup>

Where previous arrangements with retail meat merchants concentrated solely on the behaviour and requirements of the business and its premises, by the mid-1950s, the Vaad began making requirements about the personal behaviour of its butchers.<sup>28</sup>

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<sup>24</sup> Memorandum of Agreement between JCC and Jack Brandeis, Merchant, November 6, 1956 (CJCCCNA/JPL/Vaad/MB 09/13/3/Kashrut Agreements/Brandes, Jack/1949).

<sup>25</sup> Minutes, Presidium, February 8, 1956 (CJCCCNA/JPL/Vaad/MB 09/11/6/Executive Council 1956). The minutes of February 20, 1956 even prohibited help in the store without rabbinic approval (CJCCCNA/JPL/Vaad/MB 09/11/6/Executive Council/1956).

<sup>26</sup> Minutes, Executive Council, January 12, 1956 (CJCCCNA/JPL/Vaad/MB 09/11/6/Executive Council 1956).

<sup>27</sup> Ibid.

<sup>28</sup> Although new to Montreal, this is not a novel concept in Jewish law or history. Kosher meat sellers — because of the fraud potential — were frequently required to show some personal trustworthiness, usually by publicly conforming to halakha (see Berman. *Shehitah*, 141-42). In fact, the lead seals (plombes) clamped onto chicken wings as proof of kosher slaughter were designed for big cities where it was hard to be sure of a slaughterer. (Ibid., 155-57).

A blank 1958 agreement between the JCC and butcher shop owners evinces even more conditions required by butchers. A butcher must agree to deal only in meat or fish products, unless otherwise specified by the Vaad. He may not deal in any non-kosher items at all under the same name. The butcher also agrees to not publicly violate “Orthodox Jewish Laws and Customs.”<sup>29</sup> The major changes in retail contracts between 1956 and 1958 are important. Merchants were now specifically enjoined against selling meat and dairy products in the same place. Most significantly, the requirement that retail butchers act as Sabbath-observers — at least publicly — was now explicitly written in English within the contract. Questions of personal and private conduct — including broad assumptions about the same — will continue as a major factor in assessing potential butchers. I will illustrate with several examples.

An interesting case appeared before the Vaad in 1954. One Louis Martz applied for approval as a kosher butcher after buying out a kosher retail outlet in Park Extension. His father and brothers worked in the kosher trade with the Vaad’s approval. However, there were problems with Martz’s application. He was not considered trustworthy because when he had previously owned a kosher outlet in another location, he used to smuggle treyf meat into his store. One of his brothers, Sam — who was the official owner of the retail outlet — was mainly employed in the distribution of wholesale kosher meat. The Vaad did not permit the same person to own wholesale and retail kosher outlets, because as a wholesaler, one perforce owned non-kosher meat (that which was not slaughtered properly or

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<sup>29</sup> Memorandum of Agreement between the JCC and the “Merchant,” 1958 (CJCCCNA/JPL/Vaad/MB 09/7/62/Correspondence 1958).

rejected after post-slaughter inspection), creating a significant conflict of interest. Finally, it was also known that Martz had children with a woman to whom he was not married and was at the time living with another woman, who coincidentally worked as a bookkeeper in another kosher retailer.<sup>30</sup> Further investigation showed that Martz's brothers owned the store because Louis had previously lost the brothers' money and hence they retained financial control.<sup>31</sup> A final decision by the rabbinical council denied Martz kosher approval unless he acquired an observant, Orthodox business partner.<sup>32</sup> In a similar case, a chocolatier's kosher approval was questioned when an informant — who had worked in the owner's home as an electrician — reported that the owner's wife, a non-Jew, kept candles and crucifixes in one room of the house. Although she was even accused of coercing her youngest son to accompany her to church, no decision was taken about removing the Vaad's approval.<sup>33</sup>

In contrast to the above-situation, in 1957, the Vaad received a request from two brothers hoping to open a kosher retail outlet in suburban Cote-St-Luc. "We declare that we are observant Jews, although not learned, on account of the war years. We feel that we qualify for your trust in accordance with the latest regulations that a butcher must himself be a religious Jew."<sup>34</sup> The Vaad approved supervision for the brothers for a six-month trial period on condition that they be

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<sup>30</sup> "Park Extension Kosher Meat Market," October 25, 1954 (CJCCCNA/JPL/Vaad/MB 09/14/65/Kashrut Decisions/Martz, L., Park Extension Kosher Meat Market/1954).

<sup>31</sup> Minutes, Rabbinat, October 28, 1954 (CJCCCNA/JPL/Vaad/MB 09/14/65/Kashrut Decisions/Martz, L./Park Extension Kosher Meat market/1954).

<sup>32</sup> Psak Din, November 8, 1954 (CJCCCNA/JPL/Vaad/MB 09/14/65/Kashrut Decisions/Martz, L./Park Extension Kosher Meat market/1954).

<sup>33</sup> Minutes, Rabbinat, October 28, 1963 (CJCCCNA/JPL/Vaad/MB 09/19/6/Rabbinat – Minutes/Various dates).

<sup>34</sup> Letter to Rabbinical Council from Faivel and Chaim Perlis, September 24, 1957 (CJCCCNA/JPL/Vaad/MB 09/16/163/Kashrut Retailers/CSL Kosher Meat Market/Perlis, F./1957-1966).



instructed in Jewish law and custom, observe the Sabbath, use electric razors<sup>35</sup> and put on tefillin.<sup>36</sup>

In another example, in 1956, an unidentified individual wanted to become a kosher butcher in Val David (in the Laurentian mountains). He was refused because the Vaad understood that he was a non-shomer shabbos taxi driver.<sup>37</sup> In another case, a butcher wanted to sell his store to an employee whom the Vaad noted was not shomer shabbos, and was suspect as to whether he kept kosher at home. The application was denied.<sup>38</sup> In 1964, an employee of a kosher butcher shop, Mr. Rosenblatt, applied to open his own supervised store. Investigating the applicant's background, Rabbi Chaim Leib Eygerman,<sup>39</sup> a member of the Vaad Harabbonim as well as a neighbour of Rosenblatt, reported that he smoked on shabbos, kept his television on, and his wife drove and shopped on shabbos. Reverend Klein of Congregation Beth Moshe came to Rosenblatt's defence noting that he saw him twice daily in synagogue. Eygerman retorted that it was because Rosenblatt was saying kaddish and if not for mourning would not be a regular shul-goer. Kosher approval was denied.<sup>40</sup> Another applicant was refused in 1965 because he admitted to having worked on shabbos his whole life.<sup>41</sup> In contrast,

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<sup>35</sup> Orthodox law prohibits shaving with a straight razor, only electric ones are permitted.

<sup>36</sup> Letter from Rabbinate to F. Perlis, October 2, 1957 (CJCCCNA/JPL/Vaad/MB 09/16/163/Kashrut Retailers/CSL Kosher Meat Market/Perlis, F./1957-1966).

<sup>37</sup> Minutes, Rabbinical Council, June 25, 1956 (CJCCCNA/JPL/Vaad/MB 09/109/3/Minutes – Rabbinical Council/1956).

<sup>38</sup> Minutes, Rabbinical Council, June 28, 1956 (CJCCCNA/JPL/Vaad/MB 09/19/3/Minutes – Rabbinical Council/1956).

<sup>39</sup> Born in Stolin in 1914, Eygerman came to Canada in 1951 and served in Winnipeg and Toronto before coming to Montreal (Eli Gottesman, *Who's Who in Canadian Jewry*. Montreal: Jewish Institute for Higher Research & Central Rabbinical Seminary of Canada, 1965), 114.

<sup>40</sup> Minutes, Rabbinical Council, July 27, 1964 (CJCCCNA/JPL/Vaad/MB 09/19/6/Rabbinate – minutes – various dates).

<sup>41</sup> Minutes, Rabbinical Council, January 25, 1965 (CJCCCNA/JPL/Vaad/MB 09/19/6/Rabbinate – minutes – various dates).

when another person, identified by Rabbi Niznik<sup>42</sup> as a “religious Jew” applied to become an independent butcher, his application was approved based on Niznik’s testimony.<sup>43</sup> In a confidential response to a question from Saskatoon, Samuel Lewin of Canadian Jewish Congress’s Religious Welfare committee noted that although a certain butcher in Montreal is not shomer shabbos — as the Vaad rules demanded — since he had been a butcher prior to this ruling, a grandfather clause permitted this individual to continue to sell meat for the Vaad.<sup>44</sup>

The Vaad’s position on policing its butchers and enforcing its own policies and rules was at best inconsistent. Relying on word-of-mouth — perhaps even slander and gossip — on the one hand, while on the other demanding formal, consistent action by others, the Vaad was never successful in establishing a dependable enforcement policy. Caught between ideological communities and fiscally corrupt salespeople, the Vaad struggled to balance social and legal power within its quite limited space to act. Moreover, threats to the contrary notwithstanding, the Vaad remained the exclusive Kashrut organization in Montreal throughout most of the twentieth century. Perhaps the inconsistency and disorganization worked to the Vaad’s advantage.

## Conclusion

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<sup>42</sup> Abraham David Niznik (1921-2007) was born in Wysokie-Mazowieck, Poland and studied in the Baranowicz and Mirer yeshivas. After the war he served as rosh yeshiva in Versailles and Antwerp before relocating to Montreal in 1953. He taught at the Mercaz Hatorah yeshiva and served as rabbi to congregations Pinsker Kinyan Torah, Zerei Das Voda’as, and Bnai Jacob. He also served as president of the Agudath Israel movement (Gottesman, *Who’s Who*, 115). He joined the Vaad Harabbonim in the mid-1950s (Minutes, Vaad Ha’ir, November 11, 1954 (CJCCCNA/JPL/Vaad/MB 09/11/5/Executive Council/1955)) and was appointed chief rabbi at the death of his predecessor in 1998 until his own demise (CJN, December 7, 2006).

<sup>43</sup> Minutes, Rabbinical Council, October 13, 1964 (CJCCCNA/JPL/Vaad/MB 09/19/6/Rabbinate – minutes –various dates).

<sup>44</sup> Letter to Mr. E. Bricker of ‘Bricker’s,’ August 26, 1963 (CJCCCNA/CA/60/574/Religious Welfare/1963).

In this chapter, we have examined how the rules for kashrut evolved over time. With experience, the Vaad Ha'ir learned of the potential pitfalls and through changing contracts, attempted to address the largest lacunae in kashrut. Whether dealing with butchers or slaughterers, the Vaad initially imposed basic rules and regulations. As time progressed, more concerns were raised, religious stringencies were introduced and slowly the contracts and agreements grew to encompass newly discovered flaws in the system. Further, all parties needed to heed Canadian standards of hygiene and animal welfare, further complicating the practice of shechita. However, as in any communal organization, when the size of the operation grew, so too did the rules guiding its execution. In other words, when the number of shochetim in the city was small, close supervision may have helped keep the procedure proper and formal rules and contracts were of lesser necessity. However, as the Kashrut industry grew — including supervision of non-meat production — adding more staff and retailers, the hands-on, micromanagement of yesteryear was forced to give way to a more organized and structured environment.

Over the years, the Vaad Ha'ir moved from fewer controls to greater stringency over its approved butchers. Certainly, mashgichim and shochetim were expected to behave in certain ways, because both their jobs and their authority depended upon their image as pious men. The butchers, on the other hand, did not per force have to be religious. Engaging with irreligious people in kashrut production posed many halakhic problems that the Vaad's increasing rules attempted to resolve. This period offers evidence of how the Vaad's involvement and control over irreligious retailers grew. The Vaad Ha'ir tried to force retail butchers — at least publicly — to become practising Jews.

However, as we shall see in the next chapter, existential threats continued to emanate from the kashrut sector, because controlling a increasingly variegated community became more difficult to sustain.

## Chapter 4

### Threats to Kashrut in Montreal

Maintaining Kashrut in Montreal proved a challenge on many levels. In this chapter, we will examine two threats so serious that they could have destroyed the Vaad Ha'ir. The first issue — an internal one — was that of imported kosher meat. If kosher meat were imported into Montreal, then the Vaad Ha'ir did not make any money on the slaughter. Retailers and wholesalers, on the other hand, were interested in finding cheaper kosher meat. Thus, the origin of kosher meat became a central concern of the Vaad, eventually pitting them against two prominent wholesale butchers, both of whom threatened the Vaad's very existence. To complete the picture of the existential threat, we will also examine how the butchers' union tried to legislate the Vaad Ha'ir out of existence. The second concern emanated from without the community, when in 1960, the Canadian government changed the regulations on the handling of animals prior to slaughter, requiring changes to kosher practice. Changes to shechita — clearly — are always fraught and divisive.

#### 'The Pearl Harbor of the Vaad Ha'ir': The Threat of Imported Meat

Montreal's Vaad Ha'ir underwent many turbulent periods throughout its history. Mid-century was one such time, when the Vaad struggled against the challenge of imported kosher meat. As we shall see, not only did imported meat menace the Vaad Ha'ir's authority, primary source of income, and prestige, it threatened its very existence. Indeed, in North America, competing *hekhsherim*<sup>1</sup> in one city often weakened the local community council. In the 1960s, as the Vaad's minutes inform us, the importation of kosher meat from outside the city threatened the solvency of the Vaad Ha'ir, leading the

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<sup>1</sup> Hekhsher (singular) is a symbol or mark of rabbinic approval.

executive director to compare it to the devastating Japanese attack on Pearl Harbor in 1941.

*Bosor chutz* refers to kosher meat that was imported from another locality. Starting in the seventeenth and eighteenth centuries, Jewish communities in Europe began to limit the importation of kosher meat from outside sources.<sup>2</sup> The reasons were multiple. Prohibiting imported kosher meat eliminated two important Kashrut considerations: the age of the meat (has more than seventy-two hours passed since slaughter?) and the qualifications of the shochet. Local slaughter meant each of these contingencies could be better controlled. Equally, if not more importantly, however, the financial benefits of banning imported meat included assuring salaries and profits for the local shochet, butcher, and the kehillah that collected tax on kosher meat production.<sup>3</sup> Salo Baron notes that, “Better to control its exercise, many communities strictly prohibited the importation of slaughtered meat.”<sup>4</sup>

In Montreal, the law against bosor chutz was frequently invoked by the Vaad Ha’ir as the justification for prohibiting imported meat including during periods of dearth.<sup>5</sup> By the mid-1950s, the ban on bosor chutz was accepted as a long-enforced rule. The documented record is, however, less clear on this issue. On the one hand, the Vaad used the bosor chutz rule as authoritative when dealing with butchers, however its policies in this matter were less consistent.

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<sup>2</sup> Gastwirt, *Fraud*, 17. Berman, *Shehitah*, 170.

<sup>3</sup> *Ibid.*, 170-73.

<sup>4</sup> Baron, *Jewish Community*, 2, 108. In a classic example, the father of Haredism, Rabbi Moses Sofer, prohibited imported meat into Burgenland and Pressburg (Berman, *Shehitah*, 174).

<sup>5</sup> See “Hearing between Kosher Retail Butchers Guild and Vaad Ha’ir of Montreal,” undated (CJCCCNA/JPL/Vaad/MB 09/15/95/Kashrut/Montreal Kosher Retail Butchers Guild/1950-57); Psak Din in the Case between the Montreal Kosher Retail Butchers Guild and the Vaad Ha’ir, February 26, 1952 (CJCCCNA/JPL/Vaad/MB 09/15/95/Kashrut/Montreal Kosher Retail Butchers Guild/1950-57); Minutes, Presidium, November 3, 1958 (CJCCCNA/JPL/Vaad/MB 09/11/8/Executive Council/1958).

The first evidence concerning imported meat appears in Item II of the 1924

Manifesto of the JCC:

Now, therefore, does the Community Council appeal to you all to aid it on its platform of a Pure Ritual Meat Supply (*Bosser Koscher*), and help it to persist in its course of action by purchasing your meat supply from the master butcher shops affiliated to, and overseen by, the Committee of the Community Council.<sup>6</sup>

This manifesto does not mention any consequences, or in fact any prohibition, against importing meat from outside the city. It does stress the importance of only buying meat from butchers and organizations attached to the Vaad Ha'ir. Further, due to the long-standing battles for control of Kashrut in the 1920s and 30s,<sup>7</sup> rabbis regularly prohibited meat slaughtered under another's supervision, which while not technically identical to the laws of bosor chutz, nevertheless reflected similar economic and Kashrut concerns.

A foreshadowing of the ban on imported meat appeared in 1934 with an

“Announcement from the Vaad Harabbonim,” in the *KO*:

A while back we, the Montreal Vaad Harabbonim, announced a prohibition on chickens which were sold to Jewish customers without a kosher symbol attached by the Vaad Harabbonim. Recently, the New York Vaad Harabbonim took up our position and solemnly issued a similar prohibition to the New York community.<sup>8</sup>

Ironically, when the New York City ban on bosor chutz came into effect,

Montrealers were irked that meat from their city was equally prohibited. Yankev

Shmid, in an op-ed in the *Keneder Odler* in 1935, expressed outrage at the New

York-based Agudath Harabbonim for referring to Canadian kosher meat as “treyfa

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<sup>6</sup> Manifesto of the Jewish Community Council of Montreal, Incorporated (Vaad Hoir) to the Jewry of Greater Montreal, Feb. 22, 1924 (CJCCCNA/ZC/Jewish Community Council of Montreal/Manifesto/1).

<sup>7</sup> See Robinson, “Foundation Documents,” 69-86; *Ibid.*, “Kosher Meat War,” 41-53.

<sup>8</sup> *KO*, Nov. 9, 1934, also found in CJCCCNA/ZC/Jewish Community Council/Vaad Hair Press Clippings/1934/Yiddish. In the early 1930s, the New York Orthodox rabbinate dabbled in bosor chutz when it prohibited poultry without the organization's seal (Marc D. Stern, “Kosher Food and the Law,” *Judaism*, 39 (1990): 392-93).

and neveila,” while in fact, it was prohibited because of bosor chutz, and not a question of kashrut *per se*. Claiming that such an expression tarnished all Canadian Jews, Shmid argues that Canadian kosher meat was “politically treyf” not actually non-kosher.<sup>9</sup>

In Montreal at this time, butchers were encouraged to purchase only locally slaughtered meat; no ban on imported meat was forcefully stated. In 1953, we find a warning mailed to a local chicken dealer, who was rebuked for hiring a non-Vaad-approved shochet:

I was asked by the Rabbinical Council at their meeting to-day to advise you that you have no right, according to the Jewish religion, to take in a shochet unless he is recommended and authorized by the Montreal Council of Orthodox Rabbis. Especially is in this community accepted the regulation of “cherem” [excommunication] and “*issur*” [prohibition] against any chicken dealer or butcher who engages or who has the services of a shochet who is not authorized for that purpose by our Council of Rabbis.<sup>10</sup>

We are certain that you will obey the order of the Rabbis, who constitute the highest authority of religion in this community, and so spare us from the unpleasantness of having to advertise your name as a non-kosher chicken dealer.

On behalf of and with the authority of  
Montreal Council of Orthodox Rabbis<sup>11</sup>

Evidently, the Vaad was prepared to prohibit, and even declare as non-kosher, meat slaughtered by a local non-Vaad-approved shochet, but even here, it isn't quite clear that

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<sup>9</sup> Yankev Shmid, “Political Kashrut and Political Treyf,” *KO*, May 31, 1935, 1.

<sup>10</sup> In 1931, faced with fraudulent butchers, the Vaad Ha'ir debated the efficacy of excommunication as a punishment. Requiring complete communal unity for success, such a ban was not seen as likely effective or enforceable (*KO*, October 14, 1931). In 1956, Hechtman wrote to the Agudath Harabbonim asking for a copy of their ruling demanding excommunication for anyone who sold kosher and treyf meat from the same location. While the UOR did respond, sending the Vaad Ha'ir a copy of the 1927 ruling forcefully banning the practice outlined above, there is no mention of the sanction of excommunication for such a sin (Letter from Hechtman to UOR, April 11, 1956, Letter from Jacob Hellenstein, secretary, UOR to Hechtman with attached copy of ruling, May 4, 1956 (CJCCCNA/JPL/Vaad/MB 09/19/3/Minutes – Rabbinate/1956).

<sup>11</sup> Letter to Mr. Goodman, Chicken Dealer, St Jean Baptiste Market from Hechtman, April 22, 1953 (CJCCCNA/JPL/Vaad/MB 09/7/57/Correspondence/1953).



the Vaad would equally disallow meat slaughtered by a reputed shochet, under responsible rabbinic supervision in a different city.

In a 1956 meeting of the Presidium, oblique reference was made to bosor chutz. Amid a discussion of importing meat, the rabbis assumed that the members of the Kosher Butcher's Guild would not import meat, as they had recently threatened, out of concern that, "[...] the Vaad Harabbonim will certainly instil a prohibition on bosor chutz."<sup>12</sup> This citation even suggests that an interdiction on imported meat did not yet exist, because the Vaad threatened to create such a ban if the Guild imported meat.<sup>13</sup>

In 1956, the National Executive Director of CJC, Saul Hayes, wrote to Herschorn expressing his inability to understand why the Vaad would prohibit the importation of frozen kosher meat, when such was easily available in the US. Citing reduced cost and the ability to provide for distant communities, Hayes demands, that:

No matter what views the Rabbinical Council may hold, I believe that the subject matter is of sufficient public interest to justify detailed explanation on the part of the Vaad Harbonim and subsequent discussion by the Religious Welfare committee at which the Vaad Harabonim is represented.<sup>14</sup>

In response, Hayes received anything but a detailed explanation. In an unsigned letter from the Montreal Council of Orthodox Rabbis, Hayes was informed that:

We wish to inform you that when the Rabbis give a Hechsher to a firm, they put to risk their place in the world to come. Therefore, the Rabbis feel that

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<sup>12</sup> Minutes, Presidium meeting, August 2, 1956 (CJCCCNA/JPL/Vaad/MB 09/11/6/Executive Council/1956).

<sup>13</sup> Indeed, several years earlier, in 1951, the Guild had briefly imported kosher liver and tongue from out of town to satisfy the demand in Montreal (Letter from Guild to Rabbinical Council, December 10, 1951 (CJCCCNA/JPL/Vaad/MB 09/15/95/Kashrut/Montreal Kosher Retail Butchers guild/1950-57)). The Vaad responded that not only were there legitimate concerns about the kashrut of imported meat, but that one buying kosher meat in Montreal expects that such was produced under the supervision of the rabbinate of Montreal (Psak Din in the Case between the Montreal Kosher Retail guild and the Vaad Ha'ir, February 26, 1952 (CJCCCNA/JPL/Vaad/MB 09/15/95/Kashrut/Montreal Kosher Retail Butchers Guild/1950-57)).

<sup>14</sup> Letter from Hayes to Herschorn, May 8, 1956 (Herschorn Papers/Ira Robinson Collection/Kashrut).

they alone have the right to decide to whom to give a Hechsher and to whom not to give a Hechsher.<sup>15</sup>

The letter further clarifies that in conjunction with the Agudath Horabonim in New York, six major obstacles stand in the way of permitting kosher frozen meat. However, only one reason is provided: the difficulty in informing customers if the kosher status of the frozen product were to change. After lengthy elaboration of this one issue, the letter concludes, “Please remember Mr. Hayes, that this is the weakest point of objection, and is not even counted among those points which we must overcome before giving a Hechsher.”<sup>16</sup> Acting somewhat haughtily, or perhaps hiding their true reasons to reject frozen kosher meat, the letter not only does not offer any of the information requested, the tone was a condescending one to the leader of Canada’s largest lay Jewish organization. Either elements of the Vaad found Hayes’s original letter impertinent, or they could not adequately justify their refusal.

In examining the Vaad’s second constitution and by-laws, in 1958, it appears that the English and Yiddish versions differ slightly. The English version permits the Vaad:

To have the sole and exclusive supervision over all kinds of “kosher” foods and “kosher” food products manufactured, prepared and distributed in the District of Montreal, the whole in accordance with the Jewish laws and traditions. Such supervision shall be evidenced by a certificate issued annually by the Vaad Hoir and Vaad Harabbonim.<sup>17</sup>

Again, the wording is sufficiently vague and hence does not provide an unambiguous statement on bosor chutz. Although there is reference to control over kosher food “distributed” in the District of Montreal, there is no unequivocal

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<sup>15</sup> Response to Hayes from Rabbinical Council, May 21, 1956 (Herschorn Papers/Ira Robinson Collection/Kashrut).

<sup>16</sup> Response to Hayes from Rabbinical Council, May 21, 1956 (Herschorn Papers/Ira Robinson Collection/Kashrut).

<sup>17</sup> Constitution and By-Laws of JCC of Montreal, Inc, # 2 (c), December 28, 1958 (CJCCCNA/JPL/Vaad/MB 09/5/10/Conference/1964 and also in CJCCCNA/JPL/Vaad/MB 09/6/1/Constitutions and By-Laws).

statement prohibiting imported kosher meat. The English version controls Kashrut in Montreal, but does not negate kosher imports *per se*. The Yiddish version, however, which reads as follows, lacks a specificity present in the English version: “To have exclusive control (supervision) over the production, preparation, and sale of all kinds of kosher food items and products which are used as kosher, in accordance with Jewish law and tradition.”<sup>18</sup> Lacking a reference to Montreal, this statement provides much wider authority over kosher food. In other words, the Vaad Ha’ir declared control over kosher food used and sold in Montreal, but unlike the English version, does not limit its authority to items prepared in Montreal. It seems to include any food used in Montreal — regardless of origin — providing the Vaad with some authority over imported food.

Additionally, both versions include the vague adherence to “Jewish law and tradition,” which gave the Vaad a broad interpretive spectrum, an argument that was frequently used by the Vaad to support its interpretation of an ambiguous law. Indeed, since there is no “singular Jewish law and tradition,” such a vague statement arrogates to the Vaad wide flexibility in halakhic interpretation.

Another important source of information on the Vaad’s rules can be found in the legal contracts signed with butchers and retailers. In these documents, the Vaad tended to be more specific. In a contract signed in 1944, the Vaad required retail butchers to, “[...]take into my butcher shop only such meat, poultry, and meat products that are Kosher according to the opinion of the Jewish Community Council and its Council of

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<sup>18</sup> *Konstitutzye fun Vaad Hair d’Montreal*, Dec. 28, 1958 (CJCCCNA/JPL/Vaad/MB 09/5/10/Conference/1964 and also in CJCCCNA/JPL/Vaad/MB 09/6/1/Constitutions and By-Laws).

Orthodox Rabbis.”<sup>19</sup> Similarly, in another contract signed between the Vaad and a meat merchant in 1953, the Vaad required:

That the merchant is to deal in such “Kosher” products only as are declared “Kosher” by the Council and its Rabbis and prepared by Ritual Slaughterers (known as Shochetim) or other parties who are under the exclusive supervision of the Council and its Rabbis.<sup>20</sup>

In both these examples, while the Vaad demanded the right to approve foodstuffs, it did not specify that such items originate under the Vaad’s control. Despite the limitations implied in these contracts, it still remained vague whether meat slaughtered in another city by reputable rabbis could be accepted in Montreal as kosher.

Events in 1960 pushed the Vaad to forcefully address the problem of *bosor chutz*, further highlighting how, despite the rigid talk, a final halakhic position had not been officially enacted. Threatened by the possible importation of meat by the Montreal Kosher Retail Butchers Guild, a move that the Vaad claimed “destroyed” both Boston and Miami, it was decided that the question of *bosor chutz* must be placed before the renowned *gedolim* (great sages) of New York. Rabbis Hirschprung, Niznik, and Cohen agreed to go.<sup>21</sup> At the next meeting, each rabbi was asked to report his position on the issue. Hirschprung, offering some larger justification for prohibiting imported meat, observed that for Montreal, *bosor chutz* was not based on a fear of anarchy, but rather, concerns over Kashrut. “We know exactly what happens from the shechita on till the end. But we know nothing about meat from outside. I state therefore, that we cannot

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<sup>19</sup> CJCCCNA/JPL/Vaad/MB 09/13/19/Kashrut Agreements/Variou Bs/1933-86.

<sup>20</sup> Memorandum of Agreement between Montreal JCC, Inc. and H.B., merchant, Dec. 24, 1953 (CJCCCNA/JPL/Vaad/MB 09/13/19/Kashrut Agreements/Variou Bs/1933-86).

<sup>21</sup> Clearly, submitting the question to rabbis in New York shows that the issue of imported meat was not resolved by late 1960. (Minutes, Rabbinat, Dec. 12, 1960 (CJCCCNA/JPL/Vaad/MB 09/19/5/Rabbinat/1960-62)).

give *hashgacha*<sup>22</sup> on meat that was imported from outside Montreal.”<sup>23</sup> Hendel, Cohen, Niznik and Chaikin agreed. The New York rabbis (Aaron Kotler, Yosef Elyahu Henkin, Nissan Telushkin)<sup>24</sup> agreed that the prohibition on *bosor chutz* in the case of Montreal was not simply an issue of propping up the Vaad Ha’ir but it was also a question of ascertaining proper Kashrut.<sup>25</sup>

Indeed, in 1967, the next application for a kosher wholesale butcher required:

Not to have any of my cattle, calves, sheep and lambs koshered by any individual or organization other than those who are under the supervision of the Council. Not to sell, directly or indirectly, non-kosher products to kosher butchers under the supervision of the Council, nor to sell kosher meat products to any butcher who is not under the supervision of the Council.<sup>26</sup>

By 1967, butchers were officially required to deal only in meat produced under the direct *hashgacha* of the Montreal Vaad Ha’ir.

However, despite eventual unity on the problem of imported kosher meat, during the 1960s the question of *bosor chutz* reached crisis proportions. The actions of two major butchers in Montreal — Levitt’s and Drach’s — came to seriously threaten the Vaad during this period.

### Existential Threat I: Levitt’s Strictly Kosher Delicatessen Products

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<sup>22</sup> Kosher supervision.

<sup>23</sup> Minutes, rabbinat, December 26, 1960 (CJCCCNA/JPL/Vaad/MB 09/19/5/Rabbinat/1960-62).

<sup>24</sup> Aaron Kotler (1891-1962) was a renowned rabbinic scholar and dean of the famous Beth Medrash Gevoha in Lakewood, NJ (Oscar Z. Rand, *Toldoth Anshe Shem [Rabbis and Chassidic Rebbes of Europe and Those who Came to the USA]*, (New York, 1960), 109). Yosef Elyahu Henkin (1881-1973) was a respected rabbinic authority who would come to head *Ezras Torah* — a Haredi fund to support indigent rabbis — for many years (Ibid., 38; & Rakeffet-Rothkoff, *The Silver Era*, 63). Nissan (Norman) Telushkin (1882-1970) was also considered an important rabbinic authority in the United States (Rand, *Toldoth Anshe Shem*, 60). It is noteworthy that all three rabbis spent time studying at the yeshiva of Slutzk, where Kotler married the rosh yeshiva’s daughter and eventually became part of the yeshiva faculty himself. Further, Telushkin and Henkin both received ordination from, among others, Rabbi Willowsky (the Ridvas of Slutzk), hence one can assume that their ideological positions would share some common perspective.

<sup>25</sup> Minutes, rabbinat, December 26, 1960 (CJCCCNA/JPL/Vaad/MB 09/19/5/Rabbinat/1960-62).

<sup>26</sup> Application for Kosher Slaughtering, April 7, 1967 (CJCCCNA/JPL/Vaad/MB 09/13/16/Kashrut Agreements/Morantz Beef Co./1942-67).

The first sign of crisis involved Levitt's Strictly Kosher Delicatessen Products Limited in March of 1960. At that time, Hechtman received a telephone call from Rabbi Pinchas Teitz<sup>27</sup> of Elizabeth, New Jersey, informing him that Levitt's had ordered a large quantity of briskets and blade roasts from a firm under Teitz's supervision, due to arrive in Montreal the next day. The presidium immediately sent Levitt's a telegram instructing him to refrain from using or selling the meat until the Vaad finalized their position on the issue.<sup>28</sup> Called to a meeting with the Vaad, Mr. Levitt declared, "I am not, God Forbid, fighting the Vaad. I received a telegram from the meat packing union from which I can clearly see a strike will break out next week, and so I had stock sent from Elizabeth."<sup>29</sup> On May 30, 1960, the Vaad reported that once again, Levitt's ordered (kosher) meat from New Jersey. "What shall we do???"<sup>30</sup> Levitt's mashgiach responded that Levitt's did not want to fight the Vaad, but unless they acted appropriately (i.e. ensure that kosher butchers not run short of meat), Levitt's would be forced out of the kosher business within six months.<sup>31</sup> The Vaad was caught between a rock and a hard place:

If we allow Levitt to import meat, this will, in time, reach a difficult state, when the whole question of bosor chutz will evaporate, and along with it, the very existence of the Vaad Ha'ir – Vaad Harabbonim and kosher meat in general.<sup>32</sup>

Thus, the Vaad was caught between causing its own demise or facing the withdrawal of a large local supplier of kosher meat — neither eventuality was promising. Even the

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<sup>27</sup> Pinchas Teitz (1908–1995) was born in Subat, Latvia and was ordained by the Telzer yeshiva in 1931. He arrived in the US in 1933 and is credited with building a "classic kehillah" in Elizabeth, NJ. Among a multitude of tasks, he was also active in the plight of Soviet Jewry and treasurer of the Ezras Torah fund. (Rikva Blau, "Teitz, (Mordechai) Pinchas," *Encyclopaedia Judaica*, ed. Michael Berenbaum and Fred Skolnik (2<sup>nd</sup> ed. Detroit: Macmillan Reference USA, 2007), 584-85.

<sup>28</sup> Minutes, Rabbinat, March 2, 1960 (CJCCCNA/JPL/Vaad/MB 09/19/5/Rabbinat/1960-62).

<sup>29</sup> Ibid.

<sup>30</sup> Minutes, Rabbinat, May 30, 1960 (CJCCCNA/JPL/Vaad/MB 09/19/5/Rabbinat/1960-62).

<sup>31</sup> Ibid.

<sup>32</sup> Ibid.

shochetim became involved because imported kosher meat was a direct attack against their main source of income: slaughtering fees. They supported the ban on imported meat, even if Levitt's would pay them killing fees for the imports.<sup>33</sup> Both the Vaad and the shochetim union — who fought frequently and bitterly — were united in their fear that once the door to imported meat was open, chaos would result, which of course was the case in New York City and Boston, among other places. In fact, when Levitt's was caught importing meat for the third time in eight months, this time from Boston,<sup>34</sup> the union of shochetim demanded that the Vaad Ha'ir intervene as such acts violated the agreement between the Vaad and the union.<sup>35</sup> When called to the Vaad, Levitt's claimed that he was forced to import meat since he cannot acquire more than one third of his needs from Montreal kosher wholesalers. "How can we continue to exist?"<sup>36</sup>

The next few months represented perhaps the greatest challenge to the Vaad since its initial few years. Within the year, other butchers began to import meat for the same reasons as Levitt's. The latter also brought the fight into the public eye and eventually, submitted a lawsuit against the Vaad. The pressures led the executive director to refer to these days as "the days of the Pearl Harbour of the Vaad Ha'ir":

"certain people were already using the words, 'of blessed memory' when mentioning the Vaad... Thank G-d that we came through this with Divine Providence and did not take a stand during these heated moments of excitement, but rather came through the tough days with dignity and self-restraint. And after long negotiations, by May 2, we had resolved the issue. I would like to mention that the efforts of Mr. Israel Cohen, Mr. Louis Glazer, Mr. I. R. Prazoff and Mr. S. Urman will be recorded for posterity in the history of the Vaad Ha'ir as those who helped steer the organization through

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<sup>33</sup> Minutes, Rabbinat, June 13, 1960 (CJCCCNA/JPL/Vaad/MB 09/19/5/Rabbinat/1960-62).

<sup>34</sup> Minutes, Rabbinat, November 21, 1960 (CJCCCNA/JPL/Vaad/MB 09/19/5/Rabbinat/1960-62).

<sup>35</sup> Telegram, December 4, 1960 (CJCCCNA/JPL/Vaad/MB 09/20/29/Supervision/Levitt's Strictly Kosher Delicatessen Products Ltd./1938-65).

<sup>36</sup> Minutes, Rabbinat, December 5, 1960 (CJCCCNA/JPL/Vaad/MB 09/19/5/Rabbinat/1960-62).

the toughest days of the Vaad Ha'ir since its existence. I refer to this episode as 'the days of the Pearl Harbour of the Vaad Ha'ir of Montreal.'<sup>37</sup>

In response to the Vaad's order to stop importing kosher meat, Levitt's published the following open letter in the *Montreal Star* — the newspaper of record of the Jewish community at that time — on June 20, 1961:

Open letter to the Jewish Community:

The Jewish Community in Montreal has grown, and, with it, the demand for strictly kosher delicatessen meats. But the supply of certain kosher beef cuts in Montreal has not and cannot keep up with this demand.

Therefore, in February, 1960, after many meeting with the Vaad Hoir, we began importing from the U.S. those kosher beef cuts in short supply in Montreal. **There is absolutely no doubt as to the Kashruth of this meat.** For the past year-and-a-half, every piece has been checked and certified by the Vaad Hoir Mashgiach. Our plant was at that time, still is, and will continue to be under Kashruth supervision.

However, on May 23<sup>rd</sup>, we were told by the Praesidium of the Vaad Hoir that if we did not stop importing these cuts of beef, they would withdraw their Mashgiach and advertise that we were no longer under Vaad Hoir supervision — in spite of their recognition that **there will always be a shortage** of certain kosher beef cuts in Montreal, and despite the fact that we have imported, and are importing kosher edible casings for ten years **with their continued full knowledge and sanction.**

The Vaad Hoir **does not question the Kashruth**, only the principle of importation — and only in the case of the special beef cuts we must have if we are to continue to meet the demand for strictly kosher delicatessen meats.

**Montreal continues to be the only closed city in North America.**

We believe there is a need for our products. We believe you have a right to have them available. We believe that, knowing the facts, you will make your voice heard by writing us and the Rabbi of your Synagogue.

**Levitt's Strictly Kosher Delicatessen Products Ltd.**<sup>38</sup>

Levitt's challenged the Vaad on several points. They tried to show that the Vaad cared less for the kosher consumer than for their own existence by recognizing a meat shortage without resolving it. They accused the Vaad of inconsistency by permitting the importation of kosher casings, but not meat. Appealing to the average person's lack of

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<sup>37</sup> Minutes Executive Council, May 10, 1961 (CJCCCNA/JPL/Vaad/MB 09/12/11/Executive Minutes/1961).

<sup>38</sup> Open Letter, *Montreal Star*, June 20, 1961 (CJCCCNA/JPL/Vaad/MB 09/20/29/Supervision/Levitt's/1938-65). Emphasis in original.



interest or knowledge of the intricacies of Kashrut, Levitt's underlined that the imported meat was recognized as kosher by the Vaad, thereby, highlighting the irrationality of forbidding kosher meat, without explaining the full context of *bosor chutz*. They also isolated the Vaad as the "only closed city," implying that the Vaad was archaic and totalitarian. It was not a far cry from this letter to the legal challenge to the Vaad's authority, that we will examine below. Levitt's clearly believed that the majority of the community would support them, especially since imported beef would increase the availability and competition for kosher meat.

The Levitt's affair did not go unnoticed by the community. Rabbi Solomon Spiro of Laval's Young Israel of Chomedey wrote to Levitt's accusing them of threatening a good and just system. "It is precisely because Montreal is a 'closed city,' with the Vaad Hoir in complete control, that the chaos so rife in other cities has been prevented here."<sup>39</sup> The joint public relations committee of CJC and B'nai Brith wrote to the Vaad encouraging them not to publicize the details of the case and offered the Religious Welfare Committee as a place to arbitrate.<sup>40</sup> Insisting on their independence, the Vaad agreed to share the details of the case with the Religious Welfare Committee, but insisted that decisions were made only by the Montreal Council of Orthodox Rabbis.<sup>41</sup>

In early 1962, the Vaad Ha'ir was notified that it had been summoned by Levitt's to a *din Torah*<sup>42</sup> in Boston before Rabbi Joseph B. Soloveitchik.<sup>43</sup> Despite the Vaad's

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<sup>39</sup> Letter to Levitt's, June 20, 1961 (CJCCNA/JPL/Vaad/MB 09/20/29/Supervision/Levitt's/1938-65).

<sup>40</sup> Letter to Presidium, June 21, 1961 (CJCCNA/JPL/Vaad/MB 09/20/29/Supervision/Levitt's/1938-65).

<sup>41</sup> CJC Inter-Office-Information (memorandum), June 30, 1961 (CJCCNA/JPL/Vaad/MB 09/20/29/Supervision/Levitt's/1938-65).

<sup>42</sup> Rabbinic tribunal.

<sup>43</sup> Minutes, Presidium, February 14, 1962 (CJCCNA/JPL/Vaad/MB 09/12/12/Executive Minutes/1962). Rabbi Soloveitchik (1903–1993), as longtime dean of Yeshiva University, was both ideological mentor and ordaining rabbi of most of the younger modern Orthodox rabbis. For a brief yet comprehensive

promise to begin slaughtering in Ottawa to ensure Levitt's a consistent source of meat,<sup>44</sup> Levitt's continued to pursue the Vaad, although the venue had changed. The din Torah was moved to the court of the Rabbinical Council of America (modern Orthodox rabbinical council, abbreviated RCA) and Rabbi Soloveitchik had recused himself,<sup>45</sup> although in the end, this din Torah was also aborted. Fearing manipulation by elements of the Vaad Ha'ir, Levitt's withdrew the din Torah and turned again to the civil courts. Levitt's also claimed the Vaad was restricting their business, acting prejudicially against them and favouring their competitor, Mr. Drach,<sup>46</sup> another wholesaler whose history we will examine shortly.

On October 2, 1962, Levitt's presented an interlocutory injunction aimed at prohibiting the Vaad from publicizing its intention to remove Levitt's kosher supervision.<sup>47</sup> Even more threatening, Levitt's also submitted a writ of *scire facias*<sup>48</sup> against the Vaad. In this petition, Levitt's accused the Vaad of violating its Letters Patent, by overstepping its authority, and if proven, Levitt's requested that the

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bibliography, see Aaron Rothkoff and Dov Schwartz, "Soloveitchik, Joseph Baer," *Encyclopaedia Judaica*, ed. Michael Berenbaum and Fred Skolnik, 2<sup>nd</sup> ed. Detroit: Macmillan Reference USA, 2007, 777-80.

<sup>44</sup> Letter to Hechtman from Louis Schiff, March 9, 1962 (CJCCCNA/JPL/Vaad/MB 09/20/29/Supervision/Levitt's/1938-65). Of course, if the Vaad of Montreal sent its own shochetim to Ottawa to slaughter for Montreal, this was not considered bosor chutz as the slaughterers are employed by the Montreal community. In other words, the location of the slaughter is not germane, the supervision of the Vaad Ha'ir is paramount.

<sup>45</sup> Minutes, Presidium, March 29, 1962 (CJCCCNA/JPL/Vaad/MB 09/12/12/Executive Minutes/1962). Please note that (see below) Soloveitchik had already supported the law against imported meat in a similar din Torah with another Montreal butcher, Drach. As well, turning to slaughter outside of Ottawa was also in response to the needs of Drach's as well as Levitt's (see below).

<sup>46</sup> Letter to Hechtman, Executive Director, August 3, 1962 (CJCCCNA/JPL/Vaad/MB 09/20/29/Supervision/Levitt's/1938-65).

<sup>47</sup> Petition for interlocutory injunction submitted by petitioner, Levitt's Strictly Kosher Delicatessen Products Ltd., against the respondent, JCC of Montreal, October 9, 1962 (CJCCCNA/JPL/Vaad/MB 09/20/29/Supervision/Levitt's/1938-65).

<sup>48</sup> A writ of *scire facias* requires the defendant (in this case the Vaad) to prove that it has not violated its own terms of existence or letters patent. It is similar to the *writ of mandamus* submitted against the Vaad in 1951 by the butchers guild – see below.

Vaad's charter be annulled. Reviewing the details of the struggles of the last few months, Levitt's petition concluded by asking for nothing less than the dissolution of the Vaad:

[...] 29. That Respondent has exercised many powers, franchise and privileges which do not belong to it and are not conferred upon it by law or otherwise and has thereby exceeded its powers making it subject to annulations of its Letters Patent.

30. That Petitioner demands that the Letters Patent of Respondent be annulled and that its rights and privileges granted by such Letters Patent be declared forfeited, that the company be declared dissolved and that its assets be distributed among its creditors and members.<sup>49</sup>

Levitt's accused the Vaad of overstepping its bounds and violating its mandate by prohibiting the importation of meat, which they argued was beyond the Vaad's purview. The Vaad, on the other hand, argued that historically, the importation of meat was under the purview of the local kehillah. Further, as a halakhic concern, bosor chutz was within the Vaad's authority.

Before the case began, word reached the Vaad in October, that Levitt's was again willing to submit the question to a din Torah, as long as the latter was not held in Montreal.<sup>50</sup> Levitt's agreed to drop all legal proceedings against the Vaad in favour of the din Torah:

Whereas the parties hereto, in order to avoid friction among the members of the Jewish Community of Montreal, believe it to be in the interest of the Jewish Community at large to submit their respective point of view for decision to arbitrators and mediators of the highest repute;

Now these presents witness that:

1. The parties have chosen Rabbis J. B. Soloveitchik, E. Silver, and Norman Telushkin to take cognizance of the facts in dispute between the parties and decide as to the rights involved.<sup>51</sup>

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<sup>49</sup> Petition for *scire facias*, October 9, 1962 (CJCCCNA/JPL/Vaad/MB 09/20/29/Supervision/Levitt's/1938-65).

<sup>50</sup> Minutes, Executive. October 30, 1962 (CJCCCNA/JPL/Vaad/MB 09/12/12/Executive Minutes/1962).

<sup>51</sup> Memorandum of Agreement, City of Montreal, December 4, 1962 (CJCCCNA/JPL/Vaad/MB 09/20/29/Supervision/Levitt's/1938-65).

The hearing took place in New York City on December 20, 1962,<sup>52</sup> and the ruling supported the Vaad's prohibition on imported meat.<sup>53</sup> In the interim, Levitt's, trying to circumvent the Vaad Ha'ir, had applied to the Orthodox Union<sup>54</sup> of New York City to receive their supervision. However, as the OU responded, they would not certify as kosher an establishment in a locale with an extant rabbinical board.<sup>55</sup> The documentary evidence on the end of the Levitt's saga is meagre, and despite the dramatic development, the story seemed to have died out quietly,<sup>56</sup> and the threat from Levitt's was contained.<sup>57</sup> However, peace remained elusive.

### Existential Threat II: Drach's Food Products Limited

In the meantime, as the Vaad was struggling under the organized assault from Levitt's, the latter's competitor, Mr. Abraham Drach, equally stymied by a shortage of certain cuts of beef, had also begun to import meat from outside the city. The Vaad response was unequivocal: "We consider this to be bosor chutz."<sup>58</sup> Not only was this meat being used to satisfy Drach's demands, but other butchers were also using this imported beef. Although the Vaad admitted that the start of this activity (March, 1961)

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<sup>52</sup> Minutes, Executive Council, December 27, 1962 (CJCCCNA/JPL/Vaad/MB 09/12/12/Executive Minutes/1962).

<sup>53</sup> Minutes, Executive Council, May 13, 1963 (CJCCCNA/JPL/Vaad/MB 09/12/13/Executive Minutes/1963); Minutes, Presidium, March 27, 1963 (CJCCCNA/JPL/Vaad/MB 09/12/13/Executive Minutes/1963).

<sup>54</sup> Modern Orthodox US-based kosher supervisory organization. Affiliated with the RCA, it is generally shunned within Haredi circles.

<sup>55</sup> Letter to Levitt from Herman Stein, Director, Union of Orthodox Jewish Congregations of America, March 13, 1963 (CJCCCNA/JPL/Vaad/MB 09/20/29/supervision/Levitt's/1938-65).

<sup>56</sup> Since much of this fight was painstakingly detailed in the Vaad's minutes, one wonders why the conclusion of the "Pearl Harbor" of the Vaad Ha'ir was not equally recorded. Could the resolution to this grave crisis have been so secretive or so unusual to require its suppression from the minutes?

<sup>57</sup> In 1999, Levitt's (under new owners) would challenge the Kashruth Council of Toronto for not permitting the import of its products into Toronto (*CJN*, August 5, 1999). The Toronto Kashruth Council notes that "Montreal is a 'closed' city," and that new regulations in both cities require butchers to be shomer-shabbat, a requirement which Levitt's eluded in Montreal because of a grandfather clause.

<sup>58</sup> Minutes Executive Council, May 10, 1961 (CJCCCNA/JPL/Vaad/MB 09/12/11/Executive Minutes/1961).

coincided with a dearth on the market of the finer cuts of kosher meat, no practical resolution was proposed. Exercising its rights and *raison-d'être*, the Vaad asserted its unique authority to rule on Kashrut in Montreal as well as reinforcing the rejection of *bosor chutz*: “Our supervision is based on the prohibition on imported meat from outside Montreal. This interdiction, which existed almost throughout Europe, maintained Kashrut and the existence of the Jewish communal councils in each and every town and *shtetl*.”<sup>59</sup> The minutes of the executive council from this period further justify prohibiting *bosor chutz* in Montreal:

In order to provide a proper picture, we must address the following: In Europe, *bosor chutz* was not permitted, less as a safeguard against the splintering of the *kehillah* as much as safeguard for its very existence, such as the support of religious functionaries, ritual places, *shochetim* and other necessities. There was also a less important economic factor. Here in America, it is also a Kashrut question. Here, we give *hashgacha* only on those items which are manufactured from meats over which we have had supervision from the first moment— from the time of slaughter— till the customer.<sup>60</sup>

Meanwhile, Mr. Drach began to import meat from Toronto. Once he used what he needed, he sold the balance to other kosher butchers. Many tried to exploit this period of reigning chaos to their own advantage. There were plans afoot to threaten the Vaad's very existence (presumably a reference to the Levitt's abandoned court case). It would seem that even the Vaad's would-be friends revelled in the conflict and supported the opponents. The Vaad prided itself on its stamina and diplomatic perseverance during this crisis.<sup>61</sup>

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<sup>59</sup> Minutes, Executive Council, June 14, 1961 (CJCCCNA/JPL/Vaad/MB 09/12/11/Executive Minutes/1961).

<sup>60</sup> *Ibid.*

<sup>61</sup> *Ibid.*

Although the Vaad viewed the experiences of the past few months as critical, life-threatening, and even, analogous to Pearl Harbour, in fact, the battle only grew thicker. With two of the largest kosher procurers in open conflict with the Vaad, the tensions were not soon to abate.

In response to Drach's actions, Rabbi Hirschprung notified Mr. Drach in no uncertain terms that he may not import kosher meat from outside Montreal and that, as Drach himself suggested, the Vaad was willing to submit the question to Rabbi J. B. Soloveitchik of Boston.<sup>62</sup> By November 30, Rabbi Soloveitchik issued the following decision:

The ban on "meat from the outside" (bossor chutz) is mentioned in the Code of Jewish Law; and, as we see it, it is being observed in Montreal. This ban was and remains; and we would like to strengthen this ban so that it would be even more effective than heretofore.

However, we have to understand that the ban on "meat from the outside" is not a geographic one. In other words, when Jewish Law is against the use of Kosher meat imported from the outside, it means such meat as was slaughtered not by your shochtim and not under the jurisdiction of your Rabbinat. However, cattle that were slaughtered by your ritual slaughterer in accordance with your system and customs, and under the jurisdiction of your Montreal Rabbinat is not considered "meat from the outside."

To make it quite clear: We don't intend, G-d forbid, to open the city. On the contrary, we wish to expand your jurisdiction and kashruth supervision over abattoirs outside of the city limits of Montreal. The Jewish Community Council of Montreal may have abattoirs even outside of Montreal.<sup>63</sup>

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<sup>62</sup> Letter to Levitt's, October 30, 1961 (CJCCCNA/JPL/Vaad/MB 09/14/63/Kashrut Correspondence/Varios/1932-86).

<sup>63</sup> Certified English translation of "Decision of Rabbi J.B. Soloveitchik, Nov. 30, 1961, NYC (CJCCCNA/JPL/Vaad/MB 09/14/87/Kashrut – Drach's/1930-67). Indeed, Soloveitchik suggests that if there is a meat shortage in Montreal, the Vaad should send its own shochetim outside the city to slaughter and send the meat back to Montreal (Executive Minutes, February 26, 1962; CJCCCNA/JPL/Vaad/MB 09/12/12/Executive Minutes/1962). Bosor chutz is not a geographical issue; rather it is a question of who shechts and not where (Minutes, Rabbinat, December 7, 1961; CJCCCNA/JPL/Vaad/MB 09/19/5/Rabbinat/1960-62).

This unequivocal support for the Vaad's position not only reinforced the ban on bosor chutz, but was also used to shape future strategy.<sup>64</sup> Soon after, the Vaad contacted a slaughterhouse in Ottawa to prepare to shecht there should a meat shortage develop in Montreal.<sup>65</sup>

Another wrinkle developed, however. In the spring of 1963, Drach planned to export his kosher poultry out-of-province.<sup>66</sup> In order to do so, he needed federal approval to ship meat products across Canada. Approval was possible only if the meat was slaughtered under federal inspection or in a federally-approved locale.<sup>67</sup> As he was unable to afford to build his own slaughterhouse, he requested that the Vaad permit him to import kosher meat from a federally-approved slaughterhouse outside Montreal to be repackaged and exported out of the city.<sup>68</sup> Since the imported meat was not to be sold in Montreal, Drach may have expected the Vaad Ha'ir to demure. Even though a copy of the response is not available, we can assume that the Vaad did not approve, because within a few months, it was reported that Drach had privately hired two local shochetim to slaughter for him. Presumably, these were to provide product for Drach's export trade.

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<sup>64</sup> Minutes, Executive Council, Dec. 4, 1961 (CJCCCNA/JPL/Vaad/MB 09/12/11/Executive Minutes/1961).

<sup>65</sup> Minutes, Executive Council, February 26, 1962 (CJCCCNA/JPL/Vaad/MB 09/12/12/Executive Minutes/1962). The owners of Ottawa Beef were to sign an agreement to deal only with the Vaad or its legal representative when exporting meat to Montreal (CJCCCNA/JPL/Vaad/MB 09/14/32/Kashrut Agreements/Various O's/1961). As above, this agreement was intended to relieve Levitt's shortages as well (Minutes, Presidium, March 29, 1962 (CJCCCNA/JPL/Vaad/MB 09/12/12/Executive Minutes/1962)).

<sup>66</sup> In a memo from the fall of 1963, the Vaad permits, after a request from an American retailer, to allow the printing of the OU (hekhsher of the Orthodox Union) to be added to that of the Vaad for Drach's exports (Minutes, Rabbinat, October 14, 1963, CJCCCNA/JPL/Vaad/MB 09/19/6/Rbbinate – Various dates). Drach's had been exporting product for years. In 1953, the Chief Rabbinate of Tel Aviv and of Israel contacted Herschorn asking whether Drach's – Menorah luncheon meat was kosher (Telegram from Rabbi M. Y. Zweig, January 27, 1953 (Herschorn Papers/Ira Robinson Collection/Correspondence/Chief Rabbinate-Israel/Drach's/1952-53)).

<sup>67</sup> Minutes, Rabbinat, May 20, 1963 (CJCCCNA/JPL/Vaad/MB 09/19/6/Rabbinate – Minutes/Various dates).

<sup>68</sup> As early as 1961, Drach had informed himself about a way of plucking chickens efficiently without any halakhic doubts (CJCCCNA/JPL/Vaad/MB 09/19/5/Rabbinate/1960-62).

The Vaad rejected this practice, as only they are entitled to engage shochetim, and the latter may never be employed by a butcher because of conflict of interest.<sup>69</sup> Both Drach and the shochetim accepted the Vaad's ruling.<sup>70</sup> By late 1964, the Vaad reported proudly on the opening of the first federally-inspected kosher chicken slaughterhouse in Canada under Drach's control. Dressed and kashered poultry could now be provided across the country, especially to those Jews living in small towns.<sup>71</sup> Yet again, not long after, Drach was caught privately hiring shochetim to help out with extra work, which the Vaad prohibited, fining the schochet for working with Drach without Vaad approval.<sup>72</sup>

But Mr. Drach remained unhappy with the Montreal Vaad and even though his product was being sold in Vancouver,<sup>73</sup> Drach applied to the CJC – Kashruth Council of Canada (COR) for permission sell his product in Ontario. The reply — based on the question of bosor chutz — invoked the potential negative effects of imported frozen meat on the income of the local shochetim in Toronto. The general feelings of the committee were presented by Rabbi Wurzburger,<sup>74</sup> whose thoughts paralleled those of Montreal's Vaad:

Rabbi Wurzburger reviewed at length and in great detail all the issues and pointed out that while kashruth was the main factor there were many other

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<sup>69</sup> Berman, *Shehitah*, 49.

<sup>70</sup> Minutes, Rabbinat, October 26, 1964 (CJCCCNA/JPL/Vaad/MB 09/19/6/Rabbinat – Minutes/Various dates).

<sup>71</sup> Minutes, Executive, November 12, 1964 (CJCCCNA/JPL/Vaad/MB 09/12/14/Executive Minutes/1964); Letter to Drach from C.K. Hetherington, Director Meat Inspection Division, Canadian Department of Agriculture, Health of Animals Branch, February 16, 1965 (CJCCCNA/JPL/Vaad/MB 09/14/87/Kashrut/Drach's/1930-67).

<sup>72</sup> Minutes, Rabbinat, January 4, 1965 (CJCCCNA/JPL/Vaad/MB 09/19/6/Rabbinat – Minutes/various dates).

<sup>73</sup> Handbill (JPL/Jewish Canadiana Collection/Religion/Kashrut/Passover). Drach's kashered cryovaced poultry was also advertised in the *Jewish Western Bulletin* (see for example, April 2, 1965, 5).

<sup>74</sup> Valedictorian of his graduating class at Yeshiva University, Walter Wurzburger (1920 – 2002) served as a rabbi and communal worker in several Canadian and American cities, including Toronto and New York (Gottesman, *Who's Who*, 93).



things to be considered i.e. *hasogas g'vul*, etc.<sup>75</sup> Also, that in all the history of the Jewish people these obligations and standards had been respected in order that the livelihood and welfare of the community would be protected; and that although there was no doubt about the kashruth of Drach's poultry, and no question as to the reliability of the rabbis of the Jewish Community Council of Montreal, there was the right of the community to ban, absolutely, the importation of shechita, and that if a serious problem were created it might pressure the community to enforce this ban. In view of all the circumstances, therefore, he suggested that there be no sudden decision, but that the proposal should be discussed by committees on all levels.<sup>76</sup>

Not comfortable ruling for the entire country, the COR was nevertheless reluctant to permit Drach to ship his meat throughout Canadian cities. After all, if the prohibition on *bosor chutz* were maintained in Montreal, then why should it not be observed across Canada, especially at this time, when Montreal's pre-eminence made it an example to other Jewish communities in Canada?

At the beginning of 1966, another issue arose. A report reached the Vaad claiming that Drach's chickens were not kashered, despite the commonly held assumption to the contrary. In order to consume these fowl, they had to be soaked and salted at home prior to cooking.<sup>77</sup> As this was an unusual and complex question, the Vaad turned to Rabbi Moses Feinstein<sup>78</sup> in New York to resolve the issue of chickens being sold as kosher that are in fact, not ready for consumption. Feinstein noted that

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<sup>75</sup> *Hasogas g'vul* is a halakhic term resembling copyright or domestic authority rights. It is intended to ensure that fair competition ensues and that individuals do not impinge on the income of others by selling the same product in the same geographic area. In another example of *hasogas g'vul*, in 1939, the Vaad ruled that cattle-slaughterers may not slaughter chickens, because that might take profit away from the chicken-slaughterers. (Conditions for Chicken Slaughterers, August 14, 1939 & Agreement between Vaad Ha'ir and the Chicken Slaughterers' Union, December 5, 1943 (CJCCCNA/JPL/Vaad/MB 09/14/56/Kashrut correspondence/Chicken shoctim/1939-48)).

<sup>76</sup> Minutes, Special meeting, Steering Committee, Orthodox Division, September 7, 1965 in Toronto (CJCCCNA/CA/60/574/Religious Welfare/1965).

<sup>77</sup> Although commonplace in earlier times, by this period, kosher poultry was prepared by the butcher and salting and soaking were no longer performed at home.

<sup>78</sup> Moshe Feinstein (1895 – 1986) was an internationally renowned halakhic expert. Acknowledged as the leader and legal decisor of Diaspora Orthodoxy from the postwar period until his death, Feinstein was decidedly in the Haredi camp, even serving as head of the UOR, although many modern Orthodox Jews appealed to him for halakhic rulings (David Derovan, "Feinstein, Moses." *Encyclopaedia Judaica*, ed. Michael Berenbaum and Fred Skolnik (2nd ed., Detroit: Macmillan Reference USA, 2007), 741-42.

making a big fuss over this issue will likely damage the kosher industry, and therefore advised that all Drach's customers be informed that the chickens were to be kashered prior to use, but not to make a large public to-do.<sup>79</sup>

Frustrated at his stymieing at the hands of the Montreal Vaad and cautiously hopeful that national organizations (such as the COR) might support his proposals, Drach declared open warfare on the Vaad Ha'ir of Montreal. He wrote to the Canadian Jewish Congress, arguing that the Vaad in Montreal charged high kosher slaughtering fees, which not only increased unnecessarily the cost of kosher meat, but also compelled many Montreal butchers to sell treyf meat to their customers as kosher. Drach proposed a plan for how the COR could take over Kashrut supervision on a national scale:

Gentlemen, we must face the truth of the statement that the Vaad Hair has outlived its usefulness. It should be removed and its function taken over by The [sic] Canadian Jewish Congress. Such a change would be of inestimable benefit to the Jewish Congress and the great respect and esteem in which it is held would assure the effectiveness of any regulations that they would adopt.<sup>80</sup>

Congress refused to accept Drach's challenge to take over national Kashrut control, although others took up the call. On December 14, 1966, some fifteen local butchers and retailers submitted a petition to the CJC stating:

We the undersigned appeal to the Congress to establish a Vaad Hakashruth and to take over the supervision of kashruth – so that we can serve the Jewish public without being exposed to dishonest competition and favouritism. We are all prepared to take off the sign of the Vaad Hair, and return it to them, and be only too proud to have a sign from the Congress in our windows.<sup>81</sup>

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<sup>79</sup> Rabbinat minutes, February 28, 1966; Rabbinat Minutes, March 21 & April 7, 1966 (CJCCCNA/JPL/Vaad/MB 09/19/6/Rabbinat – Minutes/Various dates).

<sup>80</sup> Letter from Drach to CJC, December 2, 1966 (CJCCCNA/JPL/Vaad/MB 09/14/87/Kashrut Manufacturers- Drach's/1930-67).

<sup>81</sup> CJCCCNA/DA 15/1/26/Religious Welfare Committee/Drach & Vaad Hair – correspondence/1966-67.

Clearly threatened, the Vaad responded firmly. Citing the mashgiach's testimony that on December 14, 1966, Drach had imported meat outside of the Vaad's jurisdiction, the latter removed both the mashgiach and hashgacha from Drach's enterprise.<sup>82</sup> On December 16, Drach received a letter — presumably due to the Vaad's prodding — from the United Packinghouse, Food and Allied Workers Local 368 UPWA, stating that importing meat from outside Montreal violates the slaughterers union laws.<sup>83</sup> Finally, on December 21, 1966, Drach received a registered letter from the JCC informing him that as he was in default of contractual obligations, his Kashrut supervision had been withdrawn.<sup>84</sup>

Drach's drama did not go unnoticed. Newspapers and rabbis responded:

The longstanding feud between veteran kosher butcher, Abraham Drach, and the Vaad Ha'ir (Jewish Community Council) took a sensational turn this week with the announcement by the Vaad that they had withdrawn their supervision of the kashruth of the various products of the Drach organisation. This comprises butcher shops, a factory and a catering establishment. Some sort of action by the Vaad had been expected ever since it became known that Mr. Drach had sent out a circular letter in which he maintained that the Vaad Ha'ir had outlived its usefulness and that the supervision of Kashruth should be taken over by the Canadian Jewish Congress.<sup>85</sup>

On December 25, 1966, Rabbi Wilfred Shuchat of Congregation Sha'ar Hashomayim in Montreal, wrote to Rabbi Mendel Lewittes, Chairman of the eastern region of the Religious Welfare Committee of the CJC and the Board of Jewish Ministers of Greater Montreal — neither of which organization was well regarded by the Vaad of Montreal — in support of Drach:

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<sup>82</sup> CJCCCNA/JPL/Vaad/MB 09/14/87/Kashrut-Drach's/1930-67.

<sup>83</sup> CJCCCNA/JPL/Vaad/MB 09/14/87/Kashrut-Drach's/1930-67.

<sup>84</sup> CJCCCNA/JPL/Vaad/MB 09/14/87/Kashrut-Drach's/1930-67.

<sup>85</sup> *Canadian Jewish Chronicle*, December 23, 1966 (CJCCCNA/JPL/Vaad/MB 09/14/87/Kashrut Manufacturers – Drach's/1930-67).

In my opinion Mr. Drach through his frozen food business and kosher canning has done more for Kashrus in Canada than any other single individual of whom I can think. The idea that a Kashrus license can be given or withdrawn so cavalierly despite the reputation of a life time is something that I find intolerable. I am not impressed by the argument of Shechitas Chutz<sup>86</sup> and of the implication that the Kosher meat that the Jews in Toronto are buying is not Kosher. I regard such a meeting as urgent.<sup>87</sup>

On the same day, Shuchat also wrote to Rabbi Zambrowsky<sup>88</sup> of the Religious Welfare Committee that, “In my opinion a controversy between Mr. Drach and the Vaad Hair is not a local matter but has national implications and should be considered within that perspective.”<sup>89</sup> He added that there is an opportunity to create national Kashrut standards. In fact, the Religious Affairs Committee, eastern region, met to discuss this very issue on January 3, 1967, in the presence of, among others, of Rabbis Shuchat, Lewittes, and Zambrowsky. The request from the butchers for a Congress Kashrut board were reported. A committee composed of two members each from the Vaad Hair, Rabbinical Council of Canada [RCC], Synagogue Council and the Board of Jewish Ministers was suggested.<sup>90</sup> But actions by Drach himself prejudiced any potential resolutions this committee might ever have posited.

In response to the Vaad’s removal of their kosher supervision, Drach, presumably by previous arrangement, announced on December 30, 1966, the engagement of Rabbi Moshe Grossberg, “a well known author and renowned Rabbi,”<sup>91</sup> as their new Kashrut

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<sup>86</sup> Literally refers to “outside slaughter,” but is synonymous with “bosor chutz.”

<sup>87</sup> CJCCNA/DA 15/1/26/Religious Welfare Committee/Drach & Vaad Hair – correspondence/1966/-67.

<sup>88</sup> Tzemach Zambrowsky, born in Warsaw in 1911, came to America in 1924, served as a rabbi in Cleveland from 1932 until 1938 when he came to Montreal. He served as Chairman of Mizrachi Canada for many years (Fuchs, *100 yor*, 118).

<sup>89</sup> CJCCNA/DA 15/1/26/Religious Welfare Committee/Drach & Vaad Hair – correspondence/1966/-67.

<sup>90</sup> Minutes, Religious Welfare Committee, Eastern region, January 3, 1967 (CJCCNA/DA 15/1/26/Religious Welfare Committee/Drach & Vaad Ha’ir – Correspondence/1966-67).

<sup>91</sup> Ad from unidentified, undated newspaper (CJCCNA/JPL/Vaad/MB 09/14/87/Kashrut-Drach’s/1930-67). Moshe Grossberg was born in Jerusalem in 1921 and came to Montreal in 1959. He was the author of

supervisor,<sup>92</sup> thus, providing kosher products within Montreal but outside the umbrella of the Vaad Ha'ir. Again, public attention was drawn to the unfolding drama and sides were taken.

On January 13, 1967, an editorial in the *Canadian Jewish News* supported the RCC's position, stating, "Rightly, the Rabbinical Council cautions the community against anarchy in the field of kashrut."<sup>93</sup> In early January, the RCC published its support of the Vaad as unique Kashrut council in Montreal.<sup>94</sup> Although the RCC supported the Vaad's position as sole Kashrut authority with the right to prohibit bosor chutz, they would like — within these parameters — for Drach's to regain its hashgacha.<sup>95</sup> The Vaad would not budge.<sup>96</sup>

Mr. Drach responded by publishing an open letter to the Jewish People of Montreal and Canada:

The name Abraham Drach is a name of Kashrut for the last 45 years. Drach's Food Products, Herzl Caterers and Reliable Poultry Packers are institutions of Kashrut and will remain at all times exclusively 100% Kashrut producers. I could write a lot about the different disputes that I have had in the interests of Kashrut, but I feel writing about the disputes would not bring any benefit to Kashrut.

There is only one way that Kashrut can exist and that is by having a plentiful supply of kosher beef and poultry at reasonable prices. Kosher butchers could then look after their customers in supplying their demands for the kosher cuts of meat at reduced prices and customers will not be obliged to buy non-kosher meat.

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a book on the writings of the Gaon of Rogachov, as well as contributing editor to the Talmudic Encyclopaedia (Gottesman, *Who's Who*, 113).

<sup>92</sup> Certificate of Kashrut signed by Rabbi Moshe Grossberg for all Drach's products, December 30, 1966 (JPL/Jewish Canadiana Collection/Religion/Kashrut – Business).

<sup>93</sup> *CJN*, January 13, 1967 (CJCCNA/DA 15/1/26/Religious Welfare Committee/Drach & Vaad Hair – Press/1966/-67).

<sup>94</sup> Reported in the *Canadian Jewish Chronicle* on January 13, 1967 (CJCCNA/DA 15/1/26/Religious Welfare Committee/Drach & Vaad Hair – Press/1966/-67).

<sup>95</sup> Letter from Mordecai Zeitz, Secretary, RCC to Hechtman, February 7, 1967 (CJCCNA/JPL/Vaad/MB 09/9/81/Correspondence/1967).

<sup>96</sup> See letter from Presidium of Vaad Ha'ir to M. Lewittes, Chairman, Religious Affairs Cttee., January 27, 1967, and letter from Beth Din of Montreal to M. Lewittes, Chairman, Religious Affairs Cttee., January 31, 1967, refusing to alter their decision (CJCCNA/JPL/Vaad/MB 09/14/87/Kashrut – Drach's/1930-67).

I will assure the Montreal Jewish Public and the also the entire Jewish Population of Canada that Kashrut will not be sacrificed under any circumstances.

I thank the Montreal public for the confidence they have shown to me by their many calls and letters of encouragement.<sup>97</sup>

Many others — organizations as well as individuals —rallied to Drach's support.

The Committee for Improved Community Relations sent a letter to all members of the JCC of Montreal, as well as the Religious Affairs Committee of CJC acknowledging meat shortages, costlier kosher meat, and a narrow agenda among the reasons to examine the Vaad's role. "Consideration should be given to the re-structuring of the Council to make it representative of the interests and the needs of our Community as it now exists."<sup>98</sup> Less sensational responses were received from the Religious Affairs Committee of CJC.<sup>99</sup> The "Committee for the Advancement of Kashrut" submitted a letter to the presidium of the JCC demanding that Drach be permitted to be considered kosher.<sup>100</sup>

There were more twists to the saga of Drach's. In early 1967, Drach began importing already slaughtered chickens from Toronto under the supervision of Rabbi Ochs.<sup>101</sup> Stymied, the Vaad sent Rabbis Hirschprung and Hechtman to New York on February 1, to request from Rabbi Moshe Feinstein two declarations. One was to

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<sup>97</sup> Printed in the *Canadian Jewish Chronicle*, January 20, 1967 (CJCCNA/DA 15/1/26/Religious Welfare Committee/Drach & Vaad Hair – Press/1966/-67).

<sup>98</sup> March 13, 1967 (CJCCNA/JPL/Vaad/MB 09/14/87/Kashrut – Drach's/1930-67). It is not clear whom this committee represents, although it may be assumed they were part of CJC as they were invited to observe a meeting of the Religious Welfare Committee where they became involved in the Drach affair.

<sup>99</sup> Letter from M. Lewittes, Chairman, Religious Affairs Cttee., to Presidium, JCC, January 25, 1967. (CJCCNA/JPL/Vaad/MB 09/14/87/Kashrut – Drach's/1930-67).

<sup>100</sup> This ad hoc committee of seven did not last longer than this one letter to the Vaad. February 10, 1967 (CJCCNA/JPL/Vaad/MB 09/14/87/Kashrut – Drach's/1930-67).

<sup>101</sup> David Ochs (1904 - 1985) came to Toronto in 1946 as a yeshiva dean and synagogue rabbi. (Gottesman, *Who's Who*, 106).

prohibit Rabbi Ochs from exporting or selling his meat to Drach and the second was to prohibit anyone in Montreal from eating this meat. Feinstein agreed.<sup>102</sup>

The Drach affair ended abruptly. By early 1967, Drach had sold his poultry plant to Marvid, his catering business to two young men, Sol Wenger and Ben Wainberg, who opened a kosher caterer, bakery and restaurant with piped music, air conditioning and cordon bleu fare, including kosher versions of chicken Kiev and scampi. Drach remained in the non-kosher meat canning business and never returned to kosher catering.<sup>103</sup> Sadly, Abraham Drach died suddenly in February of 1968. The Drach company never entered the kosher business again.

Despite resolutions with Levitt's and Drach's, the question of bosor chutz would frequently bedevil the Vaad. In the late 1970s Empire Poultry — a large, well-reputed U.S.-based firm — began exporting kosher slaughtered poultry to Montreal, violating the bosor chutz laws, although they shipped to Toronto without a problem.<sup>104</sup> Although seemingly resolved when Empire wrote in April of 1976, "We will not allow any EMPIRE [sic] product into the city of Montreal directly or indirectly until the Vaad Hakashruth will agree,"<sup>105</sup> Empire products continued to surface in Montreal, often in non-kosher retail outlets.<sup>106</sup> In 2005, however, when Montreal's local poultry slaughterhouse employees were on strike, the Vaad permitted — indeed relied upon —

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<sup>102</sup> Minutes, Rabbinat, January – March, 1967 (CJCCCNA/JPL/Vaad/MB 09/19/6/Rabbinat – Minutes/Various dates).

<sup>103</sup> *Canadian Jewish Review*, March 24, 1967, 8.

<sup>104</sup> Letter to Hechtman from Murray Katz, president of Empire Kosher Poultry, April 8, 1976 (CJCCCNA/JPL/Vaad/MB 09/13/9/Kashrut Agreements/Empire Poultry/1976-78); Letter from Louis Orenstein, Chairman Executive Board of Vaad to Empire Kosher Poultry, August 15, 1977 (CJCCCNA/JPL/Vaad/MB 09/11/110/Correspondence/1977).

<sup>105</sup> Letter to Hechtman from Murray Katz, president of Empire Kosher Poultry, April 8, 1976 (CJCCCNA/JPL/Vaad/MB 09/13/9/Kashrut Agreements/Empire Poultry/1976-78);

<sup>106</sup> Ad in the *Montreal Star*, August 4, 1977; Minutes, Executive, October 21, 1976 (CJCCCNA/JPL/Vaad/MB 09/12/26/Executive Council/1976); Letter from Louis Orenstein, Chairman Executive Board of Vaad to Empire Kosher Poultry, August 15, 1977 (CJCCCNA/JPL/Vaad/MB 09/11/110/Correspondence/1977).

the importation of kosher poultry from Empire as well other companies, although the meat was relabelled in packaging from the local company, Marvid.<sup>107</sup>

For a short period in 1993, corresponding to the Passover season, Chai Kosher Poultry of Toronto was sold in Montreal. Under the certification of the COR of Toronto, this offer clearly violated the Vaad's regulations.<sup>108</sup>

Despite the difficulties in controlling kosher imports, the Vaad remained steadfast in its position against bosor chutz. The prohibition, stated the Vaad, "[...] was enacted by the great Rabbanim of years past."<sup>109</sup> During the infamous "Monsey chicken scandal" of September, 2006, when a seemingly reliable, Haredi kosher butcher was discovered intentionally selling non-kosher chickens in upstate New York, the Montreal Vaad prided itself on its prohibition on imported meat which in turn saved the city from being beset with non-kosher imported meat.<sup>110</sup>

### Existential Threat III: Montreal Kosher Retail Butchers Guild

Another significant source of tension emanated from the retail butchers union. Nineteen-fifty was witness to a significant change in the kosher meat market which would have implications for the Vaad Ha'ir. The Montreal Kosher Retail Butchers Guild acquired legal status in mid-1950, to "promote the organization and safeguard the interests and rights of our members."<sup>111</sup> They expected recognition and cooperation from

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<sup>107</sup> *Vaad News & Views*, 6(2), January 2005. Products from Rubashkin's in Iowa, on sale in Montreal since the 2005 strike, remain available to this day, despite the strike being long over. Although, it is not known how long Rubashkin's will continue to remain solvent.

<sup>108</sup> Handbill: March - April, 1993, (JPL/Jewish Canadiana Collection/Religion Kashrut/Business).

<sup>109</sup> *Vaad News & Views*, Succos, 2005.

<sup>110</sup> *Vaad News & Views*, Chanuka 2008. However, as late as December 2010, non-Vaad Ha'ir-approved poultry and cold cuts remain available in Montreal in Vaad-approved retail chain stores. Again, there is no practical consistency in bosor chutz.

<sup>111</sup> Letter from Guild to JCC, May 15, 1950 (CJCCCNA/JPL/Vaad/MB 09/15/95/Kashrut/Montreal Kosher Retail Butchers Guild/1950-57). This was not the only butchers' or slaughterers' union, but it was the main protagonist during the period under review.



the Vaad. Although the Vaad initially welcomed the new organization,<sup>112</sup> these years were also filled with conflict. As the Guild was intended to aid the retail butchers, its aims sometimes coincided with those of the Vaad — to eradicate imported meat — while at other times, the relationship was much more conflicted.

On November 20, 1950, the executive director of the Guild, Mr. Morris Signer, sent four separate letters to the Vaad Ha'ir of Montreal complaining about chaos in the kosher retail trade. Denying the Vaad Ha'ir permission to search butchers' homes and cars, and criticizing the status of Kashrut in the city, the Guild made their position clear, "The Kashruth situation in Montreal is slowly but surely becoming a farce, and we are prepared to place the blame where it belongs when, and if, we meet."<sup>113</sup> Claiming that the Vaad had ignored the Guild's request to meet for several weeks, Signer further detailed the Guild's claims:

You will please treat this letter as a listing of our objections and criticism of your supervision of the distribution of Kosher meat and our complaints against the system you have as follows:

- a) The permitting to a non-kosher butcher the privilege and opportunity of buying stamped Kosher Meat;
- b) The system of not stamping meat immediately the animal is slaughtered, thereby permitting the non-kosher butchers the opportunity of buying (what they call and what is accepted as) Kosher Meat;
- c) The permitting of non-Kosher butchers to use the word Kosher without taking any concrete steps to put an end to this practice;
- d) The permitting of non-Kosher butchers to advertise misleading and untrue statements without taking any concrete steps to put an end to this practice.<sup>114</sup>

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<sup>112</sup> Letter to Guild from JCC, May 17, 1950 (CJCCCNA/JPL/Vaad/MB 09/15/95/Kashrut/Montreal Kosher Retail Butchers Guild/1950-57).

<sup>113</sup> Letter to Vaad Ha'ir from Guild, November 20, 1950 (CJCCCNA/JPL/Vaad/MB 09/15/95/Kashrut/Montreal Kosher Retail Butchers Guild/1950-57).

<sup>114</sup> Letter to Vaad Ha'ir from Guild, November 20, 1950 (CJCCCNA/JPL/Vaad/MB 09/15/95/Kashrut/Montreal Kosher Retail Butchers Guild/1950-57).

These accusations are interesting because they seem counterintuitive. One might expect the Vaad to level such claims against recalcitrant butchers — that they permit the disorganized sale of kosher meat. To hear the Vaad Ha'ir — the bastion of Kashrut and traditionalism — accused of such acts seems unexpected. As we shall examine, while the Butchers' Guild was trying to stop the sale of non-Vaad meat to ensure the monopoly of the Guild's Vaad-approved meat, it is not clear why the Vaad was permitting the sale of improperly marked meat, although as noted elsewhere, the Vaad's reactions to challenges to Kashrut were not always obvious. The motive in some of these cases is hard to interpret. The Guild accused the Vaad of corrupt financial interests as well as violating their own by-laws.

By mid-1951, claiming lack of progress, the Guild threatened to take legal action against the Vaad for the following problems:

1. That four butchers, trading under the name of Kosher, fraudulently sell over 25,000 lbs. of meat weekly, and over 2,500 chickens weekly, to Jewish families in Montreal.
2. The killing of chickens is not properly handled by those who should be responsible for same, and some semblance of order must be arranged for.
3. Kosher stamped meat is made available to non-kosher butchers and this permits them to successfully perpetrate their frauds on the Jewish meat buyer.
4. Kosher killed chickens, with the sign of Kashruth, is available to non-kosher butchers, thus making the further sale of treyfas to the Jewish Public possible.
5. There is suspicion that kosher and non-kosher meat is being delivered by some wholesalers, in the same truck.
6. The kosher butchers do not obtain sufficient livers and tongues to successfully compete with the Non-Kosher butchers.
7. Temporary butchers or vacation-time butchers are plying their trade without proper supervision, and this to the detriment of Kashruth generally and the local butchers in particular.<sup>115</sup>

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<sup>115</sup> Letter to JCC from Guild, July 26, 1951 (CJCCCNA/JPL/Vaad/MB 09/15/95/Kashrut/Montreal Kosher Retail Butchers Guild/1950-57).

The letter further claimed that the Vaad had not responded to any of the Guild's questions or attempts at contact. In essence, the Guild placed responsibility for the chaotic nature of kosher meat production and its identification — through clamps and stamping — at the Vaad's feet. They accused the Vaad of violating its own terms and policies — presumably — to gain more profit. Later in the decade, other retail and wholesale butchers would also level such accusations against the Vaad, especially the claim that the Vaad did not always provide its retailers with enough of certain cuts of kosher meat.

The Vaad responded to these accusations one month later, noting that these issues had already been addressed at a weekly rabbinical council meeting. We are not privy, however, to the content of those discussions. Rather, the executive director wrote that the disrespectful tone of the letter from the Guild stopped them from engaging in any further correspondence.<sup>116</sup> Nevertheless, on September 24, 1951, in partial response to the Guild's claims, the Vaad mailed a letter to all rabbis and synagogues listing all non-kosher butchers who presented themselves as, or were commonly perceived to still be, under the Vaad's supervision.<sup>117</sup> Feeling this to be too anaemic, a stymied and frustrated Guild turned to the press to announce their intention to call the Vaad to Superior Court.<sup>118</sup>

The writ of mandamus (requiring the Vaad to fulfill its mandated responsibilities) was served on November 5, 1951. After establishing the Vaad's duties toward the community, the writ accused the Vaad of denying sufficient quantities of kosher meat to kosher retailers, permitting the sale of kosher meat to non-kosher retailers while kosher retailers are under-stocked, not properly controlling the slaughter of fowl, and by

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<sup>116</sup> Letter to Guild from Peters, August 31, 1951 (CJCCCNA/JPL/Vaad/MB 09/15/95/Kashrut/Montreal Kosher Retail Butchers Guild/1950-57).

<sup>117</sup> Letter from JCC to rabbis and synagogues, September 24, 1951 (CJCCCNA/JPL/Vaad/MB 09/15/95/Kashrut/Montreal Kosher Retail Butchers Guild/1950-57).

<sup>118</sup> *Montreal Star*, September 29, 1951; *KO*, September 30, 1951.

condoning all sorts of acts that allow non-kosher retailers to continue to sell meat as though kosher. The writ cited the lack of response to their requests dating back to November of 1950.<sup>119</sup>

On November 16, the Vaad Harabbonim sent a telegram to the Guild informing them that their grievances must be arbitrated by a rabbinic court, and such was scheduled for the next evening at Rabbi Herschorn's synagogue.<sup>120</sup> Acceding to the rabbis' demand, the Guild agreed to the din Torah and specified their concerns. Not shying away from hyperbole the Guild's statement reads:

Who is right is of no importance, as long as Kashruth and the retail business does not suffer. Rabbis, it is suffering, it is bleeding to death. Only a series of transfusions can help it. Clean, healthy, good-intentioned, practical and unbiased transfusions. If it is allowed to suffer much longer, it may destroy the structure around it, even as Sampson did in his last moments.<sup>121</sup>

Complaining of oligarchy, especially of the "abuses" of then-executive director, Mordechai Peters, the Guild demanded that the Vaad: better control the mashgichim, eliminate the unfair support of butchers who are "friendly" to the Vaad, provide sufficient quantities of kosher meat to the kosher retailers, and cease using Vaad funds to support non-Kashrut programs or staff.<sup>122</sup> Although they desired a representative on the Vaad, they added their contempt for what they saw as an undemocratic process, "Giving us a representative on the Council is not a practical solution to the problem. Council meetings

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<sup>119</sup> "Petition for the Issue of a Writ of Mandamus," Montreal Kosher Retail Butchers Guild (Petitioner) v. Jewish Community Council of Montreal (Respondent), September 27, 1951 (CJCCCNA/JPL/Vaad/MB 09/15/95/Kashrut/Montreal Kosher Retail Butchers Guild/1950-57).

<sup>120</sup> Telegram to Guild, November 16, 1951 (CJCCCNA/JPL/Vaad/MB 09/15/95/Kashrut/Montreal Kosher Retail Butchers Guild/1950-57). Although no record of the case can be found, the Vaad did submit a contestation of the mandamus writ, in which they denied virtually every point made by the Guild (Contestation of Petition, November 28, 1951 (CJCCCNA/JPL/Vaad/MB 09/15/95/Kashrut/Montreal Kosher Retail Butchers Guild/1950-57).

<sup>121</sup> Letter to rabbinical council from Signer, 1951 (CJCCCNA/JPL/Vaad/MB 09/15/95/Kashrut/Montreal Kosher Retail Butchers Guild/1950-57).

<sup>122</sup> Ibid.

are held for show only. The executive administrates.”<sup>123</sup> In response, the Vaad — without responding to any specific claim — reiterated the general notion that they alone are responsible for Kashrut and that the Guild must follow their guidelines. Although the Vaad emphasized its exclusive right to self-government, they acceded to allow two retail butchers a place on the Vaad Ha’ir, as long as they were shomer shabbos. The Vaad acknowledged the problem of treyf butchers who buy a small amount of kosher meat to thereby deceive their customers. In a similar case in 1958, the Vaad explained the difficulty in regulating this problem as follows:

Since most Kosher butchers have the word Kosher in their trade name, such as ‘A.B.C. Kosher Meat Market,’ what happens is this, The butcher continues with the word ‘Kosher’ in his sign, bills, delivery trucks, telephone listings,<sup>124</sup> and in many cases, he even dares to advertise as the ‘A.B.C. Kosher Meat Market.’

It has been established that about 90% of the consumers place their orders over the telephone, and do not go to the butcher shop themselves, so that they do not know that our Kosher sign is no longer in the store.

We cannot use too many stamps on Kosher cattle, because it is against the law. Therefore, most of the meat cut up, even Kosher meat, does not have our seal of approval on it, and the disqualified kosher butcher continues for many years to fool the Jewish public and to sell them non-Kosher meat as Kosher.<sup>125</sup>

Further, the Vaad felt stymied by those customers, whom the Vaad claimed continued to patronize stores even after they had been informed that the latter were no longer under the Vaad and the wholesalers who continued to provide kosher meat to these no-longer kosher stores. They agreed to mail new letters reminding the wholesalers and retailers not to sell to non-kosher shops. The Guild had also suggested that to

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<sup>123</sup> Ibid.

<sup>124</sup> In fact, in 1945, the Vaad Ha’ir contacted the Bell Telephone Company, asking that they remove the word kosher from the telephone listings of a meat market that was no longer under their supervision (Letter to Bell, October 29, 1945 (CJCCCNA/JPL/Vaad/MB 09/16/179/Kashrut Retailers/Main Kosher Meat Market/1932-51)).

<sup>125</sup> Memorandum from the Vaad Ha’ir and Vaad Harabbonim to Gustave Monette (1887 – 1969; Progressive Conservative senator for Mille-Isles, Qc, 1957 – 69), November 5, 1958 (CJCCCNA/JPL/Vaad/MB 09/7/62/Correspondence/1958).

compensate for a dearth of offals, that imported liver and tongue be permitted in Montreal, which the Vaad categorically refused to permit because of bosor chutz. Finally, with respect to the Guild's proposal of suing non-kosher butchers who use the word "kosher" in their names, the Vaad demurred for several reasons. Aside from the question of *chilul hashem*,<sup>126</sup> the Vaad also wondered if the law was equipped to resolve such an issue, and whether such action would not in future open the Vaad to damage lawsuits from loss of income.<sup>127</sup> In a report prepared after the hearing between the Vaad and the Guild, Mordechai Peters — called a dictator by Signer — defended his position and efforts on behalf of the Vaad over the previous thirty-two years. He went on to note that while the Vaad did not support the selling of treyf meat by swindlers who refer to their product as kosher, there was little they could do. In fact, most of the people who continued to frequent no-longer kosher butcher shops did so even after they were informed of such. Further, Peters claimed, the Vaad had no moral grounds on which to dictate to a wholesaler to which retailers he may supply.<sup>128</sup>

Some obvious inconsistencies come to mind. While the Vaad may not have been able to stop someone from using the word kosher (especially since it is difficult to copyright a word), they certainly could have advertised more forcefully and actively. Although the Vaad did publicize recalcitrant butchers, they relied primarily on the Yiddish press, which perhaps reached at most fifty percent of the Montreal Jewish

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<sup>126</sup> A desecration of the Divine name.

<sup>127</sup> "Hearing between Kosher Retail Butchers Guild and Vaad Ha'ir of Montreal," undated (CJCCCNA/JPL/Vaad/MB 09/15/95/Kashrut/Montreal Kosher Retail Butchers Guild/1950-57).

<sup>128</sup> "Comments on the Complaints of M. Signer in the Hearing between the Kosher Retail Butchers Guild and the Vaad Ha'ir Before the Vaad Harabbonim," January 13, 1952 (CJCCCNA/JPL/Vaad/MB 09/15/95/Kashrut/Montreal Kosher Retail Butchers Guild/1950-57).

population by this era.<sup>129</sup> That the Guild demanded more effort suggests that the Vaad was hesitant to pursue false kosher butchers, which is counterintuitive. It seems difficult to imagine that the Vaad was unable to control the sale of kosher slaughtered meat.

While the Vaad may have been beset by many of these obstacles, objective examination seems to indicate a lack of enthusiasm on the behalf of the Vaad in stamping out these practices. Perhaps, indeed, there was some financial gain involved in minimizing the Vaad's involvement in the wholesale kosher meat market. To be fair to the Vaad, accusations of financial corruption were not limited to Montreal. Rabbi Carl Manello of Youngstown, Ohio complained to Rabbi Eliezer Silver<sup>130</sup> in 1930:

The honest rabbis join with the charlatans who claim membership in the Agudat Harabanim.<sup>131</sup> There are factories where delicatessen products are produced while non-kosher meats are sold under the same roof. Yet rabbis supervise these establishments ... A few months ago, I straightforwardly asked a rav why he supervises questionable products. I also inquired about his colleagues who lend their names to products they have never seen or investigated. He answered that the rabbis lack for bread and therefore must earn a living in this fashion. The rav also explained that it is better for the people to eat the non-kosher food in error, thinking it is supervised, than to eat it on purpose. My heart dropped when I heard these answers. How can rabanim sell their souls for a few cents? I therefore am angry at the honest members of the Agudat Harabanim for not condemning these acts of deceit.<sup>132</sup>

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<sup>129</sup> In a letter to Saul Hayes in 1956, the Vaad Harabbonim noted that the English press will no longer accept such announcements. (May 21, 1956 (Herschorn Papers/Robinson Collection/Kashrut)). Nevertheless, advertising in the Yiddish press alone meant that European, Yiddish-speaking element was informed. Was this segment seen as more important by the Vaad Ha'ir anyway? Was the readership of the Yiddish press seen as "their own?"

<sup>130</sup> Eliezer Silver was born in Lithuania in 1882 and received ordination from Rabbi Chaim Ozer Grodzinski of Vilna in 1906. The following year, he arrived in the US. He would serve as president of the Agudath Harabbonim of the US and Canada, as well as rabbi in pulpits in New York City, Pennsylvania and Massachusetts before settling in Cincinnati in 1931 where he would remain until his death in 1968. His active engagement in communal work brought him to Canada to consult on Kashrut several times (Rakeffet-Rothkoff, *The Silver Era*).

<sup>131</sup> Founded in 1902, the Agudath Harabbonim (aka Union of Orthodox Rabbis of the US and Canada – UOR) served as the main rabbinical body of eastern-European-trained and Yiddish-speaking rabbis who generally disdained and rejected the authority of American-trained rabbis.

<sup>132</sup> *Ibid.*, 127-28.

The decision of the din Torah in the case of the Guild's complaints, presided over by Rabbis Hirschprung,<sup>133</sup> Goldzweig, and Herschorn, was published on February 26, 1952. Mirroring Peters's summary, the rabbis supported the ban on imported offal, acknowledged their desire to do more to stamp out kosher swindling within their legal and moral limitations, and reinforced their communal rabbinical prerogatives and privileges.<sup>134</sup> In essence, the Vaad Harabbonim declared itself non-culpable for all of the errors and deficiencies identified by the Guild, all-the-while admitting that many of these were problematic and in need of rectification. For example, with respect to the question of selling kosher meat to no-longer kosher butchers, the rabbis initially wrote that it was not the Vaad's duty to control the actions of the kosher meat wholesaler. Yet in the next paragraph, they agreed to establish a standing law prohibiting such behaviour.<sup>135</sup> The rabbis also claimed that rather than a shortage of kosher meat in the city, there was a surplus such that many pounds of kosher meat were left unused at the end of each week.<sup>136</sup> This was the standard Vaad response whenever a vendor claimed a meat shortage. Clearly, where the Guild accused the Vaad of financial corruption, this too was denied.

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<sup>133</sup> Pinchas Hirschprung (1912-1998) was born in Dukla, Poland and was ordained at the *Yeshivas Chochmei Lublin*. Fleeing Nazi Europe, he arrived in Montreal in 1941 via Shanghai, becoming active in the Vaad Harabbonim. World renowned for his encyclopaedic grasp of Talmudic literature, he served as Chief Rabbi of Montreal from 1969 until his death. (Ira Robinson, "Hirschprung, Pinhas," *Encyclopaedia Judaica*, ed. Michael Berenbaum and Fred Skolnik, (2<sup>nd</sup> ed. Detroit: Macmillan Reference USA, 2007), 141; Meir Wunder, *Me'orei Galitzia: Encyclopedia of Galician Rabbis and Scholars*, Vol. II [Hebrew] (Jerusalem: Institute for Commemoration of Galician Jewry, 1982), 395-96).

<sup>134</sup> "Psak Din in the Case between the Montreal Kosher Retail guild and the Vaad Ha'ir," February 26, 1952 (CJCCNA/JPL/Vaad/MB 09/15/95/Kashrut/Montreal Kosher Retail Butchers Guild/1950-57).

<sup>135</sup> Ibid.; "Hearing between Kosher Retail Butchers Guild and Vaad Ha'ir of Montreal," undated (CJCCNA/JPL/Vaad/MB 09/15/95/Kashrut/Montreal Kosher Retail Butchers Guild/1950-57).

<sup>136</sup> "Facts Pertaining to Petition of Montreal Kosher Retail Butchers Guild v. JCC of Montreal, undated (CJCCNA/JPL/Vaad/MB 09/15/95/Kashrut/Montreal Kosher Retail Butchers guild/1950-57).



The Vaad did not seem to act on the ruling because by the end of 1952, the Guild accused the Vaad of neglecting the resolution of the din Torah and threatened to return to civil court.<sup>137</sup> A letter to Saul Hayes of Canadian Jewish Congress eventually led to another rabbinic hearing of the Guild's concerns.<sup>138</sup>

Held on March 27, 1954, apriori conditions required the withdrawal of all civil charges, and an agreement to abide by the rabbis' ruling. The rabbis agreed to strengthen rules regarding delivery of meat which the Guild had been demanding. On the other hand, the rabbis continued to insist upon a ban on imported meat. "It is being decided that from now on no meat products are to be imported from outside by the Guild or individuals, no matter under what pretext."<sup>139</sup> Initially reluctant to fight those butchers who bought some kosher meat to show their customers, but dealt mainly in treyf, the Vaad agreed that to save one Jew from eating treyf, they must do all they could to stop this practice. They agreed to forbid such sales and to punish those caught selling kosher meat to non-Vaad-approved butchers:

The Rabbis believe that such a scandal that treyf butchers deceive Jews by taking from them money under the mask of pretending to sell kosher meat under false pretenses [sic] and mislead them with treyf meat, that such a situation does not exist anywhere else outside the Jewish people, it should not be tolerated and it is the duty of the Jewish Community Council and any religious or communal organization or institution to protest against such a mistreatment, daily directed against all Jews of Montreal.<sup>140</sup>

In the midst of this turmoil the Vaad Ha'ir engaged a new executive director, after the death of the previous one, M. Peters (Petrushka) in 1955. Rabbi Yitzchok Leib

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<sup>137</sup> Letter from Signer to JCC, December 5, 1952 (CJCCCNA/JPL/Vaad/MB 09/15/95/Kashrut/Montreal Kosher Retail Butchers Guild/1950-57).

<sup>138</sup> Letter to Saul Hayes from Signer, January 30, 1953 (CJCCCNA/JPL/Vaad/MB 09/15/95/Kashrut/Montreal Kosher Retail Butchers Guild/1950-57).

<sup>139</sup> Judgment signed by Herschorn, Aframovitch, Goldzweig, Hirschprung, March 27, 1954 (CJCCCNA/JPL/Vaad/MB 09/15/95/Kashrut/Montreal Kosher Retail Butchers Guild/1950-57).

<sup>140</sup> Ibid.

Hechtman<sup>141</sup> arrived from New York in 1956 to head the Vaad Ha'ir, in which position he remained until his death in 1985.

As in many of the Vaad's dealings in this decade, amicable relations with the Guild did not last long. In a letter in 1956 regarding a problem in a butcher shop, the newly named executive director of the Guild, Eugene Hollander, claimed that:

It is clear to see that the treatment by the rabbis against a butcher will be guided with hate and enmity, based on the principle that butchers should be hated and persecuted in order to fulfill the words, 'and they embittered their lives.'<sup>142</sup>

The case involved a Guild member, Mr. Naditch, who was accused of selling treyf meat, specifically, one half of a calf without a kosher stamp. When questioned by the Vaad, an Orthodox worker in the shop testified that the other half of the calf — with a kosher stamp — had been cut up and delivered to a customer. The Guild argued that the error was on the part of the stamper who did not stamp both sides of the calf. They further noted that the testimony of an Orthodox employee should suffice to support the owner's claim. While the Guild stood against treyf butchers, they rejected the Vaad's angry bias directed at a man unjustly accused. The letter ends by appealing to the Chief Rabbi not to permit rulings against butchers to be based on hate and anger, but rather according to the rules of the Holy Torah.<sup>143</sup>

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<sup>141</sup> Born in 1922 to a family of rabbinic scholars in Rublie, Volhynia, Hechtman studied in Baranowitz and Mir before the war. He survived the war in Shanghai with the displaced Mir yeshiva where he received his ordination. Arriving in the US in 1947, he worked for the Mizrachi organization (religious Zionists) in Cleveland and New York before coming to Montreal ("Isaac Hechtman," Fuchs, *100 yor*, 93); "Profile of Rabbi Isaac L. Hechtman," (CJCCCNA/JPL/Vaad/MB 09/9/90/Correspondence/1971); *Canadian Jewish Review*, Jan. 20, 1956, 10).

<sup>142</sup> A biblical play on words from Exodus 1:14 wherein Hollander compares the Vaad Rabbis to Pharaoh. Letter from Guild to Vaad, December 20, 1956 (CJCCCNA/JPL/Vaad/MB 09/15/95/Kashrut/Montreal Kosher Retail Butchers Guild/1950-57).

<sup>143</sup> Ibid.

Angered by Hollander's tone, several responses were posited at the next Executive meeting of the Vaad Ha'ir, including one consideration that Hollander be excommunicated.<sup>144</sup> At the same meeting two changes were agreed upon. First, the butcher, as opposed to the mashgiach, was named responsible to determine that all deliveries are kosher. He himself must check every package and ascertain the kosher status of everything in his store. Second, the butcher had to submit a cash deposit to be forfeited if treyf meat were ever found in the store. Several days later, the Vaad Harabbonim resolved to refuse to recognize Hollander as the representative of the kosher butchers because of his rude manner and his disrespect toward the rabbis.<sup>145</sup> In response, the Guild reiterated its support of its executive director as its only acceptable representative.<sup>146</sup> This stand-off was cut short when, ten days later, the Guild acknowledged that their information regarding the Naditch case was incomplete, and they thereby withdrew their charges and claims against the Vaad.<sup>147</sup>

In time, further struggles developed over slaughtering fees. A group of chicken shochetim threatened to stop their work if slaughtering fees were not raised from ten to twenty cents per chicken, to which the Vaad Ha'ir agreed. The Guild, on the other hand, accusing the shochetim of creating a monopoly on kosher chickens, demanded that the Vaad intervene.<sup>148</sup> Such slaughterers, the Guild claimed, were "looking to make shabbos

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<sup>144</sup> Minutes, Executive Committee, January 17, 1957 (CJCCCNA/JPL/Vaad/MB 09/11//7/Executive Council/1957).

<sup>145</sup> Letter to Kosher Butchers from Vaad Harabbonim, January 22, 1957 (CJCCCNA/JPL/Vaad/MB 09/15/95/Kashrut/Montreal Kosher Retail Butchers Guild/1950-57).

<sup>146</sup> Letter to Vaad from Guild, February 1, 1957 (CJCCCNA/JPL/Vaad/MB 09/15/95/Kashrut/Montreal Kosher Retail Butchers Guild/1950-57).

<sup>147</sup> Letter to Vaad from Guild, February 10, 1957 (CJCCCNA/JPL/Vaad/MB 09/15/95/Kashrut/Montreal Kosher Retail Butchers Guild/1950-57).

<sup>148</sup> Letters to Vaad from Guild, July 24 & 27, 1960 (CJCCCNA/JPL/Vaad/MB 09/17/1/Labour Relations/Shochetim v. Retailers/Correspondence 1960-61).

only for themselves.”<sup>149</sup> To sidestep this extortion, the Guild rejected the raise and to compensate, they would import kosher fowl from another city as well as open two locations in the city where individuals could have their chickens slaughtered for ten cents per kill. They even asked the Vaad to prepare a special kosher symbol for such fowl.<sup>150</sup> Guild members also stated that they would reject all meat from these shochetim until the Vaad re-extended control over kosher chicken slaughter and its costs.<sup>151</sup> The Vaad’s response was sent the next day:

In accordance with decision of council and executive of Vaad Hoir yesterday, you are hereby ordered to refrain from either importing kosher poultry from out-of-town or opening new places for purpose of kosher killing of poultry. Stop. Both parties in dispute hereby ordered to maintain prevailing conditions. Stop. Special committee begins thorough investigation immediately. Stop. Please comply.<sup>152</sup>

The Vaad’s troubles with the Guild seemed to revolve around the same issue. The Guild accused the Vaad of allowing either unjust price hikes or unfair competition in the kosher meat business. Of note is that while the Vaad justified the price hike — which, of course, was to the Vaad’s fiscal advantage as well — never did they deny the prevalence of duplicity in the kosher meat trade. Yet, they seemed suspiciously reluctant to increase their pressure tactics beyond the status quo (of publishing names in the newspaper). Could there be some secondary gain to the Vaad in keeping the kosher meat industry vague and under-regulated? Although hard evidence is lacking, the murkiness of the

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<sup>149</sup> *KO*, August 3, 1960.

<sup>150</sup> Registered letter to Vaad from Guild, July 15, 1960 (CJCCCNA/JPL/Vaad/MB 09/15/95/Kashrut/Montreal Kosher Retail Butchers Guild/1950-57); Telegram from Guild to Vaad, July 29, 1960 (CJCCCNA/JPL/Vaad/MB 09/17/1/Labour Relations/Shochetim v. Retailers/Correspondence 1960-61).

<sup>151</sup> Telegram to Vaad from Guild, September 18, 1960; Telegram from Vaad to Guild, September 20, 1960 (CJCCCNA/JPL/Vaad/MB 09/17/1/Labour Relations/Shochetim v. Retailers/Correspondence 1960-61).

<sup>152</sup> August 4, 1960 (CJCCCNA/JPL/Vaad/MB 09/14/62/Kashrut/Correspondence).

trade and the Vaad's less than enthusiastic approach to regulating Kashrut in certain cases raises important questions.

In the mind of the Guild, true power and influence in the Vaad lay not with the Presidium members, nor the public, but in the hands of the executive director. "Indeed our clients allege that the Presidium answers to Rabbi Hechtman, the opposite of what was intended and should occur."<sup>153</sup> Again, there is no evidence of a response. The Guild's accusations rest upon the belief that rather than a democratic, open organization, the Vaad was run as an oligarchy with the executive director wielding the majority of power. Of course, the Guild accused Mordechai Peters of the same patterns when he was executive director in the 1940s and early 50s.

#### New Shechita Method

Besides the intracommunal difficulties, the Vaad occasionally had to deal with federal authorities as well. Although in many nations Jews faced threats to kosher slaughter from governments in the early part of the twentieth century, especially in Europe, Canadians were generally luckier.<sup>154</sup> While the right to practice shechita seemed a stable element in Canada, in 1959, a serious challenge arose. On July 15, a law was introduced that demanded that as of December 1, 1960, all animals to be slaughtered must be restrained prior to killing. Canadian law continued to recognize the humaneness of shechita, but how the animal was to be prepared for slaughter had changed. The new regulations required that if an animal were to be hung prior to slaughter, it must be

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<sup>153</sup> Lawyer's letter to Vaad from Guild, December 2, 1977 (CJCCCNA/JPL/Vaad/MB 09/11/110/Correspondence/1977).

<sup>154</sup> A shochet was tried in Halifax at the turn of the twentieth century, but otherwise, shechita was generally untouched in Canada until 1960. See for example, Isaac Lewin, Michael L. Munk, and Jeremiah J. Berman, *Religious Freedom: The Right to Practice Shehitah* (NY: Research Institute for Post-War Problems of Religious Jewry, 1946), 21-48.

rendered unconscious, which of course violates the laws of Kashrut that require an animal to be completely aware prior to slaughter. Thus, a new method of pre-slaughter restraint had to be developed that would not require stunning the animal.<sup>155</sup> By early 1960, the Vaad had already begun investigating the possibility of new shechita methods. Rabbi Ochs from Toronto contacted Rabbi Herschorn to inquire into the acceptability of a new method involving holding the animal up by straps and having two people hold the animal's head prior to cutting — referred to as the “sling method.” Herschorn, in turn, consulted J.B. Soloveitchik in Boston,<sup>156</sup> who permitted the practice based on a telephone description, and Herschorn subsequently wrote up the decision. During an ensuing discussion, Rabbi Chaikin felt that the method was not appropriate. Somewhat surprisingly, Herschorn responded that, “This permission (*tshuva*) was for Toronto, and not for Montreal.”<sup>157</sup> This answer seemed odd, since if the system is sufficient for Kashrut purposes, then why would it not be appropriate for Montreal?<sup>158</sup> Further, if not sufficient for shechita purposes, then why would it be acceptable in Toronto? When, to alleviate the confusion, it was suggested that the rabbis go to Toronto to see the sling

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<sup>155</sup> Canadian Jewish Congress Inter Office Information (IOI) # 2405, January 5, 1960 (CJCCNA/FA/02).

<sup>156</sup> In 1958, Soloveitchik had represented American Jewry on an advisory committee on humane slaughter (Rothkoff and Schwartz, “Soloveitchik, Joseph Baer”).

<sup>157</sup> Minutes, Rabbinat, January 25, 1960 (CJCCNA/JPL/Vaad/MB 09/19/5/Rabbinat/1960-62).

<sup>158</sup> In another situation, Herschorn was also reluctant to rule. In a statement at a meeting in 1959, he stated: “All these problems that you are bringing forward are international problems, not small local ones. The questions should be addressed in Jerusalem!!! When a Jewish woman asks me a *shaylo* [halakhic question], I respond. If you were to ask me a question privately, I will answer. But, these questions are of worldly concern. And if we decide here, the world will know and say ... Montreal has decided this way ... I do not want that. Our business is kosher meat!!! And no other.” (Minutes, Rabbinical Council, February 23, 1959 (CJCCNA/JPL/Vaad/MB 09/19/4B/Rabbinical Council/1959). One clue to Herschorn's position can be gleaned from his own writings. In responding to a halakhic question from South Carolina in 1940, in his introduction to his *Responsa*, he writes that he was unsure about answering this question since it “is not my way to rule outside of my borders.” (Sheea Herschorn, *Memaney Jeshuah: Responsa and Treatises on Talmudic Law* (Montreal: Eagle Publishing, 1959), 34. Despite Hershorn's seeming reluctance, he nevertheless earned an international reputation: “[Herschorn was] a great scholar who is frequently consulted by the rabbinical authorities of Europe upon controversial matters concerning Halacha. His many decisions upon Halacha have been quoted and printed by authors in Israel.” (Gottesman, *Who's Who*, 94).

method in action, Herschorn refused to go. “Will no one support my response blindly, without actually travelling to Toronto?” asked Herschorn.<sup>159</sup> The answer, indicative of Herschorn’s somewhat precarious authority was evident: all the Vaad rabbis decided to travel to Toronto to see for themselves.

At the next meeting, more discussion about travelling to Toronto arose. Herschorn still disapproved, but Hechtman suggested inviting all Canadian rabbis to the Toronto meeting. He wanted to find national consensus for one slaughtering method for all Canadian cities to ensure consistency and to eliminate the possibility of *chilul hashem*.<sup>160</sup> At a meeting on February 24, 1960, the issue of travelling to Toronto arose once again. This time, Rabbi Hirschprung expressed his opinion that the rabbis should go to Toronto to see the new slaughtering method with their own eyes, since they must offer their own opinions and hence should see it for themselves: “If they do not travel to Toronto (or agree with our decision blindly), I will withdraw my signature from the decision (*psak*). I do not want to be reproached for my decision by people in the future.”<sup>161</sup> Herschorn reiterated his refusal to go to Toronto and added that he will stand by his decision regardless, even if all go against him. After some discussion, Herschorn clarified, noting that he will not say yes or no; the rabbis must decide on their own. Rabbi Niznik offered to stay at home, supporting Herschorn, because, “We do not want this to become a great controversy.”<sup>162</sup> Hechtman, trying to diffuse tension and affirm Herschorn’s authority, asked the latter, how he would respond if all of the rabbis were to

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<sup>159</sup> Minutes, Rabbinat, January 25, 1960 (CJCCNA/JPL/Vaad/MB 09/19/5/Rabbinat/1960-62).

<sup>160</sup> Presumably, Hechtman felt that if different cities rely on different slaughtering methods, it might appear to the non-Jewish world that kosher laws are arbitrary and hence lead to a lack of respect for Jewish dietary practice. See minutes, Rabbinat, February 1, 1960 (CJCCNA/JPL/Vaad/MB 09/19/5/Rabbinat/1960-62).

<sup>161</sup> Minutes, Rabbinat, February 24, 1960 (CJCCNA/JPL/Vaad/MB 09/19/5/Rabbinat/1960-62).

<sup>162</sup> Ibid.

agree to rely on his decision and accept his opinion blindly without travelling to Toronto. Herschorn responded, “I am not prepared to say how I would respond. I don’t know!”<sup>163</sup> At the end of the meeting, it was decided to follow the Hirschprung plan to bring all rabbis directly involved in meat preparation to Toronto to witness the new method. Upon their return, they would then be able to discuss whether this new method would be acceptable in Montreal. And if the majority decided against the new method, Hirschprung was willing to remove his approval (for Montreal).

In the midst of all the discussions and preparations regarding the new Toronto sling method, a telegram was received by the Vaad Ha’ir from the Agudath Harabonim in New York. Sent on March 2, the telegram read: “Earnestly request you to refrain from endorsing any new methods of preparation for shechitah before consulting with us.”<sup>164</sup> Aware of the Agudath Harabonim’s position, the Montreal rabbis nevertheless agreed to resolve this issue as soon as possible. The members of the Agudath Harabonim were welcome to investigate on their own, but “we don’t have to tell them when we are going.”<sup>165</sup>

At a meeting of National Religious Welfare Committee in March, 1960, the new method had still not been approved. The committee made it clear that only one national standard could be acceptable, since as Saul Hayes noted, “[...] it was utterly inconceivable to have each local group decide whether they agree with the national decision or not. This would lead to fantastic anarchy.”<sup>166</sup> Despite the telegram of the Agudath Harabonim, Hirschprung reiterated his opinion that the Toronto system was

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<sup>163</sup> Ibid.

<sup>164</sup> CJCCCNA/JPL/Vaad/MB 09/16/195/Kashrut – Shechita/1959-60.

<sup>165</sup> Minutes, Rabbinat, March 2, 1960 (CJCCCNA/JPL/Vaad/MB 09/19/5/Rabbinat/1960-62).

<sup>166</sup> Minutes, National Religious Welfare Committee, March 22, 1960 (CJCCCNA/CA/61/574 D/Religious Welfare/Minutes).



halakhically acceptable and had no objections to anyone witnessing the process. The committee concluded that it would be ill-advised to allow the system to be re-examined at each locality, and that if good enough for Toronto, it must perforce be good enough everywhere, and hence should be established in Montreal as well. Hechtman, in the interests of protecting his rabbinical association (whose members were not unanimous regarding the new method), and despite his initial call for a national standard, insisted that shechita was, “a purely local matter and there could not be a national decision on it. He further maintained that each rabbi was autonomous with this respect.”<sup>167</sup> Hechtman’s rejection of a national standard may well have been based on a concern over the potential loss of authority or autonomy. Others on the committee did not agree. While Hechtman may have previously advocated a single, national standard, the inability of his own Rabbinical Council to agree made him turn away from such a plan. If he could not achieve success within the Vaad of Montreal, the likelihood of success on the national scale was obviously low. Hechtman had become reluctant to force a new shechita method on his rabbis, even though many had already advocated its acceptance. Although unmentioned, Hechtman was also probably concerned with how the Vaad would impose new methods on the already semi-autonomous Hasidic meat production in Montreal. He would certainly have felt uncomfortable — and probably unsuccessful — at trying to impose new standards emanating from an ecumenical council of rabbis on this exceedingly conservative community. In other words, if Hechtman were forced to accept this national standard — which he came to oppose — he might find himself in a situation where all kosher slaughter in Canada followed one standard, except for elements in the supposedly united city of Montreal. Finally, Herschorn’s inexplicable stance of

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<sup>167</sup> Ibid.

approving such slaughter for Toronto, but not Montreal, and demanding blind obedience from his colleagues placed Hechtman in a difficult and delicate position. While Herschorn's somewhat irrational stand is difficult to understand or explicate, he was nevertheless chief rabbi and Hechtman had to follow — or at least, appease — him. And if Hechtman's chief rabbi believed in different standards for Montreal and Toronto, a national consensus seemed impossible.

On May 4, the Vaad received another telegram from the Agudath Harabbonim, signed by Rabbis Silver (Cincinnati) and Teitz (Elizabeth, NJ):

Having both witnessed in Toronto shechitah by *zavor lemmalo vesakin tlusho lemato* [neck above and knife poised below]<sup>168</sup> we submitted to beth din our testimony. After deliberation beth din issued *psak* of *issur gomor* [complete interdiction] on such method of shechitah. Wired copy to Montreal rabbonim. Cordial greetings.<sup>169</sup>

The telegram was discussed at the next meeting of the rabbinate on May 2. Rabbi Herschorn cited another telegram from Rabbis Feinstein, Kuselewitz, and Zuckerman of Buffalo — members of the Beth din of the Agudath Harabbonim — reiterating the prohibition on the Toronto sling method for shechita. Hirschprung thereupon withdrew his support for the psak he signed with Herschorn, even though he did not entirely agree. “I say again that this method is perfectly acceptable within halakha.”<sup>170</sup> He remained,

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<sup>168</sup> The neck is above the knife because the animal is hoisted above the ground, i.e. the sling method.

<sup>169</sup> CJCCCNA/JPL/Vaad/MB 09/16/195/Kashrut/Shechita/1959-90.

<sup>170</sup> Minutes, Vaad Harabbonim, May 9, 1960 (CJCCCNA/JPL/Vaad/MB 09/19/5/Rabbinate/1960-62). The only evidence for the prohibition seems to come from the United States, where in Cincinnati and in Boston respectively, Silver and Soloveitchik do not permit *shechita tluya* – hanging shechita, i.e. where the animal is suspended by hanging. Silver notes that Reb Yaacov David prohibited it as well. (“Latest Phases of the Shechita Question,” July, 1960. CJCCCNA/JPL/Vaad/MB 09/16/195/Kashrut – Shechita/1959-90). Presumably, he is referring to the Rabbi Yaacov David Willkowsky (Ridvas) who tried to regulate shechita in Chicago at the turn of the century. See Abraham J. Karp, “The Ridwas: Rabbi Jacob David Wilowsky, 1845-1913,” in *Sages and Saints*, ed. Leo Jung (Hoboken, NJ, 1987, 157-79); Aaron Rothkoff, “The American Sojourns of Ridbaz: Religious Problems within the Immigrant Community,” *American Jewish Historical Quarterly*, 57 (1968): 557-72.

nevertheless, unwilling to challenge the Agudath Harabbonim, and so agreed to accept their decision. A resolution sent to the CJC reads:

Whereas the Agudath Harabonim has, through their *bet din*, ruled that one may not use the sling method, it is therefore resolved that the Vaad Ha'ir Vaad Harabbonim of Montreal will do all possible to find another method for shechita.<sup>171</sup>

Herschorn, however, remained unsatisfied. While Hirschprung was reluctant to sign his name to the above declaration, Herschorn refused outright. "I will agree to any method of shechita you prefer, but I cannot sign."<sup>172</sup> It was decided to consult the other members of the rabbinate on how to proceed. In a letter to Saul Hayes, national Vice President of CJC, Hirschprung reviewed the complex history of this issue:

I take this opportunity of clarifying a certain situation which was the cause of considerable confusion for some time.

I wish to say the following:

The "sling method" suggested by the Canada packers Limited in Toronto was approved by Rabbis, including myself.

However, since the above-mentioned method, due to a number of reasons, turned out to be not the proper one, I therefore inform you that I have decided to withdraw my signature of approval from the shechita method.

...

I can assure you that I shall continue to do everything possible, together with the Vaad, to find the proper pre-shechita method for the Jewish community in Montreal within as short a time as possible.<sup>173</sup>

After much back and forth, a meeting was scheduled with Rabbis Soloveitchik and Silver at Toronto's Canada Packer's slaughterhouse on July 11, 1960. Rabbis Hirschprung, Lewittes, Cohen, Hendel, Goldzweig and Niznik, of Montreal, were in attendance as well. Denburg and Chaikin were out of town. Although, by July 7, Herschorn changed his mind and agreed to go to Toronto, in the end he didn't appear.

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<sup>171</sup> Minutes, Vaad Harabbonim, May 9, 1960. CJCCCNA/JPL/Vaad/MB 09/19/5/Rabbinate/1960-62.

<sup>172</sup> Ibid.

<sup>173</sup> May 31, 1960 (CJCCCNA/JPL/Vaad/MB 09/7/65/Correspondence/1960).

Aside from the out-of-town guests, Rabbis Ochs and his son, Rockman, Holzer, Felder,<sup>174</sup> Wurzburger, Hauser, and Zambrowski as well as representatives from the CJC were also present. The method presented that day, referred to as the Warnick method was completely new. It had no resemblance to the ill-fated sling method, or any other method previously seen.<sup>175</sup> It also been approved of by the Ontario Society for the Prevention of Cruelty to Animals, which wrote to S. Warnick:

From the animal welfare viewpoint it impresses us as being far superior to any ritual slaughtering device employed in this country or elsewhere. We are particularly impressed by your promise to have all parts of the machine which come into contact with the animal adequately padded with foam rubber, including points of entry and the partition which stops the forward movement of the animal.

While it is impossible for us to give any firm or final approval until we have had the opportunity to see the machine in operation and conduct certain tests, if it does operate in the manner in which you describe it will provide what we believe to be the best solution to date to the problem of restraining an animal during ritual slaughter.<sup>176</sup>

The process consisted of a “restraining pen on to which cattle is directed from a shute [sic] and in which the animal is confined on both sides while standing on its feet.”<sup>177</sup> The Warnick device was shaped like two facing parentheses, between which the live cattle stood. While the two sides closed around the animal, bladders would inflate to both cushion the animal hide as well as compensate for smaller or larger animals. The animal was hoisted above the ground, rotated 180 degrees, for the shechita, after which, the clamps released, the animal was removed, and the machine readied for the next

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<sup>174</sup> Although in Toronto at this time, Felder had formerly served as a shochet in Montreal in the 1940s (Slaughtering Contract with Gedalia Felder, April 26, 1940 (CJCCCNA/JPL/Vaad/MB 09/13/23/Kashrut Agreements/Various F’s/1934-65)).

<sup>175</sup> Ibid.

<sup>176</sup> Letter from Ontario SPCA to S. Warnick, June 6, 1960 (CJCCCNA/JPL/Vaad/MB 09/16/195/Kashrut – Shechita/1959-90).

<sup>177</sup> Inter-Office Information, CJC, July 21, 1960 (CJCCCNA/JPL/Vaad/MB 09/7/65/Correspondence – 1960).

animal.<sup>178</sup> The Vaad invited Warnick and the designing engineer to report on their new machine. While optimistic, the Vaad could not really decide based on diagrams and photographs and insisted on viewing the machine in action.<sup>179</sup> Once having witnessed the procedure, the rabbis requested one change: that a mechanical method of holding the animals' head be developed so that it would not be done by two or three people. The rabbis agreed to return to Toronto in a week or so to see how the new development appeared. On July 20, they indeed returned, accompanied by Rabbis Hirschprung, Cohen, and Shamyia Schwartz, of the Satmar community in Montreal.<sup>180</sup> Once having witnessed the final touches, Rabbis Soloveitchik and Silver offered their complete approval.<sup>181</sup> The new system, nicknamed the "Can Pak Humane Kosher Slaughter System" was not to be patented, and Canada Packers assured that they will make its use known to any abattoir in Canada, which was a requirement of the psak. Several newspapers gave expression to the excitement over the new method.<sup>182</sup>

Two issues would beset the new method. First, the system was slow and not always efficient for larger or smaller than average cattle.<sup>183</sup> Second, the method resulted in the animal's head dragging on the floor just after slaughter, while being hoisted prior to dressing. While the minimal contact was not problematic for Agriculture Canada, Rabbi Teitz in New Jersey received a letter from the US Department of Agriculture that

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<sup>178</sup> Diagram of ritual slaughtering device, Rabbi Y. I. Weiss and Samuel Warnick (CJCCCNA/JPL/Vaad/MB 09/16/195/Kashrut – Shechita/1969-90).

<sup>179</sup> Minutes, Rabbinat, June 13, 1960 (CJCCCNA/JPL/Vaad/MB 09/19/5/Rabbinat/1960-62).

<sup>180</sup> Hirschprung had earlier noted, when it seemed that a fitting system was at hand, that he wanted a "Hungarian" rabbi to see and approve the new method ("Shechita question," July 11, 1960, CJCCCNA/JPL/Vaad/MB 09/16/195/Kashrut – Shechita/1959-90).

<sup>181</sup> Letter from Soloveitchik and Silver to A. Evans, Canada Packers, July 19, 1960 (CJCCCNA/JPL/Vaad/MB 09/16/195/Kashrut – Shechita/1959-90). It is not clear why the letter is dated the day before they actually witnessed the final form of the method. Either it is a typographical error or the letter was pre-prepared.

<sup>182</sup> *KO*, July 22, 1960; *Congress Bulletin*, September, 1960, Volume 14(7), 4; *Canadian Jewish Chronicle*, July 29, 1960, Vol. 48(4) & idem, August 5, 1960, Vol. 48(5).

<sup>183</sup> Letter to Samuel Levin (CJC), January 18, 1961 (CJCCCNA/ZA/1961/3/27/Shechita).

the Canada Packer's system cannot be used in the US.<sup>184</sup> These concerns, especially the slowness in processing led Montreal to look for an adapted Can-Pak method that would proceed faster while eliminating the hygienic concerns of the US Agriculture department. Adaptations to the Can Pak method were introduced across Canada to both the kosher and non-kosher markets:

The Montreal method does away with the pulling of the animal by the nostrils and having to put a chain into the animal's nostrils. The animal is fully immobilized and its head fitted very well into a chute which is instantaneously raised, leaving room for the Shochet to come in and to administer the cut. While the animal is in the pen, prior to the Shochet cutting the throat, a chain is put on the hind leg of the animal, so that immediately after the cut, the animal is raised and does not fall to the floor at all.

This may be a very important aspect in view of the U.S. decision branding as unsanitary the exposure of the animal to the blood on the killing floor after it has been slaughtered by the Shochet. In the new system, the animal does not fall at all, but it is being raised immediately after the cut, as the hind leg has been chained prior to the cut.

From the point of view of halacha, there are also advantages in the new system. In any case, the Montreal Vaad Hair is most happy about the new arrangement. The system was inspected by a personal representative of the Satmarer rebbe,<sup>185</sup> who verbally approved of it, though he did not commit himself in writing.

The pen is being used for both Jewish and non-Jewish methods of slaughter. The cattle which is not for Jewish consumption is being stunned by mechanical shooting. The abattoirs maintain that by restraining the animal in the pen the shooting is more accurate and there are practically no more instances when an animal has to be shot several times before the animal is made unconscious.

The speed obtained under the system in operation in Montreal exceeds the one which was obtainable by hoisting and shackling.<sup>186</sup>

Although the new slaughtering method seemed finally to have been accepted, there were holdouts. One such person was Rabbi Abraham Price of Toronto.<sup>187</sup> Although he

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<sup>184</sup> Letter to P. Teitz from J.S. Stein, Chief Staff Officer, Meat Inspection Division, Agricultural Research Service, US Department of Agriculture, May 4, 1961 (CJCCCNA/ZA/1961/3/27/Shechita).

<sup>185</sup> Presumably a reference to Shamaya Schwartz of Montreal.

<sup>186</sup> Letter to Philip Jacobson, Secretary, Joint Advisory Committee from Samuel Levin, May 5, 1961 (CJCCCNA/ZA/1961/3/27/Shechita).

initially approved of the Warnick device,<sup>188</sup> by the spring of 1961, he had introduced slight changes to the Canada-Packers device. He had requested that a committee be struck to review his changes for approval. CJC, in deference to the decision of Soloveitchik and Silver, chose not to make a public issue of Price's modifications. In fact, the two rabbis were informed of Price's concerns, and they reiterated that their psak was correct.<sup>189</sup>

Reminding us that what happens in Montreal is indeed of interest throughout the Orthodox world, rumours began to spread that the world-renowned rabbinic giant, Rabbi Aaron Kotler of Lakewood, NJ, did not approve of the new slaughtering method. Rabbi Weiss (who worked with Warnick in developing the new system)<sup>190</sup> contacted Kotler who responded that he had never said that the new system was halakhically problematic. Acknowledging that he was concerned about the first attempt (which involved suspending the animal in the air – *shechita tluya*), Kotler reported that he had not received any information on the new system. He wanted Rabbis Teitz and Kamenetzky<sup>191</sup> to come to Montreal to view the new system before making a decision. In an unusually strident and autonomous statement, Hirschprung responded to Teitz by

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<sup>187</sup> Born in Poland, Abraham Aaron Price (1900-94) came to Toronto in 1937, where he founded a yeshiva and remained as an internationally renowned rabbinic scholar and communal leader (Stuart E. Rosenberg, *The Jewish Community in Canada: Volume I, A History* (Toronto: McClelland & Stuart, 1970), 201; Gottesman, *Who's Who*, 106).

<sup>188</sup> He sent a telegram stating that this method is "kosher without any doubt" to Warnick and Rabbi Y. L. Weiss, who was working with Warnick on the new system. Date unclear, 1960 (CJCCCNA/JPL/Vaad/MB 09/16/195/Kashrut – Shechita/1959-90).

<sup>189</sup> Letter to Samuel Levin from Nachman Shemen (rabbi, director of COR (CJC – Kashrut division – Ontario Region), Kashrut committee), May 1, 1961 (CJCCCNA/ZA/1961/3/27/Shechita).

<sup>190</sup> It is not clear who this person is.

<sup>191</sup> Yaakov Kamenetzky (1891-1986) was a prominent rosh yeshiva and *posek* (rabbinic decisor) both in Europe and later in North America. Arriving in Toronto in 1938 as head of the Yeshiva Maharil Graubart, he remained there until 1946 when he left for Mesivta Torah Voda'as in Brooklyn (Rand, *Toldoth Anshei Shem*, 111). For a controversial, yet fascinating, account of Kamenetzky's early life in Europe and his interactions with other rabbinic figures, see Nathan Kamenetsky, *Making of a Godol: A Study in the Lives of Great Torah Personalities* (improved edition, Israel: PP Publishers, 2004).

telephone. “We in Montreal have no doubts or questions about the Kashrut of the new slaughtering system. We need invite no one [to approve our work]. But, if someone wishes to come here, we will welcome them with great respect.”<sup>192</sup>

### Conclusion

This chapter evinces two — sometimes competing — issues in public kashrut: halakha and fiscal worries. While there are obvious halakhic issues with bosor chutz, it must also be remembered that there is no other city in the entire world where the prohibition on bosor chutz remains in force. This is not because no other community supports the concept of bosor chutz, but rather the decentralization of kashrut in the postwar period does not permit the banning of imports. No other city claims to have a single kashrut organization that could prohibit imported kosher meat. Yet, when examining the Montreal scene, an observer must wonder to what extent the Montreal ban on imported meat was based on halakhic concerns and how much represented a fear of the loss of money and power? Although the data do not permit conclusions, they certainly encourage questions.

Bosor chutz has often perplexed Jewish communities throughout recent history. Indeed, when the rabbis of Montreal attributed the demise of other North American kehillot to the inability to control the kosher meat trade, they were not entirely wrong. Of course, if the kehillot in America stood for more than simply Kashrut supervision, then perhaps they may have experienced a longer life span. Where traditionalism may have been difficult to control in the New World, kosher meat was the first nail in the coffin of Jewish unity.

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<sup>192</sup> Minutes, Rabbinat, July 31, 1961 (CJCCCNA/JPL/Vaad/MB 09/19/5/Rabbinat/1960-62).



The challenge that is bosor chutz is multiple. Besides the inability to confirm kashrut on items produced outside of one's immediate purview, imported kosher meat also lowered the profits for the local slaughterers, mashgichim, rabbis, and ultimately the Vaad Ha'ir itself. Even more complex, however, were the legal issues. It was not always legally possible to stop anyone from importing meat. For example, the Vaad could certainly deny any kosher meat importer the right to use the MK and could advertise against them. It was not, however, legal to stop such imports. Indeed, at mid-century — which would not be the case later in the century — the Vaad was successful in fighting off bosor chutz through coercion, social pressure, or outright pleas for support from the larger community. Luckily for the Vaad, none of the legal challenges against them regarding imported meat ever went before the courts — another sign of the Vaad's social power in this era. Although the courts might have been sympathetic to the Vaad's concerns, there is no legal basis for denying anyone the right to import kosher meat aside hygienic reasons. Indeed, such an act could — and was often — seen to violate monopoly and anti-trust laws. It would seem, then, that the Vaad's success in combating imported kosher meat at this time was based on kehilla-style pressure, which, with an increasing population, diversity, and opportunity would wane by the end of the century. Even in Eastern Europe, the kehillot in the larger cities wielded less power than those in smaller shtetlach.

Another element in control over kashrut was authority over the retail butchers. Not only did the Montreal Retail Butchers' Guild challenge the Vaad's position, accusing it of neglect in controlling kosher poultry slaughter, it went so far as to attempt to replace the Vaad. The writ of mandamus was nothing less than an outright attack on the Vaad's very

existence, which helps explain why in the Vaad's fight with the Guild, sometimes suppressing the Guild was more important than fighting treyf. Indeed, one can argue that perhaps the Vaad's rejection of the Guild's claims was more about strengthening the Vaad's communal position — a long-range Kashrut goal — rather than actually answering the issues of the moment. This approach would help explain the Vaad's reluctance to address issues brought up by the Guild, despite the Vaad's admission of such problems. Clearly, similar concerns arose out of the Drach's and Levitt's affairs. More than kashrut was at stake: the very existence and solvency of the Vaad Ha'ir were under direct attack from several directions. These challenges represented more than kosher meat. No less than communal authority was at risk. This time, the Vaad Ha'ir won. Battles later in the century over kashrut were less successful for the Vaad.

While the Vaad's long-term goal of retaining its rights over Kashrut may have seemed noble, there is no doubt that the potential dismantling of the Vaad concerned its members even more than chaos in Kashrut — their very livelihoods and communal positions were at stake. Indeed, the Guild demanded the Vaad withdraw from supporting communal issues or organizations other than Kashrut. The Guild wanted the Vaad to become solely a Kashrut organization, which would eliminate any notion of a kehillah as the Vaad saw itself. Supervising Kashrut alone would not suffice for a kehillah. The Vaad's lacklustre cooperation with the Guild, although influenced by questions of Kashrut, clearly evinced a more basic competition for survival. Today in North America, there are no (or at most, few) places where issues of bosor chutz and the impossibility to import kosher meat still exist. In today's global world with quality and cost competition, coupled with the ease of shipping frozen meat, it is very difficult to control access to the

confines of one metropolitan area, especially without legal support. Perhaps the Guild's actions at mid-century foreshadowed the problems of controlling an open market.

Indeed, some fifty years later, the Vaad found itself in a position similar to that which the Guild tried to impose. Were the fights between the Vaad and the Guild — which foreshadowed other legal threats to the Vaad — omens of the Vaad's future role?

On the other hand, the Vaad's history with legislation was generally not successful, especially on the question of *bosor chutz*. Where the courts did act against anyone misusing the word *kosher*, it is not likely that any secular government would prohibit the use of the word *kosher* on imported items produced under accepted rabbinical supervision due to an arcane and subjective Jewish regulation that could hold little water in Canadian legislation. Further, as the Canadian government criminalized the improper use of the term *kosher*, it would seem highly unlikely they would rule that importation of such a product would render it non-*kosher*. This would be far too invasive into the intricacies of religious behaviour. *Bosor chutz* cannot legally be deemed un-*kosher* as the law enforces its status and exclusive right to be called *kosher*.

Another important question addressed by this chapter is related to the question of communal unity on this question of *shechita*. Once the Canadian federal government passed new slaughtering rules, it was incumbent upon the rabbis to devise one national plan. Not only would distinct positions cause much confusion, it would undermine the rationality of Jewish law and make it appear spurious. Of course, national unity, at this time, was not truly national, as it referred mainly to agreements between Toronto's and Montreal's Jewish communities. It was nevertheless, not obvious that Montreal and Toronto would concur on a new *shechita* method. Combining reaction from American

rabbis, such as the Agudath Harabbonim and later Rabbi Aaron Kotler, the situation was even more aggravated. Nevertheless, on this basic issue of pre-slaughter restraint, the consulted Canadian rabbis were able to achieve consensus, perhaps one of the few times that Jewish unity across Canada was reached on an issue of halakha. Indeed, the Canadian Jewish community created a standard for other communities to model. This was possible because within the parameters of the new animal welfare law, rabbis could enforce their own positions. Further, since shechita — as opposed to butchering or retail sales — was confined to a much smaller, more cohesive, mostly Orthodox group, consensus was much easier to find, than for an issue, such as imported meat, which involved the less cohesive retail operation.

In the next chapter, we will examine the Vaad Ha'ir's efforts in controlling kashrut violations.

## Chapter 5

### Policing Kashrut

As a vast and variegated enterprise, kashrut is difficult to control. In this chapter, we will examine the challenges faced by the Vaad Ha'ir in defending kashrut. This analysis is important because the response to deviance, the issues that the Vaad identified as problematic and the resolutions thereof are marks of evolving halakhic and social issues, and hence of direct interest to this study. We examine cases of deceit, outright fraud and violence that arose in course of the Vaad's activities. In the latter part of the chapter, we continue our focus on kashrut violations, but with an emphasis on those fraudsters who worked within the Vaad Ha'ir structure, exposing the threats to the Vaad that emanated from within.

#### Violence

The potential for deceit and larceny in industries with large economic importance is well-known and even self-explanatory. Despite the obvious facets of such duplicity, these occurrences merit examination because they speak to the context and the challenges of the Vaad during this era. Robinson documents several regrettable incidents of physical violence against rabbis and others occupied in the production of kosher meat.<sup>1</sup> Threats of brutality were not unknown either.<sup>2</sup>

For example, a particularly unpleasant and noteworthy conflict broke out in 1930 between a chicken dealer and a shochet in Roy Street. The shochet, Tuvia Neuman, had been brought in to take over the lease of the chicken dealer, Mr. Hochmitz, who was

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<sup>1</sup> See Chapter 1; Robinson, "The Kosher Meat War," 44.

<sup>2</sup> See Ira Robinson, "Violence as a Factor in the Communal Life of the Montreal Jewish Community in the Early Twentieth Century," *Jewish Studies in Violence*, ed. Roberta Rosenberg Farber and Simcha Fishbane, (Toronto: University Press of America, 2007), 126-30.

reluctant to vacate the premises. As friends and foes gathered, the police were called in to bring order to the rioting chaos. The *Keneder Odler* reported:

Real Conflict on Roy Street because of Shochet who rented Store of Jewish Chicken Dealer

About twenty policemen and a patrol wagon as well as several motorcycles, were called last night to the Jewish chicken market on Roy Street to stop a scuffle that had broken out and in which many butchers and chicken dealers got involved.

In the fight, several Jews received blows. A number of chicken cages were broken and many chickens were wounded. A panic broke out among the chickens and many liberated themselves of their cages and freely ran around Roy St.

When our reporter arrived at the 'field of slaughter,' the fight had ended, but there remained a large crowd and the police still maintained a type of 'war measures' act. Near the store at 104 Roy St., two policemen stood on either side of the door and ensured that no living soul entered or left.<sup>3</sup>

The next day, the *Keneder Odler* referred to the incident as the "War on Roy Street."<sup>4</sup>

In that same year, a group of four Vaad rabbis were investigating eight butcher shops that were reputed to have sold treyf meat. When they arrived at the last store to check, located at 3807 St-Laurent Boulevard, the owner, a Mr. Kaplan, with two policemen, blocked the entrance to the store. The police then arrested the rabbis, who were placed into a paddy wagon and taken to Station 12, where three of them, Zalmanovitch,<sup>5</sup> Berger, and Aframovitch,<sup>6</sup> were charged with disturbing the peace. Hirsch Wolofsky was notified and he was able to have them released on parole that same day. Hundreds of Jews gathered outside the police station in solidarity.<sup>7</sup>

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<sup>3</sup> *KO*, May 6, 1930, 1.

<sup>4</sup> *KO*, May 7, 1930, 1.

<sup>5</sup> Born near Kovno, Lithuania in 1870, Rabbi Aaron Shlomo Zalman Zalmanovitch came to Montreal in 1924 when he began serving on the Vaad Harabbonim until his death in 1941 (Fuchs, *100 yor*, 115).

<sup>6</sup> Was rabbi in Dvinsk prior to coming to Montreal, where he was ordained by Rabbi Meir Simcha Hacoheh of Dvinsk and the Rogatchover Gaon, Rabbi Joseph Rosen. Aframovitch died in June of 1953 and was buried in Montreal.

<sup>7</sup> *KO*, October 21, 1930,1.

In the summer of 1933, during a butchers strike in Montreal, violence erupted such that one gentleman was removed to hospital.<sup>8</sup> In 1938, pickets in front of a non-Vaad-approved butchers shop on Main Street (Blvd St-Laurent), cracked the butcher's bones.<sup>9</sup> In 1948, an employee of Western Kosher Meat Market was accused of assaulting the mashgiach, Rev. J. A. Grossman.<sup>10</sup> On December 27, 1954, the mashgiach at Steinberg's Meat Market left the store in fear that the owner, Mr. Henry Steinberg, would cause him physical damage. The latter explained in a letter to the Vaad, that while he never harboured any intention of causing bodily harm, he admitted that his actions left room for misinterpretation.<sup>11</sup> Three years later, Mr. Steinberg was involved in another bizarre incident with the Vaad Harabbonim. In this case, the Vaad was investigating reports that Steinberg's Meat Market had been selling non-kosher meat as kosher. As the dates and stamps of the slaughterer were not in sync, closer examination showed that the stamp roller, used to mark the flesh as kosher, while very similar to the Vaad's, was in fact of a slightly larger size, and therefore, a forgery. Upon witnessing the rabbis' discovery, Mr. Henry Steinberg left the meeting and walked to his car. "[...] and when he came back inside, he was holding in his hand (partly covered with a newspaper), a revolver. The committee left in haste."<sup>12</sup> There is no further reference to the gun. That same day, Mr. Mottel Steinberg was called to the Vaad to explain the source of the treyf meat. Refusing to speak openly, Steinberg, Herschorn and Hechtman stepped outside

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<sup>8</sup> Letter to Rabbi Hirsch Cohen, presumably from Mordechai Peters, July 13, 1933

(CJCCCNA/JPL/Vaad/MB 09/17/14/Personalia Correspondence/Cohen, Rabbi Hirsch).

<sup>9</sup> Activity report, AGM December 11, 1938 (CJCCCNA/JPL/Vaad/MB 09/1/4/AGM – 1938).

<sup>10</sup> Registered letter to owner from Vaad Harabbonim, May 5, 1948 (CJCCCNA/JPL/Vaad/MB 09/16/192/Kashrut retailers/Western Kosher Meat market/1943-76).

<sup>11</sup> Statement dated January 3, 1955 (CJCCCNA/JPL/Vaad/MB 09/16/189/Kashrut Retailers/Steinberg's Meat Market/1941-58).

<sup>12</sup> Minutes, Vaad Harabbonim, #112, October 20, 1958 (CJCCCNA/JPL/Vaad/MB 09/19/4A/Rabbinical Council/1958).

where the former admitted that the meat was purchased from a “*shaygetz*” (non-Jew) who in turn stole it from a slaughterhouse. Who was this person? Steinberg claimed he did not know as it was his son who purchased the meat in question. Steinberg was dismissed. The next morning, without any warning, Steinberg’s Meat Market voluntarily returned its kosher sign to the Vaad and the former mashgiach at Steinberg’s, Mr. Atlas, tore it up.<sup>13</sup>

While violence remained an infrequent tool of the corrupt butchers, fraud and deception ran rampant through the Vaad’s history. In order to illuminate the challenges to their authority, we will examine several fraud cases in detail. These cases will illuminate the myriad sources of problems faced by the Vaad. We will look at how individuals attempted to forge Vaad stamps and rings to defraud the public. Others would act suspiciously, primarily in blocking the mashgiach entry to the store, so that the Vaad was forced to remove their supervision. While fraud committed by unscrupulous butchers may not be all that surprising, we will encounter mashgichim who acted inappropriately and even shochetim who endeavoured to defraud the Vaad.

### Responding to Minor Violations

The Vaad’s reaction to duplicitous butchers spanned the spectrum from lenient to harsh. In some cases, as we shall see, the punishment was severe. In other cases, the Vaad seemed to demur.

Our first example is the exception to the rule. In 1943, a butcher was caught in violation of the Vaad’s rules. According to the *KO*, this was the first instance in Montreal where a duplicitous butcher, instead of denying his culpability, accepted the judgement and admitted the truth. Not only that, but the butcher, whom the newspaper

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<sup>13</sup> Minutes, Vaad Harabbonim, #112, October 20, 1958 (CJCCCNA/JPL/Vaad/MB 09/19/4A/Rabbinical Council/1958).



refused to identify since he acted with goodwill, participated in a repentance ceremony. His singular admission led to a unique resolution. The butcher, before the rabbis, in an atmosphere of solemnity and black candles, admitted to his errors, expressed his sincere regret, and vowed to uphold the foundations of Judaism, of which the following were specified: 1) wearing tefillin daily; 2) keeping the Sabbath (avoiding smoking, street cars, speaking of business, or being seen in the shop); and 3) keeping Kashrut in all its details, both at home and outside. When the offender accepted his role and responsibilities, the candles were extinguished and the rabbis offered the penitent a blessing that his atonement be accepted in Heaven.<sup>14</sup> No other case of such an unusual ceremony was recorded. Rather, a lacklustre response to minor violations describes the Vaad's general pattern.

In May of 1951, a local delicatessen was caught with treyf meat and when the rabbis asked to examine the factory in back, they were refused. On May 3, 1951, the Vaad removed the store's supervision and advertised in the press and from the pulpits that the delicatessen was no longer under Vaad approval. Several months later, despite the removal of the hashgacha, two witnesses informed the Vaad that in a local bakery, they found sausages from the above-mentioned firm being sold as kosher, "under supervision of the Rabbinical Council."<sup>15</sup>

In another case in 1956, a butcher caught with a treyf liver was required to place a \$50 security deposit.<sup>16</sup> Any reoccurrence or impropriety would result in the loss of the

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<sup>14</sup> *KO*, April 12, 1943. A copy was found in CJCCCNA/JPL/Vaad/MB 09/16/192/Kashrut Retailers/Western Kosher Meat Market/1943-1973. However, despite the intricate ceremony, this butcher shop would be frequently cited for selling treyf meat into the 1950s.

<sup>15</sup> Unsigned copy of statement by Esther Blank and Pinchas Blitt, October 31, 1951 (CJCCCNA/JPL/Vaad/MB 09/16/170a/Kashrut – Retailers/Etinson's Delicatessen).

<sup>16</sup> Minutes, Rabbinat, October 8, 1956 (CJCCCNA/JPL/Vaad/MB 09/19/4/Rabbinat/1957).

money and the requirement to hire and pay for a full-time mashgiach. There were no threats of any more serious action. Again in 1965, a butcher was not only caught with treyf liver, but such had happened several times over the past few years, despite written promises to prevent recidivism. This butcher was only forced to leave a \$200 security deposit.<sup>17</sup>

In the winter of 1959, Rabbi Hechtman noted that “the concern we had about J & R has been confirmed.”<sup>18</sup> The private detective hired by the Vaad had informed them that a responsible person at Hygrade (a non-kosher meat company) remarked that the J & R Company are good customers, always paying cash.<sup>19</sup>

In 1963, the mashgiach at the local Homemade Bakery — Hasidic-owned— was using regular eggs and yolks that were opened without supervision.<sup>20</sup> Rather than demand conformity, the “rabbis will investigate.”<sup>21</sup> The lack of further reference indicates that little action was taken, as was the case frequently when Hasidic-owned businesses were implicated as we will see in the chapter 6. In another such example, a chemist’s report in 1971 on ingredients used by kosher butchers and delicatessen manufacturers revealed that Mehadrin Kosher Meat Market was utilizing milk powder in its production of chicken rolls.<sup>22</sup> Again, there is no evidence of any response by the Vaad. While, one can safely assume that the Vaad must have reacted, the fact that such evidence does not exist on paper

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<sup>17</sup> Letter to L. Garellek from Hechtman, January 28, 1965 (CJCCCNA/JPL/Vaad/MB 09/13/24/Kashrut Agreements/Various G’s/1932-73).

<sup>18</sup> Minutes, Rabbinat, January 5, 1959 (CJCCCNA/JPL/Vaad/MB 09/19/4b/Rabbinical Council/1958).

<sup>19</sup> Ibid.

<sup>20</sup> Eggs must be cracked open prior to use to examine for blood spots. Any egg with a blood spot cannot be used.

<sup>21</sup> Minutes, Rabbinat, August 5, 1963 (CJCCCNA/JPL/Vaad/MB 09/19/6/Rabbinat – Minutes/Various Dates).

<sup>22</sup> Report from Griffith’s Laboratories to Dr. Henry Biberfeld, Chemist, Vaad Ha’ir, April 16, 1971 (CJCCCNA/JPL/Vaad/MB 09/13/24/Kashrut Agreements/Various G’s/1932-73).

suggests that a casual, verbal instruction was given and the formal censure a non-Orthodox business would have received was avoided.

Reaction to kashrut problems other than in the meat industry were also varied. In July of 1965, it was brought to the Vaad's attention that there were many halakhic problems at a hotel in the Laurentian Mountains and the mashgiach was considering resignation. Although under the Vaad's hashgacha, the office telephone was answered on shabbos. Besides his physical frailty, there was no respect for the mashgiach, whom the Vaad acknowledged did not excel at his job. The owner cried upon hearing the renunciation of his kosher approval, begging for a second chance. Since the hotel had planned to close that fall for an extended period, the Vaad acted leniently, imposing a fine all-the-while asking the mashgiach to stay on until the hotel closed.<sup>23</sup> When confronted with outright duplicity and deception, or when directly challenged, the Vaad Ha'ir responded more forcefully.

### Fraud & Corruption

The following cases will present some of the most egregious examples of fraud and deception used by some butchers to circumvent the Vaad's rules. We will also examine the reactions and consequences in order to understand the Vaad's response to such acts.

In the first case, of Mssrs. Greenstein and Fleisher, we can see both the Vaad Ha'ir's efforts to control Kashrut as well as the challenges they faced in enforcing their standards. In October, 1930, Greenstein and Fleisher were caught with treyf meat and

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<sup>23</sup> Minutes, Rabbinical Council, July 26, 1965 (CJCCCNA/JPL/Vaad/MB 09/19/6/Rabbinateminutes/Various dates).

were forced to engage a full-time mashgiach.<sup>24</sup> The next time we hear of these owners is in 1933, when Louis Glazer, a renowned Montreal lawyer, wrote to the Vaad on June 28, 1933 asking them to accept the butchers' solemn pledge that they would only deal with Vaad-approved butchers.<sup>25</sup> It would seem that the partners had dealt with non-Vaad approved butchers in the early 1930s.<sup>26</sup> In the kosher meat wars of the 1930s, clearly Greenstein and Fleisher had sided against the Vaad. A short time later, in 1934, the firm was mentioned in conjunction with another violation: importing non-kosher fat (*schmaltz*) from Winnipeg.<sup>27</sup> The rabbinical board decided in no uncertain terms that having sold treyf, the partners could no longer be entrusted with the sale of kosher meat. Recognizing their limited options, Greenstein and Fleisher realized that their only choice was to sell the business to a reliable third party. They transferred the company to two trustworthy gentlemen, the shochetim Temkin and Glazer, while the two former owners retained some control. Although the Vaad accepted the transfer, they set down a secondary punishment: Greenstein and Fleisher were prohibited from working in a kosher butcher shop for six months.<sup>28</sup> Two weeks later, on April 30, Mrs. Greenstein and Mrs. Fleisher appeared at an executive meeting pleading for mercy for themselves and their children, requesting the Vaad repeal their restrictions on their husbands' employment, accompanied by a petition signed by no fewer than thirty people:

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<sup>24</sup> Minutes of Rabbinat and Executive Council, October 15, 1934 (CJCCCNA/JPL/Vaad/MB 09/16/171/Kashrut Retailers/Fleisher & Greenstein/1930-38).

<sup>25</sup> Letter to H. M. Ripstein, Chairman of the Executive Council of the Vaad, June 28, 1933 (CJCCCNA/JPL/Vaad/MB 09/16/171/Kashrut Retailers/Fleisher & Greenstein/1930-38).

<sup>26</sup> An ad appeared in the June 23, 1933 issue of the *Canadian Jewish Chronicle*, p. 2, announcing the repeal of Greenstein and Fleisher's hashgacha (CJCCCNA/DA 10(A)/6/Clippings 1945 – Vaad Ha'ir).

<sup>27</sup> Schmaltz (animal fat) was a significant problem and source of duplicity during this period, since kosher vegetable oils or shortenings were not easily available, if at all.

<sup>28</sup> Meeting of Rabbinat and Vaad Ha'ir, April 8, 1934 (CJCCCNA/JPL/Vaad/MB 09/16/171/Kashrut Retailers/Fleisher & Greenstein/1930-38).

In sympathy, with M. Greenstein & A. Fleisher. We, the undersigned think the ruling of the Vaad D'Hoir and Vaad of Rabbonim, were a little to [sic] drastic, as they have taken away there [sic] only way of making a living and we think that the Vaad D'Hoirs [sic] ruling should be modified so as not to leave these families and children in a destitute position.<sup>29</sup>

On August 22, 1934, Greenstein and Fleisher wrote to the Vaad, pleading for the return of their privileges.<sup>30</sup> Although no response could be found, since the two had a Vaad-approved shop in 1938, their privileges must have been returned to them at some point. But, by mid 1938, the Vaad received reports that Greenstein and Fleisher frequently brought treyf meat into the store after hours to avoid getting caught. On June 1, after receiving a report that they purchased treyf meat that very day, a six-man delegation of the Vaad, led by Rabbi Wachtfogel,<sup>31</sup> arrived at the store at eight PM, long after the treyf meat was reputedly brought in. Although inside the store, Greenstein refused to open the door, despite extensive and loud knocking — loud enough to gather a crowd outside the store on St-Laurent Boulevard. Finally, Greenstein came to the door to say that he could not open the door at that time, but would happily admit them the following morning. Rejecting this rebuff, the Rabbinical Council called an immediate meeting with the Chairman of the Kashrut Committee as well as the Presidium at which it was decided that because the aforementioned butchers: 1) have never been considered trustworthy; 2) have previously smuggled treyf meat products into their store; 3) have regularly bought treyf meat from wholesalers; 4) on June 1, specifically, purchased treyf meat and refused entry to a group of rabbis and mashgichim from the Vaad, the Vaad shall remove their

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<sup>29</sup> Letter from Executive to Vaad Harabbonim, with accompanying petition, April 30, 1934 (CJCCCNA/JPL/Vaad/MB 09/16/171/Kashrut Retailers/Fleisher & Greenstein/1930-38).

<sup>30</sup> Letter to JCC from Greenstein & Fleisher, August 22, 1934 (CJCCCNA/JPL/Vaad/MB 09/16/171/Kashrut Retailers/Fleisher & Greenstein/1930-38).

<sup>31</sup> Born in Mezeritch, Ukraine, Moshe Yom-Tov Wachtfogel came to Montreal in 1923 after being educated at the yeshivas of Slabodka and Slutzk. He served on the Vaad Harabbonim and as rabbi to Congregations Bnei Jacob and Beth Israel and Shmuel until his death in 1951 (*KO*, May 11, 1951; *Montreal Star*, May 11, 1951).

supervision and advertise this fact widely.<sup>32</sup> A letter to the Vaad, penned by one partner, Fleisher, which was also published in the *KO*, requesting leniency and the return of their kosher privileges, was received two weeks later. Fleisher claimed that had he been present on the fateful day, the delegation would not have been refused entry because, “[...] there were absolutely no non-kosher items in the store.”<sup>33</sup> Further, claimed Fleisher, the mashgiach can confirm this as he was present in the shop up until one hour prior to the arrival of the delegation. The partner, Fleisher explained, hearing tens of people surrounding his store, feared that a killer was hiding within. It was for this reason that he was too frightened to open the door, and not, Heaven Forbid, for any other reason. The Vaad, of course, believed none of it. On June 16, 1938, the Vaad promulgated the “Confirmation of the Prohibition against the Butchers, Greenstein and Fleisher, in which, they prohibit dealing with this shop forever and ever (*li’olam va’ed*).<sup>34</sup>

In the next case we will look at, the owners of a butcher shop have been trying to deceive the mashgiach and attempted to hide non-approved meat from the representatives of the Vaad Ha’ir.

According to his own report, in May of 1959, Mr. Grossman, the mashgiach of a butcher shop in Park Extension, owned by Mr. Kravetz and Mr. Michaels, arrived at 8:15 in the morning to find the two owners and an employee at work. Despite repeated knocking, they would not permit Grossman entry. He then presented himself at the back door, where he rapped again, to no avail, although he noticed a taxi departing from the

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<sup>32</sup> “Greenstein & Fleisher Issue,” June 1, 1930 (CJCCCNA/JPL/Vaad/MB 09/16/171/Kashrut Retailers/Fleisher & Greenstein/1930-38). In fact, the Vaad sent a letter to Mrs. Allan Bronfman (the wife of Sam’s brother), a regular customer of Greenstein and Fleisher’s, that the latter had lost their hashgacha (CJCCCNA/JPL/Vaad/MB 09/15/100/Kashrut/Non-Kosher Butchers/1933-73).

<sup>33</sup> “The Butchers Greenstein and Fleisher plead for clemency from the Vaad Ha’ir and Vaad Harabbonim,” June, 1938 (CJCCCNA/JPL/Vaad/MB 09/16/171/Kashrut Retailers/Fleisher & Greenstein/1930-38). See also, *KO*, June 15, 1938.

<sup>34</sup> *KO*, June 16, 1938.

premises. He then telephoned the Vaad and Rabbi Cohen was dispatched to investigate. By the time of the latter's arrival, the store had opened for business and once inside, Grossman asked why they had not let him in previously. Kravetz responded that he never opened the door prior to eight AM. Michaels replied that he was unaware of what was happening, since he had been in the washroom.<sup>35</sup> After several aborted meetings, the partners finally appeared at the Vaad offices on May 11, along with the executive director of the butchers' guild, Mr. Hollander. The partners were questioned separately. Kravetz claimed that he was in the cooler (freezer), sawing meat, and heard nothing. He implied that Grossman was overreacting and was often guilty of stirring up trouble. "I know that Mr. Grossman is badgering us and looking for problems. You should allow me to relate my issues with Grossman,"<sup>36</sup> Kravetz said. During interrogation, Kravetz's partner, Michaels, insisted that he was unaware of Grossman's presence and was prepared to swear to that effect. However, when asked to formally swear that he heard no knocking on the door, Michaels refused.<sup>37</sup> The meeting was adjourned.

Two days later, when Grossman arrived for work on May 13, the owners refused him entry claiming they wanted a different mashgiach. The Vaad refused to grant their request, insisting on settling current issues prior to instituting any changes. Without explanation, several hours later, Kravetz and Michaels, again accompanied by Hollander of the Butchers Guild, arrived at the Vaad offices and voluntarily relinquished their kosher sign.<sup>38</sup>

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<sup>35</sup> Minutes, special meeting of rabbinate, May 7, 1959 (CJCCCNA/JPL/Vaad/MB 09/19/4B/Rabbinical Council/1959).

<sup>36</sup> Minutes, Vaad Harabbonim, May 11, 1959 (CJCCCNA/JPL/Vaad/MB 09/19/4B/Rabbinical Council/1959).

<sup>37</sup> Ibid.

<sup>38</sup> Minutes, Rabbinate, May 18, 1959 (CJCCCNA/JPL/Vaad/MB 09/19/4B/Rabbinical Council/1959).

The final example of outright denial will also enumerate a fourteen-year long saga of a local butcher who, from the beginning, was often caught selling outright treyf meat as kosher. There was little subtlety in Mr. Falovitch's actions, and even less in his overt claims. His obvious and continuous dishonesty left the Vaad with little choice.

The next case to be examined is one of a butcher who intentionally and overtly was selling non-kosher meat as kosher. Keeping supplies of treyf meat in his own home, this butcher defrauded Jewish customers for years. In 1950, Mr. Arthur Falovitch, the owner of Decarie Kosher Meat Market, was caught selling non-kosher meat as kosher out of his own basement, conveniently located across the road from his kosher retail establishment. This was discovered by a health inspector who found an entire meat distribution system illegally set up in Falovitch's private home. Since the proprietor claimed to be a kosher butcher, the Vaad was informed.<sup>39</sup> Superficially repentant, Falovitch admitted his errors in a written statement, accepted responsibility for his actions, all-the-while pleading for mercy for his poor family which he alone was supporting. "That admitting said guilt, I really regret having broken my faith with our religion and with the Community Council."<sup>40</sup> On November 7, Falovitch signed an unusually restrictive agreement with the Vaad with extra controls that were not normally present in a Kashrut agreement. These included requiring the mashgiach to inspect and sign every package for delivery and informing the customers to accept packages only with the mashgiach's signature.<sup>41</sup> However, proper procedure was still not respected and in the spring of 1951, Falovitch

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<sup>39</sup> *KO*, November 5, 1950.

<sup>40</sup> Handwritten, signed declaration of Arthur Falcovitch, October 26, 1950 (CJCCCNA/JPL/Vaad/MB 09/16/166/Kashrut Retailers/Decarie Kosher Meat Market/1950-64).

<sup>41</sup> *Psak Din*, October 27, 1950 (CJCCCNA/JPL/Vaad/MB 09/16/166/Kashrut Retailers/Decarie Kosher Meat Market/1950-64).



received a letter from the executive director of the Vaad Ha'ir, emphasizing the need for extra precautions and Falovitch's compliance:

Such permanent supervision is an extra expense, which must be borne by yourself. Your own acts, which were admitted by you, namely that you have handled treyf meat in the basement of your dwelling opposite your store, brought about the placing of a permanent supervisor in your place. If you would have acted honestly and sincerely in accordance with the laws and traditions of kashruth, the Rabbis would have been satisfied with the normal supervision which we give all butchers free of charge. It is only because of your own fault that they have lost confidence in you, and you must take the responsibility for your own acts.<sup>42</sup>

Although the details of the intervening years were not recorded, things remained amiss at Decarie Meat Market such that on July 24, 1957, an employee of the Acme Detective Agency was hired to check up on Falovitch. Nothing untoward was found.<sup>43</sup> In February of 1958, the Vaad Harabbonim claimed that there was credible evidence that Falovitch was selling treyf meat once again. Despite the ongoing efforts of a professional detective (presumably since the previous summer) as well as those of Rabbis Niznik and Cohen, the Vaad remained unable to catch him in the act. In order to do so, Niznik and Cohen, along with two mashgichim planned to descend upon the store in the early hours of Thursday, February 20, 1958.<sup>44</sup>

Arriving at Decarie Kosher Meat Market at three AM, the rabbis and mashgichim found the lights on and workers moving about. Despite knocking for forty-five minutes, the rabbis were not admitted. They noticed that the back door was open, presumably used as an exit by the workers seen earlier. At seven AM, Falovitch arrived and permitted the rabbis entry. He could not explain the open back door. When asked why

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<sup>42</sup> Letter to Falcovitch from Hechtman, May 22, 1951 (CJCCCNA/JPL/Vaad/MB 09/16/166/Kashrut retailers/Decarie Kosher Meat Market/1950-64).

<sup>43</sup> Confidential Report, July 24, 1957 (CJCCCNA/JPL/Vaad/MB 09/16/166/Kashrut Retailers/Decarie Kosher Meat Market/1950-64).

<sup>44</sup> Minutes, Rabbinat, February 19, 1958 (CJCCCNA/JPL/Vaad/MB 09/19/4A/Rabbinical Council/1958).

the rabbis were not permitted entry, Falovitch had no response. The rabbis, having earlier seen an employee leave the basement with a large package, asked to go downstairs. Falovitch refused and even placed an employee in their way. When the rabbis asked to inspect the lockers in the basement, Falovitch claimed that they belonged to the property owner, who in turn said she would open them only if Falovitch would agree. He refused, claiming, "I don't mix into this business."<sup>45</sup> The Vaad report reads:

Mr. Falovitch has a record of the same offence committed in the beginning of October, 1950, when he had established a place in which to handle and prepare treyf meat, with a Frigidaire, counter, etc. This information was supplied by Dr. Houde, of the Health Department. In that same year, on October 2, 1950, Mr Falovitch refused to allow a committee of rabbis to inspect his basement.<sup>46</sup>

In further denial, Falovitch mailed the following egregiously false letter to his customers a few days later, in which he contradicted his earlier admission of fraud:

Decarie Kosher Meat Market has been serving Montreal Jewry with strictly Kosher Meat and poultry under the supervision of the Rabbinical Council of Montreal for many years. We wish to thank you personally for your patronage and trust.

We have throughout the years made a continuous effort to maintain the strictest standards of the Jewish Law and Customs as well as of Kashruth because we know that it is your faith and trust in us that has kept your continued relationship with us.

May we take this opportunity to tell you that we shall continue to serve Montreal Jewry with strictly kosher meat products in the future.

Recently we have had, *for reasons we have never been able to discover*, a serious misunderstanding with the Rabbinical Council, whose demands and tactics have forced us to discontinue our contract which has been in force with them for 18 years now.

But notwithstanding you may rest in complete assurance that our policy of selling the most strictly Kosher products has not altered one iota.

We are sure we may continue to count on your patronage and support in the future.

You will be pleased to hear that we are now being supplied by Strictly Kosher Meat suppliers in Toronto whose prices in some instances are more

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<sup>45</sup> "Facts and History of the Arthur Falcovitch Case," CJCCCNA/JPL/Vaad/MB 09/16/166/Kashrut Retailers/Decarie Kosher Meat Market/1950-64.

<sup>46</sup> Ibid.

competitive than Montreal suppliers and that the saving will be passed on to our customers, in some instances by as much as 10 to 20%.

May we wish you a Frailach and Kosher Pesach

Sincerely

Arthur Falovitch (signed)

Decarie Kosher Meat Market<sup>47</sup>

Clearly, Falovitch was not being completely honest. He knew exactly why the Vaad was investigating him and what deceptions he had attested to having personally committed. Further, his intent to import meat into Montreal from outside, especially during this era of tension over bosor chutz, was only going to distance Falovitch further from the Vaad. The Vaad retorted by sending a letter to slightly fewer than one hundred of Falovitch's clients informing them that Decarie Kosher Meat Market was no longer under their supervision, including mention of a recent controversy when Falovitch sold Brome Lake Ducks, which were not considered kosher.<sup>48</sup> The Falovitch saga dragged on. The last word on this case was finally written in 1964. A frustrated executive director of the Vaad appealed to Louis Orenstein, a presidium member and lawyer, to force Falovitch's widow to cease and desist advertising her store as kosher in neon letters, no less, as its hekhsher had been removed six years earlier.<sup>49</sup>

#### Deceit within the Vaad Ha'ir

The following examples illustrate another significant challenge to the Vaad Ha'ir: deception and fraud from within its own employees. In 1963, the Vaad learned that at Steinberg's fruit market the workers were attaching the kosher-for-Passover labels themselves, contrary to regulations that require the mashgiach alone to do so. The alert

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<sup>47</sup> Open letter dated March 7, 1958 (CJCCCNA/JPL/Vaad/MB 09/16/166/Kashrut Retailers/Decarie Kosher Meat Market/1950-64). Italics mine. Original in English.

<sup>48</sup> Memorandum, March 17, 1958 (CJCCCNA/JPL/Vaad/MB 09/16/166/Kashrut Retailers/Decarie Kosher Meat Market/1950-64).

<sup>49</sup> Memorandum, October 21, 1964 (CJCCCNA/JPL/Vaad/MB 09/16/166/Kashrut Retailers/Decarie Kosher Meat Market/1950-64).

came from Mr. Weiss of Continental Meats, who had been called by Steinberg's for more kosher-for-Passover salami. Upon being informed that Continental had no more Passover supplies, Weiss claimed that Steinberg's told him to simply ship the year-round salami and Steinberg's would attach the Vaad's kosher-for-Passover labels. Weiss telephoned the Vaad immediately. In turn, the Vaad telephoned the store where Mrs. Steinberg related that she had recently received a shipment from the wholesaler Kuzmarov, who told her that his firm was too busy to paste the kosher-for-Passover labels, but would send them along with the shipment and Steinberg's could place the labels themselves. Upon hearing this, the Vaad immediately summoned Mr. Kuzmarov and his mashgiach, Mr. Mandler, to a meeting, where the latter testified that he alone affixed the kosher-for-Passover labels and that the extra, unused labels were not kept in the shop but were locked up in his home, as the Vaad required. He added that, "This [accusation of sending products without labels] is untrue and instigated by enemies. I am the best mashgiach."<sup>50</sup> Subsequently, Mr. Kuzmarov was brought in for individual questioning during which he contradicted the mashgiach's statement regarding the delivery of the Passover salami. His following statements further incriminated the mashgiach. Kuzmarov stated that leftover kosher labels were placed in the office filing cabinet which was never locked, thus leaving the labels in an insecure location. Further, many people helped attach the Passover labels, he added, including the office girl and even the shaygetz (presumably a factory worker or delivery person). "Do you mean to say that only the mashgiach is supposed to attach the labels?"<sup>51</sup> asked Kuzmarov, completely contradicting his mashgiach. At this point, the mashgiach was called in to respond to the conflicting

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<sup>50</sup> Minutes, Rabbinat, April 29, 1963 (CJCCCNA/JPL/Vaad/MB 09/19/6/Rabbinat – Minutes/Various dates).

<sup>51</sup> Ibid.

statements. When asked again where the extra labels were kept, he repeated that they were safely in his house. In response, he was asked, “Do you mean to say that there are no labels in the office?” “No! There are no labels there.” “And what would be if we were to tell you that we will call the office now and ask them to bring the labels here?? Will you resign??” The mashgiach repeated his lie, “There are no labels there!!” The rabbis responded, “Mr. Mandler, we will telephone the butcher shop about the labels. We think that we should give you the opportunity to resign from the position or we will have to resolve the situation.” Initially unresponsive, Mr. Mandler later hollered his resignation as he left the meeting. Fifteen minutes later, some 500 extra labels were delivered from Kuzmarov’s. The rabbinate accepted Mandler’s resignation.<sup>52</sup>

#### Forged Kosher Stamps

Perhaps even more insidious were the attempts to falsify the Vaad’s kosher symbols (stamps, needles and poultry rings). Not only were such crimes attempted by butchers, but even some shochetim became involved in this kind of fraud.

The following case exposes the fraud committed by a kosher meat retailer whose illegal activities continued even after the shop was sold. As well as financial indiscretions, the owners were also found with forged kosher stamps. In 1952, Mr. Levinoff of Levinoff Meat Products was accused of trying to fool the mashgiach and have him stamp two non-kosher beef fronts as kosher.<sup>53</sup> The next time the company was cited, the ownership had passed to the Cola brothers, who seem to be actively engaged in trying to fool the Vaad. In 1958, Mr. Perlmutter, the man responsible for stamping the sides of beef as kosher in the Eastern Abattoirs, reported to the Vaad that he found falsely

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<sup>52</sup> Ibid.

<sup>53</sup> Letter to Levinoff from the JCC, February 4, 1952 (CJCCCNA/JPL/Vaad/MB 09/14/84/Kashrut-Levinoff Meat Products/1941-66).

stamped (i.e. a treyf side of beef stamped as kosher) meat. Neither the owner, nor the store manager, Mr. Moe (Moshe) Litwin, denied that the meat was in fact treyf, but neither admitted to the source of the meat. In this case, the Vaad decided that since the owners were responsible for the Kashrut of the contents of their store, they must be fined \$1,000 which was to be given to charity. The store manager was fined one month's salary and the owners must place another \$1,000 in escrow to ensure compliance.<sup>54</sup>

A period of cooperation extended until early in 1959, when on April 10, a provincial detective<sup>55</sup> confiscated a bag of stamps, rollers and needles forged to resemble the Vaad Ha'ir versions of same that was found in the washroom of the Levinoff company.<sup>56</sup> Once summoned to the Vaad, Mr. Cola claimed that a half-hour prior to the detective's arrival, a former Vaad-approved butcher came into the Levinoff offices and asked to use the same washroom in which the stamps were found, implying of course, that the rogue butcher placed them there. He initially offered to name the butcher, but then added that he would do so only in court, presupposing the Vaad's reluctance to turn to the civil courts. It was decided that in order to receive Vaad approval again, the Cola brothers must hire a full-time mashgiach in the store.<sup>57</sup>

Peace reigned until the summer of 1963 when serious allegations were again levelled against the Levinoff company. On July 2, the Vaad reported that Levinoff was found to be selling twice as many briskets to Glatt's (a kosher retailer) than Levinoff's mashgiach reported to have received from the slaughterhouse. Rather than selling non-

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<sup>54</sup> Psak din of Vaad Harabbonim against the Levinoff company, April 7, 1958 (CJCCCNA/JPL/Vaad/MB 09/14/84/Kashrut – Levinoff Meat Products/1941-66). That the Bet din met on this date, which was the first day of *chol hamo'ed pesach* (intermediate days of Passover) indicates the severity of the issue.

<sup>55</sup> Presumably a health inspector.

<sup>56</sup> Special meeting of the Presidium, April 12, 1959 (CJCCCNA/JPL/Vaad/MB 09/11/9/Executive Council/1959).

<sup>57</sup> Meeting, Vaad Harabbonim, April 27, 1959 (CJCCCNA/JPL/Vaad/MB 09/19/4B/Rabbinical Council/1959).

kosher as kosher — the usual reason for inaccurate counts — the Levinoff company was underreporting the number of briskets received to reduce the amount of slaughtering fees due the Vaad. On July 5, an analysis of Levinoff’s bills showed a systematic underestimate of brisket points since April 26 of the same year. On July 8, the mashgiach, Mr. Ezekiel Gallander, was called to a meeting. The latter denied responsibility claiming that he has always been very careful in his stamping, counting and reporting to the Vaad. The following day, one of the Cola brothers was called to the Vaad and asked outright how he could possibly sell more briskets than the mashgiach received. Cola’s refusal to admit guilt was intended to lay suspicion on the mashgiach.

Later, on July 10, Gallander, Levinoff’s mashgiach and Klein (from Glatt’s) met at the Vaad’s offices, where the discrepancy could no longer be ignored.<sup>58</sup> How did Glatt’s receive more kosher meat from Levinoff than Levinoff reported having received? The pressure led the mashgiach Gallander to admit in a signed statement delivered before Rabbis Hirschprung, Cohen, and Hechtman, that while he was generally left alone to perform his work, in the pre-Passover season of 1963 (corresponding to mid-April), Mr. Joel Cola:

[...]started to use pressure on me to report to the Vaad only half the number of kosher stamped briskets, because the retailer who buys these briskets trims them on the spot before weighing the meat, Mr. Cola insisted that the loss of the weight is almost half of the briskets, and he therefore maintained that I should report to the Vaad two briskets as one. I did this.<sup>59</sup>

He added that this discordant reporting occurred just as Glatt’s increased their orders of briskets, in time for Passover. Selling more briskets than reporting allowed

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<sup>58</sup> “Levinoff Meat Company,” July, 1963 (CJCCNA/JPL/Vaad/MB 09/14/84/Kashrut Levinoff Meat Products/1941-66).

<sup>59</sup> Signed and sworn statement of Ezekiel Gallander, July 15, 1963 (CJCCNA/JPL/Vaad/MB 09/14/84/Kashrut Levinoff Meat Products/1941-66).

Levinoff's to pocket the slaughtering fees due to the Vaad. On July 9, Gallander reported receiving a telephone call from an unidentified man telling him that, "Mr. Cola wants to talk to you very urgently. Come to Mr. Cola's home. Take everything on yourself and you will get a lot of money."<sup>60</sup> Although he refused this offer, two days later on July 11, an anxious Mr. Joel Cola telephoned Gallander again. "I am looking for you all week long... Where were you?... You are the only one who can save me... Money is no object... Take everything on yourself..."<sup>61</sup> Again Gallander refused. Upon later questioning Cola acknowledged having called Gallander but denied having offered him any money for his complicity.<sup>62</sup>

On August 5, 1963, at a special meeting of the Beth Din, the Vaad declared that they are in their halakhic right to cease supervision on the Levinoff company. They concluded that the company may not deal with the Vaad or kosher meat for three months at the end of which, they may re-apply to the Vaad.<sup>63</sup> However, in 1965, the Vaad Harabbonim banned the Cola brothers from receiving wholesale kosher meat. In that same year, only after an Orthodox Jew, Mr. Moshe Jacob Litensky, took over as representative of the company did the Vaad Harabbonim readmit Levinoff's on condition that neither Cola brother have any control over the company.<sup>64</sup>

The next two cases involve the discovery of Vaad-engaged shochetim who also tried to falsely obtain kosher stamps like those used by the Vaad. It cannot be determined if these gentlemen had planned to slaughter kosher animals while pocketing the money

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<sup>60</sup> Ibid.

<sup>61</sup> Ibid.

<sup>62</sup> "Levinoff Meat Company," 1963 (CJCCCNA/JPL/Vaad/MB 09/14/84/Kashrut Levinoff Meat Products/1941-66).

<sup>63</sup> Psak Din of Beth Din, August 15, 1963 (CJCCCNA/JPL/Vaad/MB 09/19/6/Rabbinat Minutes/Various dates).

<sup>64</sup> Meeting of Rabbinat, April 19, 1965 (CJCCCNA/JPL/Vaad/MB 09/19/6/Rabbinat Minutes/Various dates).



rather than paying the Vaad its share or if they intended to actually stamp non-kosher (neveila) as kosher. In either case, either selling treyf or bypassing the Vaad Ha'ir's fees, meat slaughtered outside the Vaad's purview (bosor chutz) was a direct menace.

In late 1934, the executive director of the Vaad Ha'ir received a letter from the E. J. Brooks Company of Newark, NJ stating that a Mr. D. Lane of 5324 Hutchison Street in Outremont had contacted them about the prices of kosher poultry seals. The sales manager, prior to responding to Mr. Lane, contacted the Vaad asking if this address (Outremont) was under the Vaad's jurisdiction or another locality.<sup>65</sup> The Vaad responded by letter and telegram that Outremont is indeed within Montreal and hence under the Vaad's jurisdiction and that there was no Mr. Lane at that address.<sup>66</sup> Indeed, the Lovell's Montreal Directory lists a Reverend Phineas Levine, slaughterer, at that address.<sup>67</sup> A Desmond Lane, insurance clerk, is listed at a nearby address, 5412 Hutchison.<sup>68</sup> It would seem that the shochet Levine, trying to mask his identity, used a false name in order to attempt to purchase the same rings and symbols that the Vaad used to identify kosher poultry. The E. J. Brooks Company informed "Mr. Lane" that all arrangements for kosher symbols must be submitted via the Vaad Ha'ir.<sup>69</sup>

Another case of outright fraud began when in 1931, the Vaad Ha'ir informed the owners of Eastern Abattoirs that two of their shochetim, H. Cohen and I. Schwartz were not Vaad Ha'ir-approved:

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<sup>65</sup> Letter, December 7, 1934 (CJCCCNA/JPL/Vaad/MB 09/14/62/Kashrut Correspondence/Various 1934-77). Original in English.

<sup>66</sup> December 10, 1934 (CJCCCNA/JPL/Vaad/MB 09/14/62/Kashrut Correspondence/Various 1934-77). Original in English.

<sup>67</sup> Lovell's Montreal Directory, [http://bibnum2.bnquebec.ca/bna/lovell/src/1934-1935/5.Montreal\\_alphabetical\\_directory/L/Leg/110643\\_1934-1935\\_1378.pdf](http://bibnum2.bnquebec.ca/bna/lovell/src/1934-1935/5.Montreal_alphabetical_directory/L/Leg/110643_1934-1935_1378.pdf). Accessed August 25, 2009.

<sup>68</sup> [http://bibnum2.bnquebec.ca/bna/lovell/src/1934-1935/5.Montreal\\_alphabetical\\_directory/L/Lam/110643\\_1934-1935\\_1310.pdf](http://bibnum2.bnquebec.ca/bna/lovell/src/1934-1935/5.Montreal_alphabetical_directory/L/Lam/110643_1934-1935_1310.pdf). Accessed August 25, 2009.

<sup>69</sup> December 10, 1934 (CJCCCNA/JPL/Vaad/MB 09/14/62/Kashrut Correspondence/Various 1934-77).

Permit me to draw a smile when I say that if a Priest were to commence the practice of his profession within the Diocese of Montreal, without first having presented himself to his superiors of the Church, he would, undoubtedly, be disqualified and the head of the Diocese would make such a fact known, because in religious matters of this nature, it is possible for any individual to dress like a clergyman and commence to preach, whilst, in reality he is not properly qualified to act in that capacity. It is, therefore, incumbent upon him to present his credentials to his superiors and receive their approval. The same procedure necessarily is followed in all religions and even the professions.<sup>70</sup>

Again, in 1932 the Vaad Ha'ir reminded the managers of Eastern Abattoirs about the unqualified shochetim, and a week later a similar letter was sent to another local abattoir.<sup>71</sup> The final straw for Cohen came in 1942. The Vaad Ha'ir had recently learned that Cohen had had made an illegal copy of the Vaad's kosher stamp and was using it to mark cattle as kosher. Further investigation revealed that the Ketchum Manufacturing Company of Ottawa — the source of the Vaad Ha'ir's kosher stamps — had recently filled an order for a "U" stamp, a "C" and the numbers 0 through 9 for Miss Eva Beck of 80 Mount Royal West. As it happened, Cohen's daughter, Eva, worked for the Montreal Leather and Shoe Finding Company located at 80 Mount Royal West. The order was intended for Cohen who used several ruses to elude detection. The Vaad Ha'ir members surmised that the U was to be turned into a J and together with the C would form J.C.C. — Jewish Community Council — to mimic the Vaad's kosher stamp. Cohen was immediately dismissed from this position of mashgiach.<sup>72</sup> When confronted with these allegations on August 3, 1942, Cohen initially denied any connection to the false stamp.

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<sup>70</sup> Letter to E.M. Murphy, manager Eastern Abattoirs from JCC, April 11, 1931 (CJCCCNA/JPL/Vaad/MB 09/14/65/Kashrut Correspondence/Wilsil Ltd./1930-1962). The *KO* also publicized the Vaad Harabbonim ruling that prohibited Cohen and Schwartz's slaughter (January 4, 1933).

<sup>71</sup> Letter to Eastern Abattoirs, October 11, 1932 (CJCCCNA/JPL/Vaad/MB 09/14/65/Kashrut Correspondence/Wilsil Ltd./1930-1962); Letter to Wilsil Abattoirs, November 1, 1932 (CJCCCNA/JPL/Vaad/MB 09/14/65/Kashrut Correspondence/Wilsil Ltd./1930-1962).

<sup>72</sup> Letter to H. Cohen, July 30, 1942 (CJCCCNA/JPL/Vaad/MB 09/19//3/Rabbinical Court/H. Cohen/1942-43).

He eventually admitted his involvement but denied guilt. He claimed that several weeks earlier, Tuvia Neuman, — now deceased — had asked Cohen to help him replace his kosher stamp without informing the Vaad Ha'ir of its loss. In order to evade exposure, Neuman suggested the details of the plan. However, when the Vaad questioned Cohen's daughter, more irregularities and discrepancies arose, leaving the Vaad to conclude that the two had colluded together to commit fraud. Doubting Cohen's responses, the rabbinical court encouraged Cohen to admit his guilt.<sup>73</sup> No resolution to this case appears in the archives, and the only other mention of Cohen arose almost one year later, when his lawyers contacted the Vaad's lawyers asking to review the case with the goal of clearing Cohen's name and reinstating him as an employee of the Vaad.<sup>74</sup> The letter received no response.

Falsified kosher markings presented a long-standing problem. In fact, fear of fraud led the Vaad to demand that the ring-makers ensure that the rings break upon removal so that they cannot be re-used unscrupulously.<sup>75</sup> In 1942 and 1943, the Vaad Ha'ir required that the company manufacturing kosher rings and needle-stamps (for beef sides) not sell any such items to others in Montreal without their consent.<sup>76</sup> In the mid-1950s, the Vaad struggled for months trying to exert control over the kosher poultry industry, especially command of the rings for kosher chickens.<sup>77</sup>

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<sup>73</sup> "The Cohen Case," August 5, 1942 (CJCCCNA/JPL/Vaad/MB 09/19/3/Rabbinical Court/H. Cohen/1942-43).

<sup>74</sup> May 7, 1943 (CJCCCNA/JPL/Vaad/MB 09/19/3/Rabbinical Court/H. Cohen/1942-43).

<sup>75</sup> Letter to Ketchum Manufacturing Company, June 20, 1938 (CJCCCNA/JPL/Vaad/MB 09/15/93/Kashrut – Meat Stamps/Ketchum Manufacturing/1929-49).

<sup>76</sup> Letters to Ketchum Manufacturing September 11, 1942 & February 24, 1943 (CJCCCNA/JPL/Vaad/MB 09/15/93/Kashrut – Meat Stamps/Ketchum Manufacturing/1929-49).

<sup>77</sup> Minutes, Presidium, October 16, 1956; Minutes, Presidium, October 30, 1956; Minutes, Presidium October 31, 1956 (CJCCCNA/JPL/Vaad/MB 09/11/6/Executive Council/Minutes/1956).

Poultry rings remained a long-standing problem, exemplified in 1966, when a non-Jew was caught trying to sell falsified or stolen Vaad kosher rings to a local butcher. In response — and partly in reaction to the decades-long problem of duplicate rings — the Vaad Ha'ir decided that the rings must be stored at its offices and not with the shochetim. They were to be distributed monthly in the Vaad offices on the first Sunday of every Hebrew month, at the same time that the slaughtering knives were to be verified.<sup>78</sup>

#### Other Misdemeanours

Beside attempts at falsification, some shochetim also engaged in more direct fraud. For example, a Mr. L. Tykocky was first charged by the Vaad for four separate violations in the summer of 1937. The first count charged that he had breached his exclusivity contract with the Vaad by slaughtering for Y. & H. Herskowitz, who were not under the Vaad Ha'ir's supervision.<sup>79</sup> The minutes record his description of the contract he submitted to: “[...]this was not more than a scrap of paper (he used a more disgusting expression).”<sup>80</sup> The second count accused Tykocky of defaming the rabbis publicly, including claiming that he was more knowledgeable in Torah. The third charge stated that Tykocky did not act like a gentle, respectable *mensch*, as expected from a shochet. Rather, he desecrated the Name of Heaven by getting involved in fisticuffs with the Gentiles. “He takes off his jacket, rolls up his sleeves, makes a fist like other fighters ...

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<sup>78</sup> Minutes, Rabbinat, November 7, 1966 (CJCCCNA/JPL/Vaad/MB 09/19/6/Rabbinat – Minutes/Variou dates).

<sup>79</sup> Herskowitz had once illegitimately reproduced Vaad kosher stamps and several years later was ousted from the Vaad Ha'ir forever for purchasing and selling known non-kosher meat in his store in 1932 (CJCCCNA/ZC/55/18/Vaad Ha'ir Posters).

<sup>80</sup> “Charges Against the Chicken Shochet L. Tykocky,” June 30, 1937 (CJCCCNA/JPL/Vaad/MB 09/14/61/Kashrut Correspondence/Tikotzky, L./1937-62). Mr. Tykocky was frequently embattled with the Vaad Ha'ir.

serving only to cheapen the image of shechita and the office of shochet.”<sup>81</sup> The fourth — and most serious charge — levelled against Tykocky accused him of deliberately and intentionally providing non-kosher fowl to Jewish consumers when he permitted the kosher seal to be placed on chickens that had been plunged into hot water immediately after slaughter. Intended to ease plucking, hot-water dunking was deemed to violate the laws of kosher slaughter and hence, such chickens were not permitted for kosher consumption in Montreal.<sup>82</sup> The Vaad had been willing to overlook the first three claims, but the fourth one forced them to act. There is unfortunately, no more information on this particular case, although Tykocky’s name reappeared several years later. In 1944, a number of chickens were found in a kosher butcher shop, Plotnick’s, that did not appear to have been shechted, despite sporting kosher tags. Indeed, two other shochetim concluded, after examining these chickens, that they were not properly slaughtered. As Mr. Plotnick was out of town, it was difficult to establish the provenance of the chickens, although information surfaced that they emanated from a wholesaler where Tykocky served as shochet.<sup>83</sup> On Saturday night, July 8, 1944, Rabbi Hirsch Cohen penned a pained missive to his colleagues, demanding action against vendors such as these who defraud the public. “How long will we continue to mislead the population, the Jewish public and permit the hand of the wicked, encourage the other treyf vendors — real neveila — in our names?... our silence is a quiet acquiescence.”<sup>84</sup>

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<sup>81</sup> Ibid.

<sup>82</sup> Ibid. See Chapter 2 for more details on “hot-water plucked” chickens.

<sup>83</sup> “Tykocky – Plotnick Issue,” July 5, 1944 (CJCCCNA/JPL/Vaad/MB 09/14/61/Kashrut Correspondence/Tikotzky, L./1937-1962).

<sup>84</sup> Copy of letter to Vaad Harabbonim & Vaad Ha’ir from Rabbi H. Cohen, July 8, 1944 (CJCCCNA/JPL/Vaad/MB 09/14/61/Kashrut Correspondence/Tikotzky, L./1937-62).

Further details emerged at a special meeting to address the Tykocky problem. M. Peters reported that within the previous fortnight, Rabbis Wachtfogel and Goldzweig, as well as the shochet Yitzchok David Stern, all examined chickens at Plotnick's butcher shop and discovered them to not have been slaughtered according to halakha at all, despite the label stating so. The kosher stamp that had been washed and rinsed was traced back to Tykocky because it contained a spelling error. The butcher claimed that since he purchased the chickens through a reliable Vaad-approved wholesaler — where Tykocky worked as a shochet — he was not responsible for receiving falsely stamped poultry. The case was turned over to the Vaad Harabbonim who ruled that Tykocky's behaviour had disqualified him to function as an autonomous shochet.<sup>85</sup> If he wanted to continue to work for the Vaad Ha'ir, he had to hire and pay for a full-time supervisor. This mashgiach was to examine each slaughtered chicken and then stamp them as kosher because Tykocky was no longer entrusted with his own stamp. Further, he had to submit a \$300 security deposit for the salary of his supervisor. If Tykocky refused or were unable to abide by the decision of the rabbis, he was to forfeit any rights to be a kosher slaughterer in Montreal.<sup>86</sup> Although it's not clear whether Tykocky abided by these conditions, within a dozen years, he resurfaced in the Vaad Ha'ir's archival record.

In the early 1960s, Tykocky was shechting for Zinman Poultry. Checking up on Tykocky's work, several rabbis of the Vaad Harabbonim examined Zinman's retail outlet and were unable to find any kosher chickens. Originally claiming that Tykocky had not yet arrived, and hence there had been no kosher kills that day, Zinman eventually

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<sup>85</sup> Meeting of the Kashrut Committee with the Vaad Harabbonim, July 17, 1944 (CJCCCNA/JPL/Vaad/MB 09/14/61/Kashrut Correspondence/Tikotzky, L./1937-62).

<sup>86</sup> "Tykocky Case," July 20, 1944 (CJCCCNA/JPL/Vaad/MB 09/14/61/Kashrut Correspondence/Tikotzky, L./1937-62).

contradicted himself and said that Tykocky had been in and had asked Zinman to remove all the kosher chickens from the cooler and hide them. When asked why he would hide the kosher kills, Zinman responded that Tykocky told him that kosher and non-kosher kills may not share the same cooler and since the rabbinic visit was expected, he should remove the kosher chickens from the shared refrigerator. Rejecting this explanation, the rabbis of the Vaad remained suspicious. More questions and contradictions later, the Vaad Harabbonim concluded that both Zinman and Tykocky colluded to sell non-kosher chicken as kosher, and both were suspended.<sup>87</sup> In a ruling published in the *KO*, the Vaad publicly denied its supervision to Zinman Poultry, and pronounced Tykocky's slaughter prohibited and his product as *neveila-treyfa*.<sup>88</sup>

The next case to be examined arose in the late 1930s, when a local *shochet* and *mohel* (ritual circumcisor), Reverend Jacob Colton, was accused of not completing his weekly hours. Arriving late and frequently leaving early, Colton was accused of breach of contract.<sup>89</sup> In late 1944, Colton was again caught skipping work.<sup>90</sup> He responded by explaining that all slaughterhouses divide the work among the *shochetim* who are present on any given day and the others compensate for a missing colleague. Almost every day one or another *shochet* is absent, why can he not receive the same rights as others?<sup>91</sup> The

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<sup>87</sup> "Tykocky Case," January-February, 1962 (CJCCCNA/JPL/Vaad/MB 09/14/61/Kashrut Correspondence/Tikotzky, L./1937-62).

<sup>88</sup> *KO*, February 7, 1962.

<sup>89</sup> Letters to Colton from Vaad, April 12, 1937, June 30, 1937; Letter from Colton to Vaad, July 4, 1937; Minutes, unidentified meeting, May 4, 1939 (CJCCCNA/JPL/Vaad/MB 09/13/8/Kashrut Agreements/Colton, J.L./1937-50).

<sup>90</sup> Letter to Colton from Vaad, November 15, 1944 (CJCCCNA/JPL/Vaad/MB 09/13/8/Kashrut Agreements/Colton, J.L./1937-50).

<sup>91</sup> Letter from Colton to Vaad, November 17, 1944 (CJCCCNA/JPL/Vaad/MB 09/13/8/Kashrut Agreements/Colton, J.L./1937-50).

complaints continued, and Colton responded that he cannot make money from shechita alone.<sup>92</sup>

The final complaint was sent to Colton in early 1945, where he was accused of being in breach of contract over a period of several months.<sup>93</sup> He was called to appear before a special committee,<sup>94</sup> where the following was established. As a busy mohel in Montreal, he frequently left to perform other duties for which he was paid separately, all the while pocketing his fees for slaughtering like every other shochet. Not only was the Vaad concerned, but Colton's colleagues were fed up with having to perform his work. When asked to respond to these accusations, Colton insisted that the other shochetim present be expelled from the room. Colton countered that as a mohel and shochet for over thirty years, he had agreements with the Vaad that he could absent himself from shechita for a circumcision, and that he would compensate his co-shochetim for his absence. Three options were placed before Colton: 1) he work a full-day with the right to leave between 11AM and 2 PM for a bris; 2) he work and be paid for half-days only; or 3) he retire immediately and claim his severance of \$1500. He was given one week to respond or the Vaad would obviate all options and would make their own decision.<sup>95</sup> Colton chose the first option, whereby he was permitted limited absences within a restricted timeframe.<sup>96</sup>

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<sup>92</sup> Unidentified minutes, February 24, 1945 (CJCCCNA/JPL/Vaad/MB 09/13/8/Kashrut Agreements/Colton, J.L./1937-50).

<sup>93</sup> Letter to Colton from Vaad, January 11, 1945 (CJCCCNA/JPL/Vaad/MB 09/13/8/Kashrut Agreements/Colton, J.L./1937-50).

<sup>94</sup> Letter to Colton from Vaad, February 23, 1945 (CJCCCNA/JPL/Vaad/MB 09/13/8/Kashrut Agreements/Colton, J.L./1937-50).

<sup>95</sup> "Hearing & Investigation in the Case of Rev, Y. L. Colton," February 28, 1945 (CJCCCNA/JPL/Vaad/MB 09/13/8/Kashrut Agreements/Colton, J.L./1937-50).

<sup>96</sup> Letter from Colton to Vaad, March 4, 1945 (CJCCCNA/JPL/Vaad/MB 09/13/8/Kashrut Agreements/Colton, J.L./1937-50).



Things seemed to pass calmly when at the end of 1948, Colton was prepared to retire, with one condition: he wished to pass his slaughtering rights (*chazaka*) to his future son-in-law.<sup>97</sup> Learning that his request was not fulfilled, Colton submitted a complaint against the Slaughterer's Union for not fulfilling his rightful request. The hearing took place on September 8, 1949, where the Vaad noted that while Colton did have the right to pass his position to a son or son-in-law, since his daughter was not married at that time, neither Vaad nor the Union was under any requirement to hold the position until Colton had found a replacement. Colton was to be paid his final severance and his position passed to another. Since, however, Mr. Ismar Brenner of the Slaughterers' Union promised Colton the right to pass on his position, Colton would have to deal with the Union on his own.<sup>98</sup> Finally, in late 1949, the Union agreed to permit Colton to execute his right. Since another shochet had already been hired to replace Colton before his son-in-law arrived in Montreal, the next opening was to be reserved for Rabbi Moshe Magid. Sadly, Rabbi J. L. Colton died within six weeks of this agreement, on January 30, 1950.<sup>99</sup>

### Sabbath Violations

Another source of problems for the Vaad were Sabbath violations. Several regulations were instituted with butchers and hotels to ensure shabbos observance. However, policing shabbos compliance was difficult for the Vaad Ha'ir, which brought them to engage the services of private detectives. For example, in 1958, the executive

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<sup>97</sup> Letter from Colton to Vaad, December 27, 1948 (CJCCCNA/JPL/Vaad/MB 09/13/8/Kashrut Agreements/Colton, J.L./1937-50); Letter from Colton to Vaad, August 26, 1949 (CJCCCNA/JPL/Vaad/MB 09/13/8/Kashrut Agreements/Colton, J.L./1937-50).

<sup>98</sup> "Report on the Hearing before the Presidium on the Colton Case," September 8, 1949 (CJCCCNA/JPL/Vaad/MB 09/13/8/Kashrut Agreements/Colton, J.L./1937-50).

<sup>99</sup> Ruling in the Case of Colton V. Slaughterers Union, December 13, 1949 (CJCCCNA/JPL/Vaad/MB 09/13/8/Kashrut Agreements/Colton, J.L./1937-50).

director announced that in light of the suspected Sabbath violations, the Vaad has hired a non-Jewish “secret agent” to verify that shops under their supervision are closed Friday night and Shabbat.<sup>100</sup>

On April 16, 1960, two mashgichim were sent to inspect a kosher butcher store to see if work was being conducted on the Sabbath. Indeed, they discovered the owner of People’s Kosher Meat Market in the store on the telephone at 6:15 PM, an hour and a quarter prior to the end of the Sabbath. When asked, the butcher claimed that he was not working; he simply took a telephone call from his wife.<sup>101</sup> Since it was his first violation, the butcher was simply asked to never repeat this practice.<sup>102</sup>

The situation was so chaotic in 1975, that the Vaad turned again to the Acme Detective Agency to investigate Sabbath violations among its largest caterers. Gordon Harris, employee of the Acme Agency, reported on five caterers over a four-week period. On December 6, 13, 20 and 27, 1975, Harris checked each catering establishment in the morning and afternoon. He even placed some tape on the doors to determine if anyone came by while he was absent. He checked for footprints in the snow or signs of occupancy in the building. On all of his rounds, he found no violations as each business was closed and deserted on the Sabbaths he investigated.<sup>103</sup>

### Conclusion

In this chapter, we have identified many of the challenges that were faced by the Vaad Ha’ir in trying to control Kashrut. The threats and attacks faced by the Vaad — both physical and financial — were multiple, and often grave. We saw the Vaad act

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<sup>100</sup> Minutes, Rabbinat, April 28, 1958 (CJCCCNA/JPL/Vaad/MB 09/19/4a/Rabbinical Council/1958).

<sup>101</sup> Of course, answering the telephone is a sabbath violation in any case.

<sup>102</sup> Minutes, Rabbinat, May 2, 1960 (CJCCCNA/JPL/Vaad/MB 09/19/5/Rabbinat/1960-62).

<sup>103</sup> Confidential reports of the Acme Detective Agency, December 6, 13, 20, & 27, 1975 (CJCCCNA/JPL/Vaad/MB 09/20/1/Supervision/Acme Detective Agency/1975).

forcefully against fraudsters, although some cases seemed to take years to be resolved. On the other hand, evidence of inconsistency is not absent. Primarily, a hierarchy is in place where Orthodox Jews are trusted more than others — but not always for the better. Where the engagement of an Orthodox Jew gave Levinoff's new life, another Orthodox Jew, Tykocky, was permitted to defraud the kosher public for a quarter of a century. Hasidic outfits were given greater leeway than others. It is obvious why the Vaad needed to rely on Orthodox Jews to help out, but it did not always materialize to the advantage of the Orthodox public.

Among the egregious violators, four retailers were banned forever, one shochet was fired for trying to forge Vaad stamps, another for selling blatantly non-kosher meat as kosher. However, some of these cases took close to a decade to resolve, and the fraudulent shochet worked for twenty-five years before he was finally banned. Other smaller violators — including the occasional recidivist — had to pay fines and post deposits.

These events lead us to question why the Vaad Ha'ir would not pursue recalcitrant and fraudulent butchers in the courts? Certainly, the Vaad might be wary of trying to introduce Kashrut regulations in the legal system as that approach had failed in the early part of the century,<sup>104</sup> however, why shy away from pursuing these fraudsters in civil court? The definition of kosher did give the Vaad some weight in court, yet they most often avoided such processes. It is even more puzzling as the Vaad was successful in the 1930s in controlling the use of the word kosher and again in the 1970s, the Canadian government passed a Kashruth bill.<sup>105</sup> Yet, in the intervening years, the Vaad seemed

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<sup>104</sup> See Robinson, "Toward a History."

<sup>105</sup> See Chapter 7 for more details.

highly reluctant to avail itself of such opportunities. Rather, the Vaad Ha'ir relied on the lacklustre pattern of sending the butcher a letter, informing his customers and publishing the change in status in the Yiddish press. Is this an example of European quietism, an irrational fear of the legal system, or a calculated approach to avoid unnecessary and inefficient legal action? It cannot be determined from the data at hand.<sup>106</sup>

Another interesting question addresses the notion of consistency. For example, if a mashgiach in a hotel is not up to par, what possible excuse can there be to allow him to continue for a few months because the “hotel had planned to close that fall for an extended period” anyway? Would the members of the Vaad Harabbonim eat in an MK establishment whose mashgiach is inefficient, but is being retained because the restaurant is slated to close? It would seem unlikely.<sup>107</sup> In many other cases, however, the Vaad did not shy away from overly restrictive rulings (*chumrot*).<sup>108</sup>

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<sup>106</sup> It is important to note that the Vaad Harabbonim was reluctant to use the civil courts in another important area: Jewish divorce. Occasionally, if the husband is unwilling, obtaining a Jewish divorce (*get*) can be difficult. Rather than using the legal system to help women to force recalcitrant husbands to issue a Jewish divorce, the Vaad Harabbonim has most often encouraged women to use social pressure from within the community to resolve such cases. The Vaad certainly seems wary of civil jurisprudence.

<sup>107</sup> Indeed, in 1970, the Vaad Ha'ir sponsored a dinner to welcome several recently arrived congregational rabbis. Witnesses report that no member of the Vaad actually consumed the food that was served — perhaps another example of the Vaad's hierarchical attitude (Personal correspondence, Dr. Norma Joseph, December 29, 2010).

<sup>108</sup> For example, in 1961, although the Vaad Harabbonim accepted Toronto-based Rabbi Gedalia Felder's hashgacha on *pareve* (neither dairy nor meat) ice cream, the Vaad insisted it be called ‘frozen dessert and not ‘pareve ice cream,’ to avoid confusion (Minutes, Rabbinat, June 5, 1961 (CJCCCNA/JPL/Vaad/MB 09/19/5/Rabbinical Council/1960-62). An even stricter response was given to a client who wished to sell pareve coffee cream. The Vaad refused this outright lest people witness ‘cream’ being poured into coffee after a meat meal. Although pareve, and hence permissible, the visual might be too confusing for the uninformed, who may conclude that it is permitted to consume any kind of cream after eating meat (Minutes, Rabbinat, June 5, 1961 (CJCCCNA/JPL/Vaad/MB 09/19/5/Rabbinical Council/1960-62). In 1965, Hechtman reported that the Detroit rabbinat had banned all hot and reheated food at shabbos. Although the possibility was discussed, clearly such a law was never enforced among Montreal kosher caterers (Minutes, Rabbinat, September 8, 1965 (CJCCCNA/JPL/Vaad/MB 09/19/6/Rabbinat – Minutes/Variou Dates)). In 1969, the Vaad again proscribed the use of pareve cream by caterers at banquets. Emphasizing that they do not question the Kashrut of the product, they insisted that it is prohibited for “known reasons,” which were not elaborated (Minutes, Rabbinat, March, April, May, & June 9, 1969 (CJCCCNA/JPL/Vaad/MB 09/19/6/Rabbinat Minutes – Variou Dates). On the other hand, the Vaad also occasionally demurred from being too strict, as evidenced in this resolution adopted

The members of the Vaad Harabbonim seemed concerned about not appearing too lenient, preferring to strike a conservative image. Since the minutes tend to report the final decisions, one wonders whether there was internal dissension on some of these rulings. It is difficult, without further details, to understand why and how the Vaad would sometimes publicly ignore its own rules. It may well be that the Vaad perceived a hierarchy in the Jewish community in that they may sometimes act leniently for “others” but not themselves. For example, did any of the Vaad rabbis actually vacation at the hotel in question? Perhaps not, and hence, although displeased with poor hashgacha, they turned a blind eye to such difficulties. Even Rabbi Cohen, in 1944, chastised the Vaad for its feeble response to outright fraud.

It must be remembered that by the 1950s, virtually no major Jewish community retained a single Kashrut body.<sup>109</sup> Thus, the Montreal Vaad’s position was both precarious and pioneering. As well, reports from places such as New York City consistently related the impotence of rabbis to instil strict Kashrut standards in large cities. Specifically contrasted to the situation in European shtetlach, where the size of the community mitigated against egregious violations, large American cities were seen — sometimes appropriately — as vast pools of impiety and corruption. Moses

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when the Vaad learned that gelatine that the Vaad had previously allowed was no longer under supervision: “Obviously, as we cannot publicly rule in favour of the lenient side in this issue [to accept such products as kosher], neither can we concur with the stringent opinion (*machmirim*) since we have already permitted its use in several institutions. Therefore, it remains for Rabbi Hirschprung to telephone the *poskim* Feinstein and Henkin to inquire how to handle this situation.” (Minutes, Rabbinat, February 21, 1966 (CJCCCNA/JPL/Vaad/MB 09/19/6/Rabbinat Minutes – Various Dates)). In 1960, Rabbi Niznik permitted several leniencies in the Kashrut at the Montreal Hebrew Old People’s & Sheltering Home, because, “the situation involves sick old people.” (Letter & meeting minutes from Louis J. Novick, Executive Director, Montreal Hebrew Old People’s & Sheltering Home to Hechtman, May 20, 1960 (CJCCCNA/JPL/Vaad/MB 09/7/65/Correspondence-1960)).

<sup>109</sup> In fact, uniform Kashrut standards were so rare — non-existent, in fact — that Montreal’s reputed unity was seen as exceptional. Despite evidence to the contrary, the unique position of Montreal as a “united” Orthodox community was maintained and touted well into the twenty-first century.

Weinberger's assessment of the status of Kashrut in New York in the late nineteenth century still rang true in many places almost one hundred years later. "Those who sell Jews meat are also fully independent here, and with the exception of a few who are under supervision, they all live in a world of lawlessness. Nobody oversees them or pays attention to their deeds."<sup>110</sup> He even musters sympathy for the shochet who was forced to act improperly because of the pressures of the boss and industry:

Woe to the pious and God-fearing, but the commands of the boss standing over him take precedence, and do not permit even a moment's rest. So the shochet, though his soul troubles him, continues so long as he has strength within him. His Maker understands his plight.

The shochet knows that he did not properly sharpen the knife or inspect it more than once, and even then in a great hurry. He knows that he made mistakes, and slaughtered some (fowl) improperly. But what can the wretchedly poor shochet do? He has to maintain his wife and children and this is his main source of support. So he lifts up his soul to God, and, given no choice, recalls to himself the words of the rabbis: poverty diverts man from the knowledge of his Creator; penitence restores him (Eruvin 41b).<sup>111</sup>

Another interesting, yet unsurprising, series of events surround the corruption of those very employees of the Vaad whose honour and trustworthiness gave them special privileges in the world of Kashrut. The reasons for such activity vary. As Weinberger explained above, some pious workers felt pressure from their bosses and financial stresses while others were simply not upstanding, pious people. Nevertheless, besides the grave disappointment of trusted employees cheating and lying, dishonesty that was internal to the Vaad was one of the hardest elements to control. Kosher supervision must, at some level, be based on trust. Tasks must be apportioned to workers whose trustworthiness has been established. Yet, fraud and corruption can still enter into this equation. That such tragedies have occurred to other kashrut organizations and that

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<sup>110</sup> Sarna, *People Walk*, 49.

<sup>111</sup> *Ibid.*, 47-48

seemingly honest, religious people have defrauded the public is evidence that the Vaad was not alone nor immune in facing these age-old problems. The rules and changing status of the kosher butcher, mashgiach, and shochet provide some evidence of the Vaad's attempts to control such behaviour. Indeed, the reliance on outside detective agencies, and sending rabbis on searches in the middle of the night, give evidence to the Vaad's efforts to combat such duplicity. It would seem, though, that these problems were often bigger than the Vaad's capacity to handle them. Indeed, when shochetim — putatively pious and Orthodox men — falsify Vaad stamps and even contact their manufacturers under false pretences, then perhaps the fraudsters have outsmarted the Vaad. Again, lack of old-style kehilla authority often left the Vaad without enough power to govern as it would have wanted to. Perhaps the Montreal Jewish population was too large and multifarious for a single communal organization.

In the next chapter, we will change focus and examine the relations among the various groups of rabbis in Montreal, especially as they interacted with the Vaad Ha'ir. Not only will this section illuminate more of the concerns of the 1950s, this chapter will also address internecine Orthodox tensions.

## Chapter 6

### Rabbinical Relations

In this chapter, we will turn to the relations among the rabbis of the city.

Although one might expect cooperation and collegiality, in fact, different experiences and opposing ideologies would lead rabbis to oppose each other and their respective visions.

A broadly traditional community, Montreal was represented by European-trained Haredi rabbis, modern Orthodox, English-speaking rabbis, isolationist Hasidic leaders as well as Conservative and Reform rabbis. Peace and cooperation among all these different types will prove elusive.

Like most cities in the burgeoning new world of North American Orthodoxy, rabbinic relations in Montreal were frequently tense. Perhaps, most importantly, many men were fighting over a small pot of gold. Although the average salary of Orthodox rabbis in America was higher than that of their European counterparts,<sup>1</sup> there was not that much money to be made in the rabbinate. There were few or no yeshivas and few congregations that could afford to hire a rabbi fulltime. A second important clash would involve authority and control. Although Orthodox communal monopoly had been split in places like Germany and Hungary, and communal authority was waning generally, many emigrants to North America tried to recreate some sort of model based on their European experiences. Obviously, these attempts would also be loci of strife and tension. A third area of dissension will also appear. While it can be expected that the Vaad Ha'ir would struggle with the non-Orthodox elements of the community, it is equally true that the

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<sup>1</sup> Kimmy Caplan, "'In God We Trust: Salaries and Income of American Orthodox Rabbis, 1881-1924,'" *American Jewish History*, 86 (1998): 98, 103. Although Caplan notes that the financial situation was not identical for Hasidic rebbes, some of whom may have had other sources of economic and communal support, certainly some Hasidic rebbes and rabbis suffered from the same fiscal woes that affected their non-Hasidic counterparts.



Vaad would also be beset by tensions with other variants of Orthodox Judaism. Besides struggling for Orthodox control of Montreal, the Vaad HaRabbonim would compete ideologically with the Hasidic and modern Orthodox rabbis as well.

### The Postwar Hasidic Community

Montreal boasts a large and influential Hasidic community. Members of over a dozen different Hasidic sects call Montreal home. Although the earliest Hasidic immigrants arrived between the 1880s and the 1930s,<sup>2</sup> the rapid demographic growth of the community is due largely to the immigration of Holocaust survivors after the war. Initially reluctant to emigrate, the Holocaust forced Orthodox Judaism to finally leave Europe.

While the Holocaust was of course a watershed event for the whole Jewish people — indeed for the entire planet — it holds a special place in the history of Orthodoxy. Concerns about leaving spiritually safe Europe for the wilds of the ungoverned new frontiers of America were paramount in the minds of rabbinic leaders of eastern Europe when the waves of emigration, beginning in 1881, would bring many of their constituents to the *treifene medina* (the non-kosher land).<sup>3</sup> Rabbi Israel Meir Kagan of Lithuania (also known as the *Chofetz Chaim*, 1838-1933) wrote that “the true way, and the most proper one, for him who wishes to merit before the Holy One, blessed is He, is to make all effort not to settle in” America.<sup>4</sup> In an address to the Union of Orthodox Congregations at the

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<sup>2</sup> See Steven Lapidus, “The Forgotten Hasidim: Rabbis and Rebbes in Prewar Canada,” *Canadian Jewish Studies*, 12 (2004), 1-30.

<sup>3</sup> Rothkoff, *Bernard Revel*, 4. For a good overview of the positions and opinions among a variety of Jewish leaders on emigration in this era, see Arthur Hertzberg, “‘Treifene Medina’ Learned Opposition to Emigration to the United States.” *Proceedings of the Eighth World Congress of Jewish Studies: Jewish History* (Jerusalem: World Union of Jewish Studies, 1984, 1-30). Others saw America as a place where *Chilul Hashem* reigned, or a “land in the throes of the plague of darkness.” Caplan, *Ortodoksiya*, 226.

<sup>4</sup> Israel Meir Hacoen, *The Dispersed of Israel*, Tr. Aaron Kagan. (New York: Torath Chofetz Chaim Publications, 1951), 316.

turn of the twentieth century, Rabbi David Wilowsky of Slutsk angrily averred that, “[...]whoever came to America is, *Poshe Yisrael* (a sinner) ... In Europe they say that *Yiddishkeit* (traditional Jewish life and values) in America is nothing, but gold is found in the gutter. The fact is neither gold nor Yiddishkeit is to be found here.”<sup>5</sup> One other rabbinic observer of the nineteenth century notes, “All of the beautiful things that brought one fame and honor in Russia and Hungary count for nothing here.”<sup>6</sup>

One other factor is important in understanding the prewar rabbis. Although all the early Vaad rabbis were accomplished scholars and rabbis, as pioneers who bucked the trend by leaving for America prior to the Holocaust, their prestige in the eyes of their European colleagues may have waned. Emigration often reduced rabbinic standing: “For the shift from culture to enclave that occurred in the wake of migration means precisely the shrinkage of their religious agency of home and street and the sharp contraction of their role in cultural transformation.”<sup>7</sup> Even more telling was a comment made by Rabbi Yitzchok Elchonon Spektor’s secretary, Yaakov Halevi Lipschitz, who in 1887 referred to emigrant rabbis as “improper men.”<sup>8</sup> The postwar arrivals may well have brought some of these prejudices against North American rabbis with them when confronted with a pre-existing rabbinic infrastructure upon arrival in Canada.

The contemporary Hasidic community, dominated by groups such as Satmar, Belz, Vizhnitz, Tosh, and others evolved out of the postwar emigrants.<sup>9</sup> Beginning in the late 1940s and into the 1950s, Hungarian Hasidic survivors made Montreal their new

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<sup>5</sup> Cited in Abraham J. Karp, “The Ridwas,” 164.

<sup>6</sup> Sarna, *People Walk*, 78.

<sup>7</sup> Soloveitchik, “Rupture and Reconstruction,” 88.

<sup>8</sup> As cited in Karp, “New York Chooses a Chief Rabbi,” 44, 129. This of course is contrary to Spektor’s view who encouraged his students to emigrate to minister to Jews in America (Gurock, *Orthodox Jews in America*, 91-92).

<sup>9</sup> While there is a significant Lubavitch community in Montreal, since the 1960s, they have lived separately from other Hasidim.

home.<sup>10</sup> Although they would share with the Vaad Ha'ir and Vaad Harabbonim similar goals of strengthening Orthodoxy in Montreal, Hungarian Hasidim — who dominated the Montreal group — tended toward isolationism and communal segregation.

In general, Haredi Holocaust survivors introduced a new level of sectarianism into North American Jewish communities, including, of course, Montreal. The new isolationism would challenge the unifying goals of the local community councils.

Although mitnagdic Jews were engaged in battle against the early Hasidim, by the late nineteenth century, the growth of secular Jewish movements and general impiety brought the two groups together. They came to realize that in an era of neglected Orthodoxy, what separated them was far less significant than what united them. By the time postwar Hasidim began arriving in North America in the late 1940s and 1950s, newer divisions arose. As Jenna Weismann Joselit opines, “[...] the postwar [Orthodox] element rejected New York Orthodoxy’s rapprochements with modernity ... and the postwar Orthodox proved to be far more stringent in their ritual observance and unswerving in their opposition to social integration.”<sup>11</sup> Solomon Poll notes in his pioneering survey of Hasidic life in Williamsburg (Brooklyn) in the 1950s, that “The Hasidim are constantly exhorted to resist Americanization. Even though they have to come into contact with non-religious Jews and non-Jews in business situations, they are urged to maintain as much isolation as possible.”<sup>12</sup> Egon Mayer refers to the refugees of the Hitler years and

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<sup>10</sup> Jacques Gutwirth, “The Structure of a Hassidic Community in Montreal,” *The Jewish Journal of Sociology* 14 (1972): 45-46; William Shaffir, *Life in a Religious Community: The Lubavitcher Chassidim in Montreal* (Montreal: Holt, Rhinehart and Winston of Canada, 1974), 12; Jacques Gutwirth, “Hassidim et Judaïcité à Montréal,” *Recherches Sociographiques* 14 (1973), 291.

<sup>11</sup> Jenna Weissman Joselit, *New York’s Jewish Jews: The Orthodox Community in the Interwar Years* (Bloomington: Indiana University Press, 1990), 148.

<sup>12</sup> Solomon Poll, *The Hasidic Community of Williamsburg: A Study in the Sociology of Religion* (NY: Schocken, 1962), 49.

the Holocaust survivors as “singularly responsible for the revival of Jewish sectarianism<sup>13</sup> which he notes, “sharply contrasts with the adaptation strategies of all earlier generations of America’s Jews.”<sup>14</sup>

Many of these survivors established themselves in Williamsburg, where in the early postwar years, the Krasna Rebbe, Rabbi Hillel Lichtenstein (d. 1978) encouraged the Satmar Rebbe, Joel Teitelbaum (1887 – 1979) to create a separate community, as was the case in Hungary, in order to “differentiate from the liberals and destroyers of the faith.”<sup>15</sup> Even if they had once been truly pious Jews, after decades in America “even keepers of the Torah and the faith turned little by little from the tradition, and begun to make compromises diluting the entire community.”<sup>16</sup> The newly arrived Hasidim introduced new standards of religious piety as well as self-segregation.<sup>17</sup> In Montreal, the postwar Hasidic community maintained its distance from the Vaad Ha’ir<sup>18</sup> and most other Orthodox groups for several important reasons. These Hasidim did not leave Europe until the very last moment, evincing their spiritual determination and self-perceived greater piety over those who left earlier. The Hasidic emigrants were used to administrative autonomy and typically eschewed non-Hasidic governance. Convinced of the necessity of their stringent standards — especially with respect to Kashrut — postwar

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<sup>13</sup> Egon Mayer, “The Perpetuation and Growth of Sectarian Pluralism: The Case of the Jewish Communities of Boro Park, Brooklyn,” in *Jewish Settlement and Community in the Modern Western World*, ed. Ronald Dotterer, Deborah Dash Moore and Steven M. Cohen, (Toronto: Associated University Press, 1991), 159.

<sup>14</sup> *Ibid.*, 163.

<sup>15</sup> Alexander Sender Deutsch, *Butzina kadisha: History of Rabbeinu Joel Teitelbaum* (NY: Tiferes Publishing, 1998), 233. As well, by the early 1950s, Joel Teitelbaum had a large and influential following in Montreal.

<sup>16</sup> *Ibid.*, 237.

<sup>17</sup> For an analysis of the differences between prewar and postwar Hasidic emigrants to Canada, see Lapidus, “Forgotten Hasidim.”

<sup>18</sup> Although by the end of the century, the Vaad Harabbonim would become dominated by Hasidic and Haredi elements. Steven Lapidus, “The Jewish Community Council of Montreal: A National *Kehillah* or a Local Sectarian Organization?” *Canadian Jewish Studies*, 16/17 (2008/2009): 27-52.

Hasidic emigrants were determined to “preserve every vestige of the past — not one jot or title [sic] to be changed.”<sup>19</sup>

Haredi Holocaust survivors began to arrive in Montreal in 1946 and a second wave arrived after the failed Hungarian revolution of 1956, dramatically increasing the number of Hasidim in Montreal, and Hungarian Haredim in particular.<sup>20</sup> It is noteworthy that a large proportion of the postwar Hasidim in Montreal were of Hungarian (more accurately Sub-Carpathian Ruthenian) origin.<sup>21</sup> This geographic distinction is important because while Hasidism in general is socially conservative and religiously punctilious, the Carpathian Jews were renowned for their more extreme stances on the same issues, especially the need for drastic communal isolation.<sup>22</sup> Although Montreal boasts a large Lubavitch population as well — known for its openness to unaffiliated and irreligious Jews — its interaction with the Vaad and its influence on the larger Jewish community is of a significantly different character and merits study on its own. Thus, this section is limited to the so-called “downtown” Hasidim, dominated by members of the Satmar, Belz, Tosh, and Vizhnitz (both Monsey and Bnei Brak factions) groups.<sup>23</sup>

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<sup>19</sup> Jerome R. Mintz, “Ethnic Activism: The Hasidic Example,” *Judaism*, 28 (1979): 450.

<sup>20</sup> One might argue that those Hasidim who chose to remain in Hungary after the Holocaust and only left in 1956 were even more committed to Hungarian-style segregationism, in that even after the war, they tried to re-establish their prewar communities in their original locations.

<sup>21</sup> Even among those sects whose origins are not Hungarian (e.g. Belz, Vizhnitz), the majority of the Holocaust survivors who came to Canada were of Hungarian descent, since many Polish and Galician rebbes fled to Hungary during the First World War, establishing significant satellite communities in sub-Carpathian Ruthenia. (See Gutwirth, “The Structure,” 43).

<sup>22</sup> See Poll, *The Hasidic Community of Williamsburg*, 23-28.

<sup>23</sup> There is also a large Skverer community, that shares similar values, although the proportion of Hungarians among them is smaller. It must also be noted that although Hungarian Hasidism was renowned for its exclusionary style, since the Holocaust, many Hasidic groups — Hungarian or not — have become intentionally isolationist as postwar Hasidism has experienced an ideological homogenization. Skver is a prime example, being the first Hasidic group in North America to build their own segregated township in Upstate New York (See Jerome R. Mintz, *Hasidic People: A Place in the New World* (Cambridge, MA: Harvard University Press, 1992), 198-205).

By the early 1950s, there was a significant Hasidic community established and differentiated both from other Orthodox Jews in Montreal and from each other.<sup>24</sup> Part of the infrastructure of the community, of course, included the production of kosher foodstuffs to satisfy the exacting standards of a pietistic community, as well as offering employment for the community's rabbis, slaughterers, and kosher supervisors.

Professing different doctrines, rituals, and customs, the Hasidim would conflict with the Vaad over religious requirements of the public sphere, especially as relates to Kashrut.<sup>25</sup> Indeed, much of the conflict between the Vaad and the Hasidic community, from the early 1950s until today was reflected in frequent squabbles over Kashrut. The conflicts were based both on halakhic differences as well as economic interests. Not unlike the experiences of the early Vaad rabbis, Hasidic rabbis leaned heavily on Kashrut as a source of income, especially in the early years, when livelihoods for new immigrants were harder to obtain.

When Hasidism arose in eastern Europe, it threatened the established kehillah.<sup>26</sup> Owing allegiance to a rebbe as opposed to the local rabbi, different liturgy, and separate houses of worship all differentiated Hasidim and distanced them from the kehillah. Hasidim either remained aloof or dominated the local community.<sup>27</sup> Not surprisingly, power struggles between Hasidic and non-Hasidic rabbis in nineteenth century Europe were frequent. As Bruce Lawrence observes, "In effect, the rebbe did more than

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<sup>24</sup> Gutwirth, "Hassidim et Judaïcité à Montréal," 291.

<sup>25</sup> Gastwirt argues that one reason that prompted the mitnagdic communities in Europe to make peace with the growing Hasidic communities was the income that Hasidic slaughterers made from their trade. As Hasidic adherents grew, so did the frequency of Hasidic slaughter, and hence the financial remuneration (Gastwirt, *Fraud*, 21). An alternate explanation is that Hasidic schochetim served as initiators of a new community: once a shochet was established, he would either organize or attract a Hasidic faction (Wilensky, "Hasidic-Mitnaggedic Polemics," 255).

<sup>26</sup> Jacob Katz, *Tradition and Crisis: Jewish Society at the End of the Middle Ages* (NY: Schocken Books, 1971), 242-43.

<sup>27</sup> Yohanan Petrovksy-Shtern, "Hasidim, Havurot, and the Jewish Street," *Jewish Social Studies* 10 (2004).

complement the role of the traditional rabbi; for a large segment of East European Jewry, he supplanted the appeal of rabbinical authority.”<sup>28</sup> Although there were a myriad of sources of competition, of interest here is the role of Hasidic slaughter in communal affairs.

Despite the theological basis for separate shechita, pragmatically, it gave the Hasidim political and economic clout, all-the-while weakening the kehillah because it was denied significant income from kosher slaughter.<sup>29</sup> The arrival in Montreal of a large wave of Hasidic rabbis and adherents did not go unnoticed by the established Vaad Ha’ir. In fact, reflective of its biases, the Vaad minutes, when reporting an issue with the Hasidic community, most frequently refer to the latter as the *ungarishe problem* — the Hungarian problem.

The first sign of dissension appeared in the Rabbinical Council minutes of March 1957.<sup>30</sup> Rabbi Hirschprung noted that certain Hungarian rabbis were offering hashgacha on select Passover products. Since this group was bypassing the Vaad, that presumed control over all kosher production in Montreal, Rabbi Hechtman was assigned to investigate the matter.<sup>31</sup> Although two prominent local Hasidic rabbis — J.J. Neumann<sup>32</sup>

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<sup>28</sup> Lawrence, *Defenders of God*, 125.

<sup>29</sup> Hundert, *Jews in Poland and Lithuania*, 200.

<sup>30</sup> This was not the first Hasidic foray into independent kosher supervision, but it is the first such case noted in the Vaad’s minutes. In 1955, Rabbi Neumann of the Belzer community supervised the production of beet sugar in Ste-Hyacinthe for Passover use. (*Chagigas chanukas habayis: Talmud toyre dichaside belz - Montreal* (Montreal, 5 Elul 5757 [1996]), non-paginated). Interestingly, the Vaad Harabbonim did not permit the use of beet sugar — even suggesting it be prohibited year-round — based on the responsa of the *Arugas Habosem*, written by Rabbi Moshe Grunwald of Chust (1853-1910), the father of the Puper Hasidic dynasty. The latter argued that beet sugar should not be used when cane sugar was available because beet sugar was usually produced by non-Jews and fell under the prohibition on *bishul akum* (prohibited because the food was not cooked by Jews). The Vaad argued that cane sugar can be used although one must ascertain that it was cooked by Jews (“Why the Vaad Harabbonim of Montreal Gave Approval only on Cane Sugar and not any Other Sort, 1956 ( CJCCCNA/JPL/Vaad/MB 09/19/3/Minutes – Rabbinate/1956). Although not specified, one might assume that Neumann insisted that the beets were cooked under Jewish supervision, thereby avoiding the problem of bishul akum.

<sup>31</sup> Minutes, Rabbinical Council, March 4, 1957 (CJCCCNA)/ JPL/Vaad/MB 09/19/4/Rabbinate/1957).

and David Klein<sup>33</sup> — were prepared to consider the request of the Vaad to add the latter's kosher-for-Passover label, without explanation, Rabbi Herschorn noted that he was against the plan for several unspecified reasons, and the idea was dropped.<sup>34</sup>

In June of 1957, the Vaad was informed that a local Hasidic butcher was selling meat that was slaughtered by a Belzer shochet in Ottawa. Supervised by the Puper Rov (the above-mentioned Neumann), such an act not only introduced imported kosher meat into Montreal it also illustrated the Hasidic indifference to the Vaad's self-proclaimed hegemony over kosher meat production and a rejection of Vaad Ha'ir standards — a clear and direct threat. Hechtman reported that since the Vaad, as representative of Montreal Jewry, was negotiating directly with the slaughterhouse, they would wait and see. In the meantime, they planned to contact neither side, but if their efforts to stop such importation did not bear fruit, the Vaad would be forced to respond actively.<sup>35</sup> Within a few weeks, the Vaad learned more disturbing details. The Belzer group had hired an official *shochet*, Mr. Rothstein, and opened a butcher shop in Montreal under the supervision of the Puper Rov, where they sold their own imported kosher meat, completely bypassing the rules and coffers of the Vaad of Montreal.<sup>36</sup> Taking no immediate action, compromise was eventually achieved in the fall when the Vaad

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<sup>32</sup> Yaakov Yitzchok Neumann, head of the Belzer community in Montreal from 1953 until his death in 2007. After surviving the war, he lived briefly in Pupa, Hungary, from whence his moniker, the Puper Rov. After settling in Melbourne, the Puper Rebbe suggested him as rabbi for the Belzer community in Montreal, which was approved by the Belzer Rebbe. He arrived on November 15, 1953 along with several followers from Melbourne (*Chagigas chanukas habayis*, np).

<sup>33</sup> David Klein (b. 1922), known as the Tober Rov, came to Montreal in 1949, co-founded, with the Klausenberger rebbe, the first post-war Hasidic school, *Reishis Chochma* and in 1953, established the Machzikei Torah Congregation (Gottesman, *Who's Who*, 124).

<sup>34</sup> Minutes, Rabbinical Council, March 18, 1957 (CJCCCNA/JPL/Vaad/MB 09/19/4/Rabbinate/1957).

<sup>35</sup> Minutes, Rabbinical Council, June 9, 1958 (CJCCCNA/JPL/Vaad/MB 09/19/4a/Rabbinate/1958).

<sup>36</sup> Minutes, Rabbinical Council, June 23, 1958 (CJCCCNA/JPL/Vaad/MB 09/19/4a/Rabbinate/1958).



engaged two Hasidic shochetim —Shlomo Wertzberger<sup>37</sup> and Dovid Feldman<sup>38</sup>— to serve that community in partnership with the Vaad, thereby eliminating the question of competing hashgacha:<sup>39</sup>

In the end, Rabbi Hechtman announced that the fight that the Belzer Hasidim directed against us by opening their own butcher store in which they sold kosher meat imported from Ottawa, is finally resolved. They use meat from our shochetim here in Montreal.<sup>40</sup>

These were not the first Hasidic shochetim employed by the Vaad Ha'ir. For example, in the prewar years, Jonah Aspler, a Vizhnitzer hasid served as a shochet with the Vaad Ha'ir in the interbellum and prewar years. Credited as a tireless communal worker in Montreal for close to a half-century, Aspler frequented both the Vizhnitzer-Kosover synagogue, Ahavas Shalom, as well as the Lubavitcher one.<sup>41</sup> He retired in 1946 and moved to Israel in 1950.<sup>42</sup> Other Hasidim could be counted among the Vaad's shochetim, but the engagement of Wertzberger and Feldman in this period, however, was strategic. It was intentionally designed to ensure the Vaad Ha'ir apparent involvement — both financially and image-wise — in Hasidic slaughter.

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<sup>37</sup> Settling in Grosswardein (Oradea, Rumania) after the war, Wertzberger eventually arrived in Canada after settling in Prague and Paris. His son Yehuda Yaakov would also work as a shochet in Montreal (*Vaad News & Views*, Chanuka, 2008, 5).

<sup>38</sup> Wertzberger was hired first, but when the burden of slaughtering for some five hundred families became overwhelming, a “Hungarian delegation,” consisting of Rabbis Schwartz (Satmar), Neumann (Belz), and Berger, along with Continental's butchers, came to the Vaad and asked that Dovid Feldman be brought from New York to help. (Minutes, Vaad Harabbonim, Feb. 19, 1958 (CJCCCNA/JPL/Vaad/MB 09/19/4A/Rabbinical Council/1958)). Interestingly, in November of 1959, Feldman applied for status as full schochet (in contrast to his contemporaneous position as assistant) however, his test results at the Vaad were not satisfactory (Minutes, Vaad Harabbonim, Nov. 2, 1959; CJCCCNA/JPL/Vaad/MB 09/19/4B/Rabbinical Council/1959).

<sup>39</sup> Minutes, Presidium, November 3, 1958 (CJCCCNA/JPL/Vaad/MB 09/11/8/Executive Council/1958).

<sup>40</sup> Minutes, Executive, November 17, 1958 (CJCCCNA/JPL/Vaad/MB 09/11/8/Executive Council/1958).

<sup>41</sup> Letter to Jonah Aspler from M. Peters, October 20, 1946 (CJCCCNA/JPL/Vaad/MB 09/17/4/Correspondence/Personalia/Aspler, Rev. J./1937-50); Shmuel Fuchs, *Yemei kedem: Skira ketzara bsefer toldos divrei hayomim d'kahal koydesh ahavas yisroel Vizhnitz – Montreal* (NY: Hakalmus, 2008), np.

<sup>42</sup> *KO*, January 16, 1950.

However, declarations of peace may have been slightly premature. A Hasidic chicken slaughterer,<sup>43</sup> Mr. Jakubowitz, arriving in Montreal in 1957, apprenticed as a cattle slaughterer under the guidance of a Vaad shochet. However, he refused to sign the exclusivity contract demanded of every shochet where they agree not to slaughter in the Montreal area for any other organization but the Vaad and to owe professional allegiance to the Vaad and no other rabbinic body.<sup>44</sup> In December of 1958, he was caught slaughtering chickens for another butcher, and the Vaad ordered that he desist as he was not in their official employ. Again, Jakubowitz applied to work for the Vaad, but since he refused to sign the exclusivity agreement, he was refused a position.<sup>45</sup> There is no further mention of Jakubowitz, but his is another example of Hasidic-Vaad tensions: the former do not accept the authority or regulations set down by the latter, and bypassed them whenever convenient.

Although temporarily ceased, wayward Hasidic shechita did not disappear. In 1960, an unnamed butcher, referred to as a “Belzer” was sharing workspace with a non-kosher butcher in Montreal’s Park Extension neighbourhood, which violated Vaad regulations. The Vaad, however, only agreed to investigate this issue.<sup>46</sup> Indeed, laxness vis-a-vis the Hasidic butchers and shochetim was not uncommon. Several times — in 1958, 1961, and 1964 — the Satmar-controlled butcher shop, Continental, was accused of not using Vaad Ha’ir kosher symbols.<sup>47</sup> In other words, relying on their own supervision

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<sup>43</sup> There are three different types of slaughter levels: fowl, small animals and cattle. Each requires different training and certification.

<sup>44</sup> An example of such a form can be found in CJCCCNA/JPL/Vaad/MB 09/13/10/Kashrut Agreements/Finkelstein, L./1942-43.

<sup>45</sup> Minutes, Rabbinical Council, December 8, 1958 (CJCCCNA/JPL/Vaad/MB 09/11/8/Executive Council/1958).

<sup>46</sup> Minutes, Vaad Harabbonim, Feb. 29, 1960 (CJCCCNA/JPL/Vaad/MB 09/19/5/Rabbinate/1960-62).

<sup>47</sup> Minutes, Vaad Harabbonim, Oct. 20, 1958 (CJCCCNA/JPL/Vaad/MB 09/19/4A/Rabbinical Council/1958); Minutes, Vaad Harabbonim, Oct. 18, 1961 (CJCCCNA/JPL/Vaad/MB 09/19/5/Rabbinical

and rabbinical approbation, Continental was not even adding the Vaad's symbol of Kashrut, which denied the Vaad the control over all kosher meat in Montreal. At no time did the Vaad take strict measures to stop Continental, relying only on requests and pleas.<sup>48</sup> Clearly, the Vaad realized that it needed the support of the Hasidic butchers and shochetim more than the latter needed the Vaad. Therefore in the guise of a unified system of Kashrut under the Vaad's control, they permitted the Hungarian butchers a certain leeway they denied non-Hasidic butchers.<sup>49</sup> Indeed, in 1962, worried about the efficacy of the local shochetim, Hirschprung considered calling in the Sigheter Rav,<sup>50</sup> a well-known scion of the Teitelbaum dynasty and later Satmar rebbe, to come to Montreal to test the shochetim.<sup>51</sup> Although there is no record of Teitelbaum's visit, which means that it probably never took place, inviting a Hasidic rebbe to test shochetim of the Vaad shows further pandering to that community. Certainly, there was no lack of mitnagdic rabbis or rosh yeshivas who could have been consulted.

Again, in 1963, the Belzer community violated the Vaad's provisions by engaging in private slaughter. To resolve the problem, the Belzer community claimed that if Rabbi Klein were permitted to supervise the Vaad-approved shechita, then the Belzer Hasidim would cease their own slaughtering and procure meat from Klein's supervision.

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Council/1960-62); Minutes, Rabbinat, August 24, 1964 (CJCCCNA/JPL/Vaad/MB 09/19/6/Rabbinical Council/Various Dates).

<sup>48</sup> An exception occurred in 2006, when Continental lost the Vaad Ha'ir hashgacha for over one year. See Chapter 7 for more details.

<sup>49</sup> In fact, as I shall elaborate later, tension with the Hasidic butchers over Kashrut supervision would continue into the next century.

<sup>50</sup> Moshe Teitelbaum (1914-2006) was born in Ratzfert, Hungary to his father, Chaim Tzvi, the Sigheter rebbe. Arriving in the US after the war, he was named Satmar rebbe in 1979 to replace his uncle, Joel Teitelbaum.

<sup>51</sup> Minutes, Rabbinat, March 5, 1962, (CJCCCNA/JPL/Vaad/MB 09/19/5/Rabbinical Council/1960-62).

Although the Vaad did not normally permit any outsiders to supervise their slaughter, in this case, to bring resolution to the wayward Hasidic shechita, they allowed it.<sup>52</sup>

Another Hasidic retail butcher also challenged the Vaad during this time. In 1956, it was reported that Satmar-owned Continental was cutting and preparing meat in a locale that also handled non-kosher meat.<sup>53</sup> This violated a Vaad bylaw.<sup>54</sup> Later, in 1958, Rabbi Shmaya Schwartz, at the time rabbi of Congregation Yetev Lev of Satmar, announced that he provided rabbinic supervision to the meat slaughtered for Continental. In his announcement, there was no mention of the Vaad Ha'ir at all.<sup>55</sup> The neglect of the Vaad became even more apparent when later that same year, the Vaad learned that Continental — although using a Vaad shochet — neglected adding the Vaad's kosher symbol (hekhsher) to its packaging of chickens. The council noted the need to rectify this omission although there is no evidence that this indeed ever happened.<sup>56</sup> In fact, as these types of violations were repeated on several occasions for close to a decade, it can be assumed that the neglect of the Vaad's authority by certain Hasidic groups in Montreal remained an ongoing problem.<sup>57</sup>

In 1965, the Vaad learned that Shlomo Werzberger, affiliated with Continental Kosher Meat (Satmar-owned), was driving to an American abattoir where he slaughtered

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<sup>52</sup> Minutes, Rabbinite, February 25, 1963 (CJCCCNA/JPL/Vaad/MB 09/19/6/Rabbinical Council/Various Dates).

<sup>53</sup> Letter to Continental, February 9, 1956 (CJCCCNA/JPL/Vaad/MB 09/16/162/Kashrut Retailers/Continental Kosher Meat Market/1951-64).

<sup>54</sup> In 1956, the Vaad contacted the Union of Orthodox Rabbis of the US and Canada (discussed in greater detail in the next section of this paper) to inquire about the permissibility of preparing kosher and non-kosher meat in the same place. The Union reiterated its 1927 ban on kosher and non-kosher manufacturers occupying the same or nearby locations (Letter from UOR to Hechtman, May 4, 1956 with attached photocopy of the original ruling (CJCCCNA/JPL/Vaad/MB 09/19/3/Minutes – Rabbinite/1956)).

<sup>55</sup> *Kol Koreh* (announcement), February 21, 1958 (CJCCCNA/JPL/Vaad/MB 09/7/61/Correspondence 1957).

<sup>56</sup> Minutes, Rabbinical Council, October 20, 1958 (CJCCCNA/JPL/Vaad/MB 09/19/4a/Rabbinite/1958).

<sup>57</sup> Minutes, Rabbinical Council, October 18, 1961 (CJCCCNA/JPL/Vaad/MB 09/19/5/Rabbinite/1960-62); Minutes, Rabbinical Council, August 24, 1964 (CJCCCNA/JPL/Vaad/MB 09/19/6/Rabbinite - Minutes/Various Dates).

chickens for the Montreal market, using the Vaad's lead plombs, even though the Vaad did not approve or certify this practice, because it may lead to people searching for "American chickens with the Vaad's plombe."<sup>58</sup>

Finally, in the mid-60s, the ultimate challenge to the Vaad Ha'ir seemed on the horizon: the city was abuzz with rumours that the Hasidic community was planning its own Kashrut committee.<sup>59</sup> The Puper Rov, who was identified as the driving force behind this move, denied any association and this particular committee never materialized.<sup>60</sup> The situation only worsened toward the end of the twentieth century when the Vaad Ha'ir's impotence in controlling the Hasidic community resulted in multiple Hasidic hekhsherim in Montreal, an eventuality the Vaad struggled hard to avoid.<sup>61</sup>

In 1981, the Belzer community named Rabbi Wolf Ber Lerner as *Dayan* (judge and halakhic arbitrator) under the aegis of the Belzer Rebbe in Jerusalem. He was assigned to continue the Kashrut efforts of the Puper Rov to ensure no hindrance to a *mehadrin* (punctilious) lifestyle in Montreal. He is credited with improving the level of shechita as well as bakeries and other foodstuffs. So acclaimed was he that he was not only respected by "all" rabbis in the city, including the Vaad Ha'ir, he would eventually be invited to join the Vaad Harabbanim.<sup>62</sup>

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<sup>58</sup> Minutes, Rabbinat, February 22, 1965 (CJCCCNA/JPL/Vaad/MB 09/19/6/Rabbinat – Minutes/Various dates).

<sup>59</sup> Minutes, Rabbinical Council, January 18, 1965 (CJCCCNA/JPL/Vaad/MB 09/19/6/Rabbinat - Minutes/Various dates).

<sup>60</sup> Minutes, Rabbinical Council, February 8, 1965 (CJCCCNA/JPL/Vaad/MB 09/19/6/Rabbinat - Minutes/Various dates). Although, a Hasidic pictorial magazine made reference to an undated photo of Neumann, "[residing over his own] special Kashrut Council" (*Besdin ha-myuchad l'inyanei kashrus*). See *Ha'olam HaHaredi* 30, January 31, 2007, 17.

<sup>61</sup> For details, see Chapter 7.

<sup>62</sup> *Chagigas chanukas habayis*, np).

As sensitive as the issues with the Hasidic immigrants were, the rabbis of the Vaad acknowledged — if begrudgingly — the Orthodox legitimacy of the Hasidim. Such would not be the case with another segment of rabbis in the city: the newly ordained, American-trained Orthodox rabbis.

### The Younger Orthodox Rabbis

In an article in 1970 in *The Jewish Observer*, Chaim Keller, the head of the Telshe yeshiva in Chicago, quotes his teacher, Rabbi Elya Meir Bloch of the Telshe yeshiva in Cleveland, as having said in 1953 that, “We no longer have to fear Conservatism — that is no longer the danger. Everyone knows that it is *avoda zara* [idolatry]. What we have to fear is modern Orthodoxy.”<sup>63</sup> Once Haredi Orthodoxy succeeded in delegitimizing Reform and Conservative Judaism,<sup>64</sup> the battle lines were moved closer and the focus of attack was now within the Orthodox camp itself. Hierarchy gave way to exclusion.

In Montreal, the 1950s and 60s would not only expose strife and conflict with the Hasidic rabbinic arrivals, but another group of Orthodox rabbis would challenge the Vaad’s hegemony. Growing suburban expansion brought a group of modern Orthodox rabbis to Montreal to serve the newly established congregations. Trained mostly in the US in English, and hence at ideological, experiential and geographic odds with the old order of the Vaad, these rabbis challenged the supremacy of eastern European trained and ordained rabbis. Gurock characterizes the European rabbis as “a stalwart group of transplanters, exclusivists and resisters; zealots who aspired to transplant European community conditions to America, resist acculturation and oppose other Jewish efforts to

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<sup>63</sup> Chaim D. Keller, “Modern Orthodoxy: An Analysis and a Response.” *Jewish Observer*, 6 (1970): 3.

<sup>64</sup> See for example, the 1956 movement to refuse to recognize non-Orthodox rabbis led by Rabbi Aharon Kotler (Sarna, *American Judaism*, 303). For more on the ban, see below.

come to terms with the new world environment.”<sup>65</sup> As was the case in other cities, such as New York, where the eastern European rabbinate, organized under the aegis of the Agudath Harabbonim (Union of Orthodox Rabbis of the US and Canada — UOR), excluded American-trained rabbis,<sup>66</sup> Montreal’s Vaad initially attempted to exclude non-European rabbis from joining its Rabbinical Council.<sup>67</sup> Indeed some of the greatest rabbinical tensions in North America pitted European-trained rabbis against the English-speaking, North America-trained rabbinate, organized into the Rabbinical Council of America.<sup>68</sup> “These rabbis, mostly American born, raised, and educated, concluded that the approach of the Agudath Harabanim was doomed to fail and that significant change was required.”<sup>69</sup> On the other hand, “In the Agudath Harabbonim’s view, the Orthodox Union was at best lending unfortunate recognition to deviationist Jewish movements and at worst threatening the continuity of the faith through cooperation with liberals.”<sup>70</sup> The concerns of Montreal’s Vaad Harabbonim were paralleled in the internecine struggles in New York, as described by Weissman Joselit:

As clear and unmistakable alternative to the more European and conservative Agudat ha-Rabbanim, the RCA found itself repeatedly in

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<sup>65</sup> Gurock, *American Jewish Orthodoxy*, 106.

<sup>66</sup> Caplan, *Ortodoksiya*, 7. One major difference between European and American yeshivot was the purpose of attendance. Where the former (including European-style yeshivot established in America) boasted the goal of the pursuit of Torah study for its own sake, the latter pushed for ordination and congregational work. Such an approach was not only seen as using Torah study for financial remuneration, but it was believed that “a congregational rabbi must necessarily compromise his religious principles when catering to the demands of his congregation.” Charles S. Liebman, “The Training of American Rabbis, *American Jewish Yearbook*, 69 (1968): 23.

<sup>67</sup> Although interestingly enough, in the 1930s, the Vaad Ha’ir of Montreal called on the city’s rabbis to appeal for financial help for New York’s Yeshivas Reb Yitzchok Elchanan, which by this time had merged with Yeshiva College into the primary American rabbinical school (*KO*, October 19, 1932 & *KO*, October 17, 1935).

<sup>68</sup> Founded in 1935, the RCC strove to provide support for English-trained, modern rabbis who wished to permit modernization into American Judaism.

<sup>69</sup> Kimmy Caplan, “The Ever Dying Denomination: American Jewish Orthodoxy, 1824 – 1965,” in *The Columbia History of Jews and Judaism in America* (NY: Columbia University Press, 2008), 180

<sup>70</sup> Gurock, *American Jewish Orthodoxy*, 14. This perception, almost verbatim, reflects the assessment of the Satmar and Krasna rebbes in the postwar period as well.

competition with the older organization. The latter, not surprisingly, viewed the RCA as a Johnny-come-lately and one, moreover, whose rabbinic credentials and standards were far inferior to its own. Despite occasional admonitions from the Agudat and even a few attempts by the RCA to seek a ‘closer bond’ with the older organization, to play Hillel to its Shammai, institutional boundaries between the two groups calcified.<sup>71</sup>

In Montreal, Herschorn noted, that:

It is also obvious that no so-called modern rabbi— even an expert — who has not been employed in the rabbinate previously cannot hope to join the Rabbinical Council, which stands at the watch that the standard of the Rabbis of Israel not be diminished from that which has existed among Jews throughout the generations from the Geonim and decisors (poskim) until today.<sup>72</sup>

Beside ideological and fiscal concerns about rabbinic competition, Americanization was another factor that distanced eastern European and Anglophone rabbis. Rabbi David de Sola Pool (1885-1970), London-born rabbi of the Congregation Shearith Israel (also known as the Spanish and Portuguese synagogue) underscored the linguistic problems, financial worries, and archaic values when he caricatured the European rabbis:

[...]to this country at a mature age ... rarely mastered the English language and while immigrant Jewry rapidly Americanized itself in language and mores, the rabbis remained Yiddish-speaking and their deep and extensive rabbinical knowledge was of little use to the community. They grew more and more out of touch with their congregations and with the community as a whole. They found themselves with a very precarious tenure of office, and often economically stranded in some rundown street which had been a ghetto until their congregations moved away. While the community was constantly adapting itself to American standards, the Rabbis and the synagogues of these Rabbis stood still.<sup>73</sup>

In late 1951, Montreal’s Rabbinical Council expanded, adding seven new rabbis to the organization. To the original Council members — Rabbis Herschorn, Hirschprung, Goldzweig and Aframovitch — would be added seven new members, of whom five,

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<sup>71</sup> Weissman Joselit, *New York’s Jewish Jews*, 76.

<sup>72</sup> “Official Report from the Vaad Harabbonim on Various Issues Toward the Improvement of Judaism,” undated, but likely 1940-45. (Herschorn Papers/Ira Robinson Collection/Vaad Ha-Rabbanim).

<sup>73</sup> Cited in Rothkoff, *Bernard Revel*, 15.



Rabbis Ephraim Oshry,<sup>74</sup> Yerachmiel Benjaminson,<sup>75</sup> Yitzchok Hendel,<sup>76</sup> Shalom David Wieder and Meir Chaikin,<sup>77</sup> were European-trained.<sup>78</sup> Exceptionally, the Vaad also included two new members who were not European-born: Rabbis Chaim Denburg and Mendel Lewittes.<sup>79</sup> However, both had strong family connections to Montreal Jewry,<sup>80</sup> and had been ordained by renowned European sages.<sup>81</sup> In this way, despite hiring North American-born rabbis, their ordination permitted the Vaad to retain the same membership criteria as the Agudath Harabbonim. A frequent critic of the Vaad — the Montreal Retail Kosher Butchers' Guild — referred to the adding of extra rabbis — deemed by them

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<sup>74</sup> Rabbi Ephraim Oshry (1914 – 2003) of Kovno was one of the few surviving rabbis of Lithuania. In an ironic twist, the Nazis installed Oshry as overseer of a warehouse of Jewish books which gave him the opportunity to in fact, respond to religious questions by looking up issues in the very books that he was sorting and storing. After establishing Yeshiva Meor Hagolah in Rome in 1945, he came with the yeshiva to Montreal in 1949. After some internal conflict, Oshry left in 1952 and spent the next half-century as the rabbi of Beth Medrash Hagadol on Suffolk Street in the Lower East Side (see Obituary, *New York Times*, October 5, 2003; Ephraim Oshry, *Responsa from the Holocaust*, (tr. Y. Leiman, NY: Moriah Offset, 1983); Rand, *Toldoth Anshe Shem*, 6).

<sup>75</sup> Among the Lubavitcher refugees who arrived in Montreal in late 1941 (along with Rabbi Hirschprung), Benjaminson served as rabbi of the Nusach Ha'ari synagogue and taught in the Lubavitch yeshiva.

<sup>76</sup> Rabbi Yitzchok Hendel was born into a Hasidic family in Lublin in 1917. Following the German invasion, he fled to Lithuania from where he arrived in Montreal via Shanghai in 1941. Instrumental in establishing the Lubavitch yeshiva in Montreal, he served as rabbi and posek of the Lubavitcher community as well as serving on the Beth Din of the Vaad Ha'ir of Montreal. He died in 2007 (*CJN*, April 5, 2007, 6).

<sup>77</sup> Meir Chaikin also arrived via Shanghai with the other Lubavitcher Hasidim in 1941. Along with teaching at the Lubavitch yeshiva, he also served as rabbi of the Congregation Beth Israel and Samuel.

<sup>78</sup> Official report from the meeting of the Vaad Ha'ir Council, Dec. 21, 1951 (CJCCCNA/JPL/Vaad/MB 09/18/31/Personalia/Correspondence/Herschorn, Rabbi Sheea/1951-70). Having ordination from European scholars was a prerequisite to join the Agudath Harabbonim in New York.

<sup>79</sup> "The Reorganization of the Rabbinat," Dec. 6, 1951 (CJCCCNA/JPL/Vaad/MB 09/19/2/Rabbinat/Membership applications/1934-56).

<sup>80</sup> Denburg was born in Montreal and Lewittes's father-in-law, Aaron Drazin, served as Vaad Ha'ir president (*KO*, Sept. 28, 1951 & CJCCCNA/JPL/Vaad/MB 09/19/2/Rabbinat/Membership applications/1934-56).

<sup>81</sup> Denburg (1918 – 1991) was ordained by Rabbis Moshe Shatkes, Samuel Belkin, and Rabbi Joseph Soloveitchik and Lewittes by Rabbis Moshe Soloveitchik, Moshe Zevulun Margoles and Bernard Revel (*KO*, Sept. 28, 1951). Interestingly, while both were ordained at Rabbi Isaac Elchonon Theological Seminary of Yeshiva University, the article makes no mention of the institutional affiliation, but relies on the reputation of the well-known individual European sages who conferred ordination.

unnecessary — as “giv[ing] someone a majority in the Vaad Harabonim for political reasons.”<sup>82</sup>

By the mid-1950s, the Vaad Harabonim acknowledged the need to expand again. And although, the modern Orthodox rabbinate in Montreal represented a large base of kosher meat consumers — the ultimate source of the Vaad’s funds<sup>83</sup>— the younger rabbis were not considered for such a position. Soon, however, the modern Orthodox rabbis, felt a need for a professional organization and turned to what was their only option at that time, the Board of Jewish Ministers of Montreal that included Conservative and Reform rabbis. At almost the same time, an important ruling prohibiting Orthodox Jews from joining rabbinic or synagogue committees that included non-Orthodox members was published by eleven of North America’s leading Haredi rabbis.<sup>84</sup> Although directed at the ecumenical Synagogue Council of America, it applied equally well to the Board of Jewish Ministers of Montreal. As the Vaad Harabonim stood behind the ban, coupled with its own demand of exclusivity on the part of their members, the younger Orthodox rabbis, by joining the Board of Jewish Ministers, disqualified themselves from membership in the Vaad Harabonim of Montreal. The executive director of the Vaad Ha’ir used this ruling to confirm his rejection of the younger rabbis. The latter, however, in an unanswered appeal, offered to abandon the Board of Jewish Ministers, if the Vaad

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<sup>82</sup> Letter to Vaad Harabonim from Montreal Kosher Retail Butchers Guild, November 16, 1951 (CJCCCNA/JPL/Vaad/MB 09/15/95/Kashrut/Montreal Kosher Retail Butchers Guild/1950-57). Although this particular accusation remains unconfirmed, we will soon see how the Vaad Harabonim did manipulate which groups would retain a majority on the Council.

<sup>83</sup> Minutes Executive Council Meeting, January 12, 1956 (CJCCCNA/JPL/Vaad/MB 09/11/6/Executive Council/1956).

<sup>84</sup> Signed by Rabbis A. Joffen, A. Kalmanovitz, A. Kotler, G. Shorr, D. Lifshutz, C. M. Katz, Y. Kaminetsky, Y. Y. Ruderman, Y. Hutner, M. Y. Zachs, and M. Feinstein, it virtually represented the leadership of the non-Hasidic European sages in America, although there were some notable exceptions such as Rabbi J.B. Soloveitchik and E. Silver who refused to sign. The original ruling can be found in *Hapardes*, 30 (1956): iii.

would accept them.<sup>85</sup> Although the Vaad acknowledged the younger rabbis' search for acceptance, no invitation to join the Vaad Harabbonim was forthcoming. In March of 1957, receiving no response from the Vaad, the younger Orthodox rabbis proposed the establishment of a Quebec region of the Rabbinical Council of America, thereby creating a modern Orthodox professional association without the admixture of non-Orthodox elements. Again, the rabbis communicated their willingness to forgo their plans if the Vaad Harabbonim would find a place for them.<sup>86</sup> In May of 1957, at least a year after the original request, the Vaad still refused to accept new rabbis, although it was willing to call upon them if a specific and practical need for their help arose.<sup>87</sup> Perhaps the fact that the RCA in New York was actively engaged in promoting traditional Judaism as well as consolidating individual hekhsherim into one organizational supervision under their aegis<sup>88</sup> may have also frightened members of Montreal's Vaad. Such direct competition in Kashrut would not be well received.

By the end of May, the Vaad had been forced to respond. Perhaps the fear of a competing Kashrut organization may have prompted the Vaad's response. A Rabbinical Council memorandum, entitled, "The Problem of the Younger Orthodox Rabbis,"<sup>89</sup> offered a solution to the impasse. "Any orthodox rabbi with a kosher ordination (*smikha*) in a kosher synagogue can become a member of the Vaad Harabbonim." It is important to note that the terms chosen, "kosher smikha" and "kosher synagogue," vague as they

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<sup>85</sup> Minutes, Presidium, June 26, 1956 (CJCCCNA/JPL/Vaad/MB 09/11/6/Executive Council/1956).

<sup>86</sup> Minutes, Presidium, March 26 & 31, 1957 (CJCCCNA/JPL/Vaad/MB 09/11/7/Executive Council/1957).

<sup>87</sup> Minutes, Presidium, May 7, 1957 (CJCCCNA/JPL/Vaad/MB 09/11/7/Executive Council/1957).

<sup>88</sup> Gurock, *American Jewish Orthodoxy*, 36.

<sup>89</sup> In a sign of their disdain for the younger rabbis, they frequently refer to them in Yiddish using the English — and by implication, inauthentic — word "rabbi" (ראַבײַ) as opposed to Rav or Rov in Yiddish or Hebrew; terms reserved for more traditional, generally European-trained, Yiddish-speaking sages. See Minutes, Presidium, March 31, 1957, CJCCCNA/JPL/Vaad/MB 09/11/7/Executive Council/1957; Minutes, Rabbinical Council, June 3, 1957; & CJCCCNA/JPL/Vaad/MB 09/19/4/Rabbinical Council/1957.

are, permitted the Vaad tremendous room to decide who is and who isn't acceptable. The proposal further called for the division of the Vaad Harabbonim into two separate elements: an expanded Rabbinical Council, which would incorporate all new members, and a specialized halakha committee, which would be composed only of the original seven members and would have exclusive say on Kashrut as well as on all community-wide religious questions. The expanded rabbinate, open to all Orthodox rabbis, would be formed but with no specific agenda and few, if any, real powers. Additionally, elevation to the halakha committee was restricted to a nomination by the current members, thereby perpetuating their control of the only real element of the Vaad Harabbonim with actual powers.<sup>90</sup> Looked at differently, the Vaad Harabbonim proposed inviting the new modern Orthodox rabbis, only once they had ascertained that the new members would not have any real influence. A similar proposal was extended by the Agudath Harabbonim in New York City in 1941. To unite the Orthodox rabbinate, the Agudath Harabbonim proposed merging with the RCA, with the former retaining their "halakhic authority." This was coupled with another suggestion that the Agudath Harabbonim create a Beth Din to serve (read: control) the two organizations. Both proposals were rejected by the RCA.<sup>91</sup> Indeed, the RCA would eventually form its own Halakha Commission — a direct threat to the Agudath Harabbonim — an eventuality Montreal's Vaad struggled to avoid.<sup>92</sup> In Montreal, debate without resolution would continue into the summer.<sup>93</sup>

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<sup>90</sup> Minutes, Rabbinical Council, May 30, 1957 (CJCCCNA/JPL/Vaad/MB 09/19/4/Rabbinical Council/1957); Minutes, Executive Council, May 30, 1957 (CJCCCNA/JPL/Vaad/MB 09/11/7/Executive Council/1957).

<sup>91</sup> Louis Bernstein, "Generational Conflict in American Orthodoxy: The Early Years of the Rabbinical Council of America," *American Jewish History* 69 (1979): 232.

<sup>92</sup> Gurock, *American Jewish Orthodoxy*, 43-44.

<sup>93</sup> Minutes, Rabbinical Council, June 3, 1957 (CJCCCNA/JPL/Vaad/MB 09/19/4/Rabbinical Council/1957); Minutes, Rabbinical Council, June 10, 1957 (CJCCCNA/JPL/Vaad/MB 09/19/4/Rabbinical Council/1957).

Faced with steadfast refusal, the younger rabbis sidestepped the Vaad and established their own organization<sup>94</sup> for Orthodox rabbis. Such a move finally forced the Vaad's hand, and the latter proposed that new rabbis be added as "Members of the Council," to meet bi-monthly to strengthen synagogue religiosity. They were not to be allowed to attend weekly rabbinical meetings regarding Kashrut or halakha of any kind, which were open only to the newly formed halakha committee. By the fall, the Vaad finally decided to create two rabbinates: one composed of the original members and the second incorporating the new rabbis.<sup>95</sup> The latter would be called, the *Merkaz harabbonim al yedei vaad harabbonim d'Montreal* (the Board of Orthodox Rabbis Affiliated with the Jewish Community Council in Montreal). Its first official function was to invite Rabbi Shlomo Goren, head chaplain of the Israeli army, to Montreal.<sup>96</sup>

Membership in the newly formed Board required ordination from a recognized Orthodox yeshiva or two known rabbinic leaders prior to being hired as the permanent rabbi in a local Orthodox synagogue. The candidate must have studied at least three years in a yeshiva after the age of eighteen, must act in accordance with the "spirit and principles of Orthodox Judaism," must not be a member of any other rabbinical

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<sup>94</sup> Although the minutes note that this organization has a name, it is not recorded (Minutes, Executive Council, July 3, 1957 (CJCCCNA/JPL/Vaad/MB 09/11/7/Executive Council/1957)).

<sup>95</sup> Rabbi Hershorn was on vacation during some of these discussions. He telephoned Hechtman in order to ensure that his opinion be heard. Unlike the other members of the Vaad Harabbonim, not only did Hershorn endorse the idea of welcoming the new rabbis, he wanted all members to be equal, without any hierarchical distinction between the older and younger rabbis. (Minutes, Presidium, July 30, 1957 (CJCCCNA/JPL/Vaad/MB 09/11/7/Executive Council/1957)). Clearly, Hershorn's opinion did not win out.

<sup>96</sup> Minutes, Presidium and members of the newly organized rabbinic organization, Mercaz Harabbonim, Sept. 16, 1957 (CJCCCNA/JPL/Vaad/MB 09/11/7/Executive council/1957); Minutes of first session of Mercaz Harabbonim, Oct. 1, 1957 (CJCCCNA/JPL/Vaad/MB 09/19/1/Rabbinat – Board of Orthodox Rabbis of Greater Montreal/1957-58).

organization, must promise to follow all decisions of the Vaad Harabbonim and must not seek remuneration for this position.<sup>97</sup>

The Board of Orthodox Rabbis Affiliated with the Jewish Community Council in Montreal would not last long. Within a year, voices within the Vaad called for the two rabbinates to amalgamate, finding it unacceptable to retain two rabbinical councils. In order to merge while retaining their hierarchy, the present Vaad Harabbonim formed the Beth Din of Montreal (rabbinical court),<sup>98</sup> and the members of the Board of Orthodox Rabbis were merged into the Vaad Harabbonim. The former retained control of halakhic issues including Kashrut, practical rabbinics, divorces, conversions and Levirate marriages (*chalitza*).<sup>99</sup> Thus, the Beth Din which now controlled all halakhic issues, could be considered a different association than the Board, permitting the Vaad to welcome all interested Orthodox rabbis, while retaining the original power structure. In January of 1958, Hechtman reminded the new rabbis, that although they were free to speak in any language in which they were most comfortable, the language of the Vaad Ha'ir was to remain Yiddish, and not English, highlighting their European bias.<sup>100</sup>

By August 26, 1958, some two years after their first official request, the younger Orthodox rabbis were welcomed into the newly expanded Vaad Harabbonim. The

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<sup>97</sup> Application for membership – Jewish Community Council of Montreal and its Council of Orthodox Rabbis, (CJCCNA/JPL/Vaad/MB 09/7/61/Correspondence/1957; Requirements for Membership (CJCCNA/JPL/Vaad/MB 09/19/2/Rabbinat/membership Applications/1934-56).

<sup>98</sup> Further evidence for the ad hoc nature of this Beth Din is found in the Vaad's 1962 call for a Beth Din for Montreal as though this one didn't exist (discussed later in this chapter).

<sup>99</sup> CJCCNA/JPL/Vaad/MB 09/19/4A/Rabbinical Council/1958; Minutes, Executive Council, July 17, 1958, CJCCNA/JPL/Vaad/MB 09/11/8/Executive council/1958.

<sup>100</sup> Minutes, Executive Council, January 8, 1958 (CJCCNA/JPL/Vaad/MB 09/11/8/Executive Council/1958).

Council members themselves, despite the obvious untruth, proclaimed their pleasure at having one, unified Vaad Harabbonim.<sup>101</sup>

One of the first tasks for the younger rabbis was to remedy the chaos in the synagogues by creating a single “Standard for all Synagogue Rabbis,” which would address the concerns of weddings with a non-kosher meal, double-ring ceremonies,<sup>102</sup> Sabbath violations at bar mitzvahs, adult education, etc.<sup>103</sup> Although calm would reign for the next few years, a Canadian branch of the Rabbinical Council of America (eventually named the Rabbinical Council of Canada — RCC) was founded on June 28, 1960, during its annual convention, held north of Montreal in a Vaad Ha’ir-supervised kosher hotel in Ste-Agathe-des-Monts.

Things eventually fell into place, and by early 1962, Hirschprung expressed himself pleased with the younger rabbis, especially Rabbi Halperin of Beth Ora, for showing initiative on Kashrut and other religious questions.<sup>104</sup> However, doctrinal differences between the Vaad and the younger rabbis would frequently manifest themselves. In January 1964, the Vaad was informed that Rabbi Spiro of the Young Israel of Chomedey invited a priest into his synagogue as part of an interfaith exchange. Following suit, other rabbis, such as Ebner and Halperin, invited priests in honour of Interfaith Brotherhood Week. The Vaad, calling this a *chilul hashem*, protested this

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<sup>101</sup> Minutes, Executive Council, August 26, 1958 (CJCCCNA/JPL/Vaad/MB 09/11/8/Executive Council/1958).

<sup>102</sup> For a study on double-ring ceremonies in Montreal, see Marlene Bonneau, “Getting Married in Montreal with Two Wedding Rings,” in *The Canadian Jewish Studies Reader*, ed. Richard Menkis and Norm Ravvin, Calgary: Red Deer Press, 2004).

<sup>103</sup> Minutes, Rabbinical Council, June 12, 1959 (CJCCCNA/JPL/Vaad/MB 09/19/4B/Rabbinical Council/1959).

<sup>104</sup> Minutes, Rabbinate, March 5, 1962 (CJCCCNA/JPL/Vaad/MB 09/19/5/Rabbinate/1960-62).

“scandal in the world” via a letter to the RCC.<sup>105</sup> The response, rejecting the Vaad rabbis’ judgement, noted that the priests were not invited during worship, and would never be. Rather, in honour of Interfaith Brotherhood Week, the priests were invited to a meeting to learn more about Judaism and brotherhood, and this would continue in the future. Not satisfied, the Vaad planned to contact the gedolim in New York for a proper ruling.<sup>106</sup>

The younger orthodox rabbis continued to clash with the Vaad. In 1967, Rabbi David Hartman of the Tifereth Bnai David Jerusalem synagogue (TBDJ) held a wedding on the 5<sup>th</sup> of Iyar, Israel’s national holiday.<sup>107</sup> Accusing him of acting as though he “has a free hand,” Hirschprung threatened Hartman with a din Torah, to which Hartman responded that he would never show up, even if called.<sup>108</sup>

A final glimpse into the relations among the rabbis can be seen in a story about Rabbi Denburg. Some fifteen years after joining the Vaad, Denburg was a central item on the day’s agenda at a meeting at which neither he nor any other RCC rabbi was present. Rabbi Niznik “confidentially” reported that a woman who used to attend Rabbi

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<sup>105</sup> Minutes, Rabbinat, January 30, 1964 (CJCCCNA/JPL/Vaad/MB 09/19/6/Rabbinat-minutes, various dates).

<sup>106</sup> Rabbinat minutes, February 19, 1964 (CJCCCNA/JPL/Vaad/MB 09/19/6/Rabbinat-minutes/Variou dates); letter from Eliezer Ebner to Vaad Harabbonim, Feb. 19, 1964 (CJCCCNA/JPL/Vaad/MB-09/8/69/Correspondence/1962).

<sup>107</sup> Rabbinat minutes, April, May & June, 1967 (CJCCCNA/JPL/Vaad/MB 09/19/6/Rabbinat-minutes/Variou dates). According to rabbinic law, weddings may not be held during the mourning period between Passover and Shavuot, with the exception of certain specified days. In a doctrinal decision, religious Zionist circles added Israel’s Independence Day as an occasion on which weddings are permitted, even though it falls within this time period, as a statement of the importance of Israel in the national religious sense. Haredi Jews do not recognize Israel Independence Day as a legitimate break in the mourning period. The Vaad Harabbonim had been fighting the practice of holding weddings during this time for several years. In May of 1962, Denburg reported that certain unnamed synagogue permitted weddings during this period. “Even the Conservatives respect the custom.” (Minutes, Rabbinat, May 7, 1962 (CJCCCNA/JPL/Vaad/MB 09/19/5/Rabbinical Council/1960-62)). In August of the same year, the Executive called for the strengthening of Jewish observance in the city by creating clear guidelines for weddings between Passover and Shavu’ot (Minutes, Executive Council, June 14, 1962 (CJCCCNA/JPL/Vaad/MB 09/12/12/Executive Minutes/1962)).

<sup>108</sup> Rabbinat minutes, Sept. 7 & 13, 1967 (CJCCCNA/JPL/Vaad/MB 09/19/6/Rabbinat-minutes/Variou dates).



Denburg's synagogue on Rosh Hashana and Yom Kippur had recently moved too far away to walk to synagogue. When she asked Denburg what to do, the latter reputedly responded that it was more important that she come to his synagogue than how she got there, implying that Denburg advised her to drive on the Holy Days, a clear and obvious halakhic violation. No one at the committee even questioned the veracity of this story, willing to believe even the most egregious tales about the modern Orthodox rabbinate.<sup>109</sup> Clearly, the older, European rabbis still considered almost anything possible of a North American-trained Orthodox rabbi, even outright violations of Biblical law. This willingness to believe or ascribe egregious violations of Jewish law to modern rabbis was not unheard of. Such was the case in the US as well, where one Agudath Harabbonim member wrote that, "only members of the Agudath Harabbonim were really rabbis while all others were deceiving the public."<sup>110</sup> As one local modern Orthodox rabbi observed, "The Vaad rabbis saw themselves as halakhists, and the modern Orthodox rabbis as building communities within a spiritual setting."<sup>111</sup> Although details and the reports from the intervening years are unavailable, it is clear that tensions remained between the Vaad Harabbonim and the younger Orthodox rabbis of the RCC. As late as 1975, the Vaad reported on the need to reorganize the relationship between itself and the RCC. Noting the gap between the two organizations the Vaad demanded:

[...]a united front between the Rabbi in the Synagogue and our Rabbonim to fortify Yiddishkeit and Kashruth in the city particularly in the Synagogues, and, in general, create a bridge between these two segments of the Orthodox

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<sup>109</sup> Rabbinat minutes, Sept. 7 & 13, 1967 (CJCCCNA/JPL/Vaad/MB 09/19/6/Rabbinat-minutes/Various dates). It must be acknowledged that Rabbi Denburg officiated at many Jewish divorces, which was also a source of income for the Vaad Harabbonim. Could this fiscal competition explain the latter's willingness to believe such an accusation against Denburg?

<sup>110</sup> Bernstein, "Generational Conflict in American Orthodoxy," 231.

<sup>111</sup> Personal communication, Rabbi Sidney Shoham, April 22, 2010.

Rabbis in Montreal. Several meetings were held and we can say that we are on the right path.<sup>112</sup>

Although the stimulus event is not recorded, in 1986, the Vaad again felt the need to remind the congregational rabbis and presidents of the prohibition on interfaith activities disseminated by Rabbis Moshe Feinstein and J. B. Soloveitchik.<sup>113</sup>

Certain observations can be made about the relationship between the older and younger rabbis. First, despite claiming a mandate to represent a broad spectrum of the Jewish community — as it did in its foundational years — the Vaad Harabbonim did not exhibit such largesse to the local younger rabbis, thereby excluding Orthodox rabbis whose ideologies differed from their own. Even when short-handed, the Vaad did not jump at the opportunity to engage the modern Orthodox rabbis. Second, these differences reflect how the younger rabbis were open to new ideas and experiences, incorporating North American mores, while the older rabbis were somewhat anti-modern, rejecting any significant change in their habits and practices. Even once incorporated into the Vaad, the older rabbis maintained their distrust and anxieties about the qualifications and intentions of the younger rabbis. As Gurock observes with respect to New York City, “To Agudath Harabbanim minds, Orthodox Union leaders ... were seeking to wean east European Jews away from their traditional Jewish commitments.”

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### Beth Din

In 1962, the Vaad Harabbonim called for the establishment of a formal rabbinic court for Montreal. Although there existed a group called the Beth Din, it was not

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<sup>112</sup> Minutes, Executive Board Meeting (CJCCCNA/JPL/Vaad/MB 09/12/25/Executive Council/1975).

<sup>113</sup> Letter to rabbis and congregation presidents, April 7, 1986 (CJCCCNA/JPL/Vaad/MB 09/19/4/Rabbinical Court/Correspondence/1962-86 (Original in English)).

<sup>114</sup> Gurock, *American Jewish Orthodoxy*, 10.

considered an official rabbinic court, pressing the need for a court in 1962.<sup>115</sup> By this time, however, the RCC-affiliated rabbis demanded to be involved. Rabbi Joseph Grunblatt of Congregation Shevet Achim, chairman of the newly formed RCC – Montreal Region, penned a letter to the Vaad Ha’ir underscoring the younger rabbis’ insistence on proper consultation with the acting rabbinate. “The RCC of Montreal unanimously adopted the principle that such a Beth Din must be of a community nature, transcending any specific existing organization.”<sup>116</sup> A follow-up letter emphasized the RCC’s feeling that “[...]such a Beth Din [is] to be built on the broadest and thus the firmest Rabbinic foundation.”<sup>117</sup> The RCC had evidently developed a more confident voice and was in a position to challenge the Vaad’s monopoly as the singular rabbinic organization.<sup>118</sup> A few months later, Hechtman reported that the possibility of the Board of Jewish Ministers forming a Beth Din — due to the Vaad’s inertia — has been eliminated. Thus, only the Vaad and RCC need be involved. Joseph Grunblatt, the RCC chairman, suggested that representatives of the two latter organizations meet to discuss possible plans.<sup>119</sup> The next day, the Vaad announced the formation of the Beth Din of Montreal, officially called *Bet Din d’Montreal al yedei vaad harabbonim d’Montreal ve-histadrut harabbonim d’Montreal* (Montreal Rabbinical Court of the Vaad Harabbonim

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<sup>115</sup> This court would be responsible for labour arbitration, civil cases that both parties decided to bring before rabbis rather than a civil court, cases involving local Jewish organizations, divorce and conversions.

<sup>116</sup> Letter from Grunblatt to Hechtman, January 12, 1962 (CJCCCNA/JPL/Vaad/MB 09/8/69/Correspondence/1962).

<sup>117</sup> Letter from Rabbi Morris Halpern, secretary RCC-Montreal Region, to Hechtman, Feb. 9, 1962 (CJCCCNA/JPL/Vaad/MB 09/8/69/Correspondence/1962).

<sup>118</sup> Initially the RCC was divided. Several members objected to the Vaad Harabbonim creating a Beth Din, since, it would not be neutral vis-à-vis the Vaad Ha’ir or Vaad Harabbonim. The objections were based on the concern that if the Vaad were called as a participant in a court case, clearly the Beth Din would not be neutral. On the other hand, other members felt that the Vaad Harabbonim was the most appropriate source for a Beth Din. The latter opinion carried the day (Minutes, Rabbinate, February 11, 1963 (CJCCCNA/JPL/Vaad/MB 09/19/6/Rabbinate – Minutes/Various Dates)).

<sup>119</sup> Minutes, Vaad Harabbonim, Dec. 24, 1962 (CJCCCNA/JPL/Vaad/MB 09/19/6/Rabbinate Minutes/Various dates).

and the Rabbinical Council of America – Montreal Region).<sup>120</sup> Just as they did during the unification of the rabbinate in 1958, when hierarchy was threatened, the Vaad exercised elitism. The new rabbinical court of the city of Montreal was to be composed of a majority of original Vaad rabbis, ensuring dominance over the RCC elements.<sup>121</sup> Every attempt to incorporate the younger American-trained rabbis into the Vaad was accompanied by an internal restructuring such that the real power of the Vaad always remained in the hands of the old guard.

Although announced in 1962, the Beth Din did not actually come into existence until months later. Prodded by the RCC, which threatened to form its own Beth Din if the Vaad continued to delay,<sup>122</sup> the Vaad Ha'ir of Montreal announced the founding of the Beth Din of Montreal, under the guidance of rabbis Hirschprung, Goldzweig, Chaikin, Niznik, Cohen, and Hendel — none of whom were RCC members.<sup>123</sup> However, the Vaad also noted that Rabbis Denburg and Lewittes were permitted to join the Beth Din, while any other rabbi may apply but must be approved by a majority of current Beth Din members.<sup>124</sup> Again, the only way for a non-European rabbi to join the Beth Din was to be accepted by a majority of the European rabbinate — an indirect way of retaining power.

### Communal Tensions: Reform and Conservative Rabbis

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<sup>120</sup> Minutes, Dec. 25, 1962 (CJCCNA/JPL/Vaad/MB 09/19/6/Rabbinate minutes/Various dates); “Beth Din of Montreal,” where it is noted that “The Vaad Harabbonim shall permanently have a majority of one representative over the RCC on the Beth Din” (CJCCNA/JPL/Vaad/MB 09/19/8/Rabbinical Court – Beth Din/Various 1960s & 1970s).

<sup>121</sup> Ibid.

<sup>122</sup> Minutes, Rabbinical Council, June 3, 1963 (CJCCNA/JPL/Vaad/MB 09/19/6/Rabbinic Minutes/Various dates).

<sup>123</sup> Minutes, special meeting of the rabbinate, June 26, 1963 (CJCCNA/JPL/Vaad/MB 09/19/6/Rabbinate Minutes/Various dates).

<sup>124</sup> Minutes, special meeting of the Vaad Harabbonim, June 27, 1963 (CJCCNA/JPL/Vaad/MB 09/19/8/Rabbinical Court – Beth Din/Various 1960s & 70s).

The relationship among Orthodox, Conservative and Reform Judaism is an evolving one. Initially, when Reform began its rise central Europe in the mid-nineteenth century, the major confrontation between Reform and traditionalist Orthodoxy took place in Hungary. Germany, although the home of Reform, did not harbour the same isolationist and conservative Orthodoxy as Hungary. And in Poland and Russia, where traditionalism was very powerful, Reform was not. Various responses to the rise of Reform Judaism were expressed over the years, but until the mid-1950s the Orthodox community in the United States did not advocate a singular strategy regarding the status of non-Orthodox Jewish denominations. The Haredi rabbinic ruling of 1956 prohibiting official or rabbinic congress with non-Orthodox rabbis had grave ramifications on Jewish unity throughout the world.<sup>125</sup>

In Montreal, the small number of Reform and Conservative rabbis meant that the question of collaboration with Reform and Conservative rabbis was never a pressing one. Nevertheless, the Vaad proved itself inconsistent in its relations with the non-Orthodox in Montreal. On December 9, 1938, the Vaad wrote to the CJC protesting its lack of an invitation to several community-wide meetings. Their claim that “[...] the Jewish Community Council, which represents all the Orthodox and Conservative synagogues in the city of Montreal,”<sup>126</sup> seems to reflect an initial openness to incorporate all religious

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<sup>125</sup> Until the 1970s, cooperation among Reform, Conservative and Orthodox rabbis in North America was quite commonplace. Initially, when Kotler tried to stymie that interaction with the 1956 ruling, a minority of modern Orthodox rabbis took heed. The majority retained membership on the Synagogue Council of America. With time, respect for Kotler and the Israeli situation where the Orthodox denied credence to non-Orthodox, American Orthodox rabbis too, eventually ceased interdenominational activity (Sarna, *American Judaism*, 303). Indeed, pressure from the right-wing of Judaism as well the bifurcation of the Jewish community into liberals and conservatives, resulted in the Agudath Harabonim declaring that Conservative and Reform Judaism are “not Judaism.” (Heilman, *Sliding*, 52).

<sup>126</sup> Letter to CJC, Dec. 9, 1938 (CJCCCNA/JPL/Vaad/MB 09/6/11/Correspondence/CJC).

affairs under their umbrella. In 1940, the Vaad wrote to the members of Montreal's only Reform temple to remind them to observe Kashrut and which butchers to patronize.<sup>127</sup>

By 1956, when official Orthodox doctrine demanded a break with the non-Orthodox, the Vaad mailed copies of the ruling to local rabbis, which read in part:

According to Jewish law, Orthodox Jews cannot participate in a so-called religious organization in which conservative or reform rabbis participate. Consequently, Orthodox Jews in general and Orthodox Rabbis in particular, are not allowed to be members, as individuals or as representatives of groups, in the Synagogue Council of America or similar bodies, just as they are not allowed to be members in the New York Board of Rabbis.<sup>128</sup>

The Vaad Harabbonim was concerned with Orthodox-non-Orthodox interaction, a characteristic typical of Haredi communities in the second half of the twentieth-century.<sup>129</sup> Perhaps the focus of the Vaad's concern was the two inclusive rabbinic organizations in Montreal: the Board of Jewish Ministers and the Synagogue Council of Montreal. The Vaad's archives evince little direct contact with either organization, but neither one was ignorant of the Vaad Ha'ir's existence and purpose. Further, although the Vaad had little direct contact, several of the younger Orthodox rabbis, unable to join the Vaad, looked to these other organizations for support, thereby implicating the Vaad in the activities of these more global rabbinic councils.

While, obviously, the Beth Din rabbis joined neither the Synagogue Council nor the Board of Jewish Ministers, several of the "younger Orthodox" rabbis had. Indeed, cooperation with Reform and Conservative rabbis was yet another point of discrepancy

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<sup>127</sup> Letter, Feb. 15, 1940 (CJCCNA/JPL/Vaad/MB 09/15/100/Kashrut/Non-kosher butchers/1933-73).

<sup>128</sup> Minutes, Rabbinical Council, March 14, 1956, (CJCCNA/JPL/Vaad/MB 09/19/3/Minutes Rabbinical Council/1956).

<sup>129</sup> This issue will be discussed at greater length in the conclusion. See Menachem Friedman, "The Lost Kiddush Cup: Changes in Ashkenazic Haredi Culture — A Tradition in Crisis., in *The Uses of Tradition: Jewish Continuity in the Modern Era*, ed. Jack Wertheimer, (Cambridge: Harvard University Press, 1992), 177; Stephen Sharot, "Hasidism in Modern Society," in *Essential Papers on Hasidism: Origins to Present*, ed. Gershon D. Hundert (NY: NYU Press, 1991), 513; Mayer, *The Perpetuation and Growth*, 159; Charles S. Liebman, "Orthodoxy in American Jewish Life." *American Jewish Yearbook*, 66 (1965): 67.

between the Vaad Harabbonim and the American-trained Orthodox rabbinate in Montreal. In fact, the discussion of the expansion of the Vaad Harabbonim began in earnest around the same time as the express prohibition against Reform and Conservative rabbis was promulgated. Refusing Orthodox rabbis congress with the non-Orthodox, all-the-while prohibiting American-trained rabbis from joining the Vaad itself, became an impossible contradiction, and hence the 1950s marks — in Montreal at least — the merging of North American, English-speaking rabbis with the eastern European world of the Vaad Harabbonim. The popularity of mid-century Conservative and Reform Judaism would force the Vaad to come to terms with its own indecisiveness regarding the new generation of Orthodox rabbis in Montreal.

In 1966, the Vaad further muddied the murky waters of communal divisiveness, when it announced that “Every segment of the community is welcome to join the Vaad. The Vaad according to its constitution is not restricted to Orthodox organizations, only the Vaad Harabbonim is.”<sup>130</sup> This gesture seemed designed to appeal to lay Conservative and Reform Jews. Inviting them to join the Vaad, while ignoring their leaders, permitted the Vaad Ha’ir to respect the Agudath Harabbonim ruling while trying to influence the individual members to join an Orthodox body. Presumably, the Vaad was not unaware that many lay members of Conservative synagogues bought kosher meat.<sup>131</sup> In other words, boycott the rabbis, but try to keep the Conservative congregants buying meat from Vaad Ha’ir-approved butcher shops.<sup>132</sup> In a similar move, in 1968, the Vaad moved to

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<sup>130</sup> Minutes, Executive Council, March 1966 (no date provided) (CJCCNA/JPL/Vaad/MB 09/12/16/Executive Council/1966).

<sup>131</sup> Similarly, the Vaad Hakashrut in Norfolk, Virginia accepted Conservative and Orthodox rabbis on its panel. Although some Orthodox leaders in Norfolk protested, “there is little they can do about it because the Conservative Jews far outnumber the Orthodox (Paul Reich, “Experiment in Kashrut Control.” *Reconstructionist* 27(1961): 27-29).

<sup>132</sup> The thrust of this meeting was to publicize better the work and efforts of the Vaad.

form a list of acceptable (read: Orthodox) circumcisers, because a Reform mohel (circumciser) had recently moved to Montreal and was “doing whatever he wanted.”<sup>133</sup>

In response, the Vaad tried to delegitimize all non-Orthodox circumcisions.

To add to the contradictory message of how to interact with Reform and Conservative organizations, Hechtman received a letter in 1964 from the National Women’s League of the United Synagogue of Canada — a Conservative body — thanking him for his recent lecture.<sup>134</sup> One might have thought that the 1956 ruling on the status of Conservative synagogues had caused Hechtman to rethink his presentation to such an organization, especially with respect to the Vaad’s enthusiastic endorsement of this ruling. Another incident in 1970 further clouds the divisions. In a letter to the Jewish Travel Guide, based in England, Hechtman objected to an incomplete list of synagogues in Montreal in the booklet and offered “a list of all the Orthodox and Conservative Synagogues in our community.”<sup>135</sup> Again, it is unclear why Hechtman would advertise Conservative synagogues in his list of Orthodox ones.

When, in 1956, a local Orthodox synagogue — Sha’arei Tzedek — considered joining the Conservative movement, the Vaad Ha’ir tried to act forcefully to stop this change. However, the seven officers simply rejected the Vaad’s jurisdiction in what they designated an internal synagogue concern, perhaps foreshadowing the ways in which the Vaad was becoming less relevant to non-Orthodox and non-Haredi sectors of the community.<sup>136</sup>

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<sup>133</sup> Minutes, Rabbinical Council, October & November, 1968 (CJCCCNA/JPL/Vaad/MB 09/19/6/Rabbinical Minutes/Various Dates).

<sup>134</sup> May 13, 1964. CJCCCNA/JPL/Vaad/MB 09/8/73/Correspondence/1964.

<sup>135</sup> Letter, Oct. 13, 1970 (CJCCCNA/JPL/Vaad/MB 09/9/88/Correspondence/1970).

<sup>136</sup> Minutes, Executive Council, May 14, 1959 (CJCCCNA/JPL/Vaad/MB 09/11/9/Executive Council/1959).



The Vaad's relations with Conservative and Reform Judaism in Montreal were not consistent. Although they toed the major line of the Union of Orthodox Rabbis (Agudath Harrabonim) by prohibiting Conservative or Reform rabbis in their organization, and not joining rabbinical boards with such members, when convenient — or perhaps remunerative — the Vaad tolerated an incomplete separation from Conservative Judaism in the city. Of course, by later in the century, as exclusion dominated hierarchy, the Vaad Ha'ir did sever all ties with the non-Orthodox.

#### Communal Tensions: Other Rabbinic Organizations

The ecumenical Synagogue Council of Greater Montreal was founded in 1953 as an umbrella organization to help manage Jewish and congregational life in the city:

It is neither the function nor the intention of this Council to introduce a spirit of uniformity and regimentation into the life of our Jewish community; nor is it designed to infringe upon the autonomy of its constituent members. Rather we are joined together for the purposes of taking counsel with one another in the hope that together we may find an acceptable solution to the many problems that we have in common.<sup>137</sup>

Emphasizing that it is not an agency of enforcement, the preamble to the Council's constitution reads:

We, the representatives of Synagogues in Montreal, unite together into an organization for the purpose of furthering such Jewish religious interests as our constituent Synagogues have in common; it being clearly provided and understood that this Synagogue Council shall in no way interfere with the religious and administrative autonomy of any of our constituent Synagogues.<sup>138</sup>

Although seemingly innocuous, the Synagogue Council suggested changes and emendations to the Vaad Ha'ir itself. In 1960, tension between the two organizations

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<sup>137</sup> Letter from Synagogue council of Greater Montreal (CJCCCNA/JPL/Vaad/MB 09/7/57/Correspondence/1953).

<sup>138</sup> Preamble to the Provisional Constitution, Synagogue Council of Greater Montreal (CJCCCNA/JPL/Vaad/MB 09/7/57/Correspondence/1953).

became quite evident. In January and February, the Synagogue Council called for a radical reorganization of the Vaad Ha'ir:

The Chairman referred to suggestions made to him on various occasions by members of the Synagogue Council with regard to the Vaad Hair indicative of the concern of several synagogues and their desire to reconstitute and reorganize the Vaad Hair in line with its original aim which was to maintain kashruth in Montreal. In the discussion was indicated that the English name of the Vaad Hair (Jewish Community Council) was misleading the public as to the functions and scope of the Vaad Hair. It was agreed that the Synagogue Council explore ways and means of handling the problem and bringing about an improvement in the situation.<sup>139</sup>

Although follow-up minutes and archives are unavailable, it seems clear that the Synagogue Council was both disturbed by the Vaad and willing to challenge its authority. As this document emerged during the aftermath of the prohibition on organizing with non-Orthodox Jews both in the United States and in Montreal, it is clear that the Synagogue Council was reacting to its loss of prestige and position. Their tactic was to challenge the validity of the Orthodox organization that shunned them, by questioning its authority. Indeed, asked the Council, are they not simply an organization supervising Kashrut in city? If so, they must be reminded of their limited scope and returned to their original mandate. The Synagogue Council was right in this regard. The name and general scope of the Vaad did not imply that it is the single acceptable Orthodox rabbinic organization in the city with the right to judge and rule on others, and yet, this is how the Vaad Harabbonim saw themselves. Despite the general openness of the name “Vaad Ha'ir,” in fact, the Vaad was not inclusive and did not attempt to represent all Jewry in Montreal, but in fact only the Orthodox — and at that, only a select sub-group — which is why the Synagogue Council was trying to limit its mandate. Indeed, in an unsigned

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<sup>139</sup> Minutes, Executive of Synagogue council of Greater Montreal, January 14, 1960 (CJCCCNA/DA 15.3/2/17/Synagogue Council/Executive minutes (1)).

letter by one of its patrons, we read, “The Synagogue Council of Greater Montreal is guided by the will for unity without uniformity, for co-operation without dominance, for loyalty to one’s own interpretation of Judaism with an equal reverence for the loyalty of others to their interpretations.”<sup>140</sup> Such an ethos is in fact, entirely contrary to the contemporaneous Orthodox rabbinic mood in North America, that is most concerned with suppressing non-conformist (read: non-Orthodox) interpretations of halakha. Therefore, it is not surprising that the Synagogue Council would desire universalism and would be threatened by increasing sectarianism. This threat would be even more severe in Montreal where the majority of the synagogues and rabbis were Orthodox, therefore the non-Orthodox have more to lose in sectarian wars. In fact, in February, it was reported at a Synagogue Council executive meeting, that:

It was indicated that a number of synagogues and individuals expressed concern over the present set-up of the Vaad Ha’ir and its operations. It was felt that a further meeting be held to discuss details and a possible approach how to improve the situation.<sup>141</sup>

As the Vaad’s archives contain no other mention of the reorganization envisioned by the Synagogue Council, we can assume that it never affected or even reached the awareness of the Vaad. Presumably, in light of the unequal sizes of the Orthodox and non-Orthodox communities in Montreal and combined with the fact that most of the younger Orthodox rabbis who populated these ecumenical organizations would secede once the Vaad offered them a place in the expanded Vaad Harabbonim, the goal of reorganizing the Vaad would come to naught. Indeed, in Montreal, as was the case across North America, sectarianism — which at this time mainly meant excluding Reform and Conservative

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<sup>140</sup> CJCCCNA/DA/15.3/4/12/Synagogue Council/Letters – 1964-67/Sympathy, speedy recovery, congratulations.

<sup>141</sup> Minutes Executive of Synagogue Council of Greater Montreal, February 24, 1960 (CJCCCNA/DA 15.3/1/17/Synagogue Council/Executive minutes/1958-59).

Judaism — would come to dominate, and hence a small challenge from a universal rabbinic organization would not even reach the Vaad, let alone influence it.

Canadian Jewish Congress: Religious Welfare Committee

In the early 1950s Canadian Jewish Congress established a Religious Welfare Committee to preside over questions of religious needs for all Canadian Jewish communities. Towards the end of May, 1954, the committee presented a report on the state of kosher meat prices in Montreal. Although the report fell short of recommending the introduction of kosher chutz into the city, it implied as much.<sup>142</sup> Clearly, the work of this committee as well as the ground work involved in surveying kosher meat prices in Montreal had been ongoing long before this report was submitted. Indeed, in early May, Saul Hayes, the executive director of Canadian Jewish Congress received the following telegram from the Presidium and executive director of the Vaad Ha'ir:

The Presidium and executive of the Vaad Ha'ir d'Montreal are gravely disturbed by the expanded scope of activities of your religious welfare committee. The Vaad Ha'ir as you well know is the only organisation in the city of Montreal that is charged with the responsibilities of and recognized as the authority to regulate, supervise, and care for all the religious needs of the Jewish community here. We therefore urge you for the sake of unity, cooperation and to avoid misunderstanding to please remove from the agenda of your forthcoming conference any item dealing with religious affairs in Montreal. Wish you great success. Vaad Ha'ir d'Montreal.<sup>143</sup>

Despite, or perhaps because of this situation, Vaad members remained on the board of the Religious Welfare Committee,<sup>144</sup> to ensure their representation on this national committee. In June of 1958, Mr. Peters, secretary of the Vaad, petitioned the Religious Welfare Committee to remove the question of importing beef into

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<sup>142</sup> Summary Findings on the Montreal Kosher Meat Prices, Religious Welfare Committee, CJC, May 24, 1954 (CJCCCNA/CA/60/574/Religious Welfare/1953-54).

<sup>143</sup> Telegram, May 9, 1958 (CJCCCNA/CA/60/574/Religious Welfare/1958).

<sup>144</sup> Five representatives of the Vaad sat on the committee, March 21, 1960 (CJCCCNA/CA/60/574/Religious Welfare/1960).

Montreal from the final recommendations of the survey on kosher meat prices in Montreal.<sup>145</sup>

By 1962, problems came to a head once again. The Religious Welfare Committee was planning a national Beth Din to address religious issues on the national level. Although concerned, the Vaad decided to join the discussion, presumably in order to assure its own interests.<sup>146</sup> The Vaad must have been somewhat successful because the next memorandum of the Religious Welfare Committee reinforced Montreal's independence: "[...]in Montreal kashruth supervision is under the competent and qualified direction of the Vaad Ha'ir."<sup>147</sup>

By 1967, the Vaad found itself concerned again with this committee. Not only was the committee composed of all branches of Judaism, problematic in itself for the Vaad, but even worse, according to the Vaad, a cult of personality was forming around the committee's director, Rabbi Tzemach Zambrowsky, who was also known as "Mr. Zionism."<sup>148</sup> In 1975, the Vaad received a letter inviting them to a meeting of the newly reconstituted Religious Affairs Committee which ensured that the committee will "in no way encroach on the autonomy and functioning of any existing organization."<sup>149</sup> Within a few weeks, the Vaad made its position clear and unequivocal:

He [President of the Religious Affairs Committee] was told that if the Religious Affairs Committee would not handle, or even discuss, Halecha problems, we might consider to alter our view in this matter. However, if there is a possibility that, at any time in the future, a

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<sup>145</sup> Minutes, Religious Welfare Committee, June 23, 1954 (CJCCCNA/ZA/1954/2/15).

<sup>146</sup> There is little mention of a national Beth Din again, and the idea presumably died out. (Minutes, Presidium, May 14, 1962 (CJCCCNA/JPL/Vaad/MB 09/12/12/Executive minutes/1962)).

<sup>147</sup> In fact, Rabbi Hirschprung was present at this meeting (Memorandum, Religious Welfare Committee – 13<sup>th</sup> Plenary Session, October 22, 1962 (CJCCCNA/CA/61/574/Materials/1962)).

<sup>148</sup> Minutes Presidium, August 1, 1967 (CJCCCNA/JPL/Vaad/MB 09/12/17/Executive Minutes/1967).

<sup>149</sup> Letter to Hechtman, January 10, 1975 (CJCCCNA/JPL/Vaad/MB 09/10/103/Correspondence/1975).

Halachic matter will appear on the agenda of the religious Affairs Committee, we cannot be a part of it.<sup>150</sup>

It is not clear whether the Vaad was most concerned about the engagement of non-Orthodox rabbis and synagogues in the Religious Welfare Committee of CJC, or if was a simpler question of authority and power. The trend seems to suggest that the Vaad was murky on its relations with other rabbinical or congregational organizations, including non-Orthodox ones, which, given the Vaad's Haredi makeup, is unexpected. As well, frequently, ideological concerns seem to be subservient to economics and communal power.<sup>151</sup>

### Conclusion

There are two overriding themes of this chapter. On the one hand, the issues in this chapter reflect the concerns of the Vaad to maintain its authority and position in light of potential sources of competing influence emanating from the various traditional communities in the city. On the other hand, the mid-century years also reflect the ideological struggles of the Vaad vis-à-vis communities and rabbis with whom the Vaad did not share complete agreement. In other words, this period marked the Vaad's pragmatic attempt to retain Kashrut unity in a fractured community, differentiated by halakhic observance, all-the-while trying to retain its own dogmatic prominence.

For example, in the case of the Hasidic community, the Vaad tried, although not always forcefully, to defend its authority and purview. This may have been due to fears about the standards of Kashrut or for economic reasons, or most probably to a

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<sup>150</sup> Minutes, Executive Council, February 4, 1975 (CJCCNA/JPL/Vaad/MB 09/12/25/Executive council/1975).

<sup>151</sup> For example, the Vaad was even asked to join the Orthodox Union in 1957, but nothing came of it. Presumably, the Vaad did not want to be managed by another body, nor did the Vaad want to join with the congregational body of the RCC. (Minutes, Presidium, May 5, 1957 (CJCCNA/JPL/Vaad/MB 09/11/7/Executive Council/1957)).

combination of both. Was the Vaad truly concerned about the Kashrut standards of the Hasidic community or was its major disquiet about the financial loss incurred when another competing Kashrut agency opens shop? There was no single reference to fears of treyf among all of the issues raised by the “Hungarian Problem.” Especially in comparison to the modern Orthodox rabbinate, whose halakhic competence was highly questioned, the Hasidic community was generally not subject to the same disregard or disdain. Perhaps, knowing how isolationist the Hasidic community could be, the Vaad Harabbonim chose wisely not to challenge them directly. The strategy during the period under review was clearly one of gentle prodding and polite pleas.<sup>152</sup>

On the other hand, the reluctance to engage the modern Orthodox rabbis seems to reflect a larger Haredi bias. Their dearth of Yiddish, association with American yeshivot accompanied with their contemporary, and often innovative, ideas and practices seemed too threatening to a Vaad that was composed and oriented to an old world European model. It took the Vaad Harabbonim years to accept these gentlemen into their organization, and when they did — despite multiple plans — they were not permitted onto any committee with any significant power. All authority remained arrogated to the original, mostly European members. Despite an overt distaste for competing rabbinic organizations, one wonders how truly challenged the Vaad was with the RCC, because it permitted Yeshiva University-affiliated rabbis another opportunity to organize outside the Vaad, relieving pressure on the latter body. At all times, the Vaad retained its internal hierarchy, ensuring that power remained in the hands of the old guard.

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<sup>152</sup> By the end of the century, the Vaad Harabbonim switched its strategy by inviting the Hasidic rabbis to join them.

The relationship between the Vaad and the non-Orthodox synagogues reflects the changes in North American Orthodox communities in general toward Conservative and Reform Judaism. While Reform was often seen as halakhically invalid, many early Conservative congregations remained somewhat traditional and hence closer to the Orthodox camp than the Reform one. By the 1970s, however, with increasing sectarianism, even traditional Conservative Judaism was considered off-limits. The Vaad Ha'ir's inconsistent stance on Conservative synagogues was typical of the process of differentiation that took place between these two major forms of modern Jewish expression, although there was a distinct Montreal flavour to that process. Although minimal, the Vaad Ha'ir engaged in more contact with Conservative organizations than permitted in the 1956 ruling. The lack of documentation on this issue makes definitive conclusions difficult, although two reasons for the Vaad's position seem logical. First, the Conservative movement in Canada, especially in that era, was still quite traditional. Perhaps their conservatism permitted the Vaad leeway in trying to keep them from moving farther left. Second, many, if not most of these Conservative congregants bought kosher meat, and thus, engagement with them was perhaps necessary for the Vaad's bottom line.

Having concluded the examination of the archival holdings, we will now turn to the development of the Vaad Ha'ir toward the end of the twentieth century and into the twenty-first.



## Chapter 7

### The Vaad Hai'ir of Montreal in the Last half-Century

As part of the history of the Vaad Ha'ir, it is necessary to examine its evolution in the latter half of the century. However, it must be reminded that as this era is not covered by the archival collection, we do not have access to much internal documentation. Further, since this period is not of primary interest to this dissertation, this chapter will only offer a brief overview of the most relevant elements of the latter half-century of the Vaad Ha'ir. This chapter will focus on the changing position of the Vaad Ha'ir in the communal arena and will conclude with an examination of the make-up and allegiances of the Vaad Ha'ir into the twenty-first century.

It must be remembered that many of the organizations, especially the radical ones of the earlier years were no longer in existence or central to Jewish life by the end of the twentieth century. Jewish support for communist causes was greatly reduced, some of the Yiddishist schools no longer existed or had merged with others, and most landsmanshaftn ceased functioning as the community aged and the connection to hometowns in Europe diminished, eliminating by attrition, the more leftist elements of the community.

Despite the weakening of the radical left, acculturation and assimilation arose as the next challenges to voluntary Jewish identity. Perhaps exemplary of the period under review, a very public battle for the dignity and centrality of the Vaad took place in the press, which typified the growing distance between the Vaad and a large segment of Montreal's Jewish population as many turned toward the ardently Zionist and non-denominational Federation CJA for communal needs and engagement.

Beginning as early as the late 1950s the Vaad's position, hegemony and status were challenged by another demographic reality: the dwindling of traditional Judaism among the non-Orthodox. As the generations progressed, the encumbrances of Judaism were slowly eliminated by the younger generations outside the Orthodox world. The major victim in this case was Kashrut.<sup>1</sup> A virulent attack on the Vaad — as much as on Kashrut — appeared in 1961 in the *Canadian Jewish Review*, an organ of the Jewish establishment. The incident began on September 13, 1961 when Rabbi Hechtman telephoned the *Review* to address the problem of false kosher advertising. Hechtman followed up his call the next day with a letter to Mrs. F. Cohen, whom he thought was the editor of the *Review*:

I am very grateful to you for your kind attitude and sincere understanding of the problem which we discussed over the phone yesterday; and following your advice, I am presenting it to you in writing.

Until now, Montreal was unique in the respect that there was no confusion with regard to the advertising of kosher food articles and the places dealing with same. No one dared to introduce "KOSHER STYLE," "SEMI-KOSHER" or "KOSHER CUT" — all of which are not only treyf, but also misrepresenting and misleading.

We therefore appreciate very much your agreeing with us that in the future, the "Review," like all Jewish and Anglo-Jewish publications in Montreal, will follow the tradition of refraining from accepting such ads.<sup>2</sup>

Clearly, a misunderstanding occurred, because two weeks later, the *Review* reprinted Hechtman's above-cited letter with the following editorial comment:

Rabbi Hechtman has misled himself and his letter could mislead others. He did not speak to the Review editor at all, no one agreed with him on

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<sup>1</sup> There are no specific indicators of the proportion of those who observe Kashrut. The closest estimates come from indirect measures only. In 1990, 54% of Montreal Jews maintained separate meat and dairy dishes (Brodbar-Nemzer, et al., "An Overview of the Canadian Jewish Community," 51). In 1997, only 44% responded positively to that question, while 49.4% replied that they were always kosher at home, and only 24% kept kosher outside their homes. (Shahar and Schnoor, *A Survey of Jewish Life in Montreal*, 20-23. This is clearly a far cry from the majority of immigrant Jews who purchased kosher meat in the prewar era.

<sup>2</sup> Letter to F. Cohen, *Canadian Jewish Review*, from Hechtman, September 14, 1961 (CJCCCNA/JPL/Vaad/MB 09/8/68/Correspondence/1961).

Review advertising policy past, present or future, or promised anything. He spoke to a woman member of the Review staff who has no authority to agree or disagree with him and so suggested that he write to the editor who was out of town at the time.

As far as the Review is able to remember, it has never been called in as a consultant in an advisory capacity to the Jewish Community Council in the conduct of its affairs. With equal confidence it can state that the Jewish Community Council has never been called in, either, to assist or direct the Review with regard to what it should or should not accept in advertising. Of course, the Review is flattered at this quaint offer by the Community Council of an assignment as assistant deputy in restraint of adult advertisers who know what they want. But the review is highly, and, perhaps, even notoriously, unqualified for the job of Kashruth vigilance, and must decline such a signal honor as undeserved.

As ‘representative of the Synagogues, Fraternal, Educational and Social Organizations of the Jewish community of Montreal,’ according to its stationery, the Community Council should address itself directly to the advertiser whose style offends the Council, and thereby perform one of the functions for which it is in business and also, last but not least, for which the executive director gets paid.

This is a chaotic age of abdications from duty and Orthodox responsibility, and an appeal to part-time help in the shape of the Review is a gesture that can only be described as a form of weakness tantamount to scraping the bottom of the barrel. This is an era of Jewish existence in which semi-kosherness is enjoying an unprecedented success of modern times, and the Review would suggest (very diffidently, of course) that the Jewish Community Council drop the scales from its eyes and accept the reality on one of the glaring facts of life. Whether it does so or not, make a note of this:

The realm of Kashruth supervision constitutes an arena which the Canadian Jewish Review has not the slightest intention of entering. However, if it hears any more of this feather-brained, juvenile nonsense contained in the above letter, it might be induced to make one more observation or, maybe two, based on the past. Meantime, to this editorial is drawn the attention of Louis B. Glazer, Q.C., who was telephoned twice by the Review but was too “terribly busy” to call back, and also, therefore, apparently was too busy to be on the presidium of the Jewish Community Council of Montreal, Inc.<sup>3</sup>

The reaction to this missive was forceful. At a meeting called to discuss the editorial in the *Review*, sixteen rabbis of the Vaad Ha'ir and RCC adopted several

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<sup>3</sup> Editorial, *Canadian Jewish Review*, September 29, 1961.

resolutions.<sup>4</sup> Besides throwing support behind the *Canadian Jewish Chronicle*, which was considered more cooperative, the rabbis were to cancel all subscriptions to the *Review*, as well as read the following statement aloud over shabbos, which was also published on October 20 in both the *Chronicle* and the *Keneder Odler*:

Public Statement Issued by The Orthodox Rabbis of Montreal

We, the undersigned orthodox Rabbis of Montreal, hereby wish to make the following statement:

Recently, advertisements have appeared in the press, advertising restaurants where “Kosher Style,” “Semi-Kosher,” and “Kosher Cuts” food is served. It is our solemn duty to tell our fellow-Jews that such foods are not Kosher at all, but are treyf. Moreover, we protest, from a moral point of view against such ads which misrepresent the facts and are misleading. “Kosher” is exclusively a religious term, and only orthodox rabbis are authorized to judge what is kosher and what is not.

Our community is blessed in having the Vaad Hoir d’Montreal (Jewish Community Council of Montreal), which is the central body where questions of kashruth and other religious matters are administered in an effective and dignified manner. The Vaad Hoir carries out the thinking and decisions of the Orthodox rabbinate in Montreal, and enjoys our full trust and confidence.

Hence we deplore deeply an Editorial which recently appeared in an Anglo-Jewish weekly newspaper where the Vaad Hoir was criticised on the matter of kashruth in a most insulting way. The Editorial did not even refrain from attacking the personal integrity of the Executive Director of the Vaad Hoir. In our judgment, this kind of writing constitutes a public attack against our religion, as well as a display of ignorance and bad manners.

We call on our fellow-Jews to uphold and strengthen the commandments of our Torah and the ideals of our religion with dignity and conviction. Only thus will we be worthy links in that great and glorious chain of Jewish tradition that binds the generations of Israel for thousands of years, and only thus will we ensure the flowering of the Jewish people and its spirit for all times to come.

Signed in Montreal on October 16<sup>th</sup>, 1961:

	Chief Rabbi S. Herschorn	
Rabbi C. Bender	M. Chaikin	M. Cohen
C.N. Denburg	E. Ebner	B. Goldzweig
J. Grunblatt	M. Halpern	D. Hartman
I. L. Hausman	I. Hendel	P. Hirsprung
M. Lewittes	H. Neumark	A. D. Niznik
I. Rosner	L. Rosner	D. Roth

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<sup>4</sup> Minutes, “Special Meeting dealing with the Attack of the Canadian Jewish Review against Kashruth in General, and the Authority of the Vaad Hoir in Particular,” October 12, 1961 (CJCCNA/JPL/Vaad/MB 09/8/68/Correspondence/1961).

S. Shoham  
M. Werner

S. Spiro

I. J. Teicher  
J. J. Zlotnick<sup>5</sup>

The response to the attack followed the expected fault lines. All Orthodox rabbis in Montreal supported the Vaad. The *KO*, aside the open letter from the rabbis, printed an editorial decrying the lack of respect for Torah and Kashrut.<sup>6</sup> On October 13, the *Canadian Jewish Chronicle* published an editorial defending the Vaad Hair against the “scornful and churlish ‘telling-off’ the Review editorial gave the Community Council.”<sup>7</sup> Max Richler, vice president of Richler Trucks — a large Orthodox-owned transport company in Montreal — accused the *Review* of being “anti-Jewish,” and suggested that the *Review* “deflate your ego.”<sup>8</sup> Rabbi Nachman Shemen of Canadian Jewish Congress’s Orthodox Division wrote of how “we were astonished at the *chutzpah* (nerve) of the review’s article.”<sup>9</sup>

Out of this harsh lesson, the Vaad Ha’ir learned that the status of Orthodoxy and Kashrut were far from unassailable. In fact, several months later, the Vaad reported that the *Canadian Jewish Review* posted an advertisement for a non-Jewish funeral home that included a misleading Star of David in the image. Rather than act, the Vaad decided to completely ignore the newspaper. Within a short period, the owner of the funeral parlour, himself realizing the inconsistency, removed his ad from the paper.<sup>10</sup> This is an important event in the history of the Vaad’s position in local and national affairs, because it marks a change in the Vaad’s understanding of its communal standing. Without

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<sup>5</sup> *Canadian Jewish Chronicle*, October 20, 1961.

<sup>6</sup> *KO*, October 20, 1961.

<sup>7</sup> *Canadian Jewish Chronicle*, October 13, 1961, 3.

<sup>8</sup> Letter to Florence F. Cohen of the *Review*, from Max Richler, October 26, 1961 (CJCCCNA/JPL/Vaad/MB 09/8/68/Correspondence/1961).

<sup>9</sup> Letter to Hechtman, October 30, 1961 (CJCCCNA/JPL/Vaad/MB 09/8/68/Correspondence/1961).

<sup>10</sup> Minutes, Executive Council, March 26, 1962 (CJCCCNA/JPL/Vaad/MB 09/12/12/Executive Minutes/1962).

abandoning its stance, the Vaad seemed to have learned that the axiomatic respect previously afforded religious leaders and organizations could no longer be counted upon. A new era was dawning in the relationship between traditional leadership in Montreal and the variegated Jewish community. As the Vaad Ha'ir could no longer rely on the unquestioning support of the bulk of the Montreal community, it grew increasingly irrelevant to that element.

The rejection of the acculturated or assimilated element was counterbalanced by increasing Orthodox sectarianism in the composition of the Vaad's leadership. Initially representation on the Vaad Ha'ir came equally from three groups: (1) the Orthodox Jews — through synagogue affiliation; (2) members of trade unions and benefit societies to represent downtown; and (3) private members to represent uptown.<sup>11</sup> Changes in the composition of the Board did not arise until 1994, but in 1958, the Vaad modified its mandate somewhat. Where originally Wolofsky envisioned the religious aspects of the Vaad to include a Beth Din, control over marriage, divorce, and conversion, as well as Kashrut and educational support,<sup>12</sup> the 1958 Constitution added the responsibility “To maintain and develop Orthodox Judaism and Jewish traditions in Greater Montreal and vicinity, including the Laurentian region.”<sup>13</sup> What had previously been the mandate mainly — if not solely — of the Vaad Harabbonim, had now officially become the mandate of the entire Vaad Ha'ir.

The most dramatic change occurred in 1994, when the Vaad Ha'ir limited membership on the Executive Committee to people (men) from one of the following four categories: (1) Sephardi community; (2) Hasidic community; (3) yeshiva community;

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<sup>11</sup> *KO*, September 21, 1962, 6.

<sup>12</sup> *Ibid.*

<sup>13</sup> CJCCCNA/JPL/Vaad/MB 09/6/1/Constitution & ByLaws/1958.

and (4) Orthodox synagogues, not affiliated with the above-mentioned groups. Not only does this mean a shift toward dominance of Orthodox Jews in the Vaad Ha'ir, fully half of these groups are Haredi, resulting in an executive council that was at least fifty percent Haredi, if not more. Secular elements have been eliminated from any positions of power and even the modern Orthodox were sidestepped in favour of the "Yeshiva" or Hasidic community. It is not surprising that the Vaad Ha'ir would invite greater participation from the Hasidic and Haredi communities, because not only would such cooperation proffer even greater authority to the Vaad Ha'ir, such allegiances might prevent dissension. In other words, the Vaad pre-emptively invited potential competitors to join them as a way of precluding future schisms or competition. At the same time, despite trying to unite with all local rabbinic authorities, tensions remained between the Vaad Ha'ir and both the Hasidic community and the modern Orthodox one; the former finding the Vaad Ha'ir too lenient and the latter too stringent. For example, in 2005, several local RCC rabbis formed a new conversion court that would appear less intimidating to individuals than the Vaad Harabbonim one.<sup>14</sup> As well, Hasidic groups were typically used to running autonomous institutions,<sup>15</sup> especially in terms of Kashrut.

Despite the tensions, however, the Haredization of the Vaad Harabbonim reflects a dramatic rejection of Wolofsky's universal vision. The narrowing of membership criteria towards the end of the century further highlights the Vaad Ha'ir's limited relevance and centrality to many members of the Jewish community in Montreal.

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<sup>14</sup> "The program provides a way to convert according to the rigorous rules of Halachah while making the process more 'user friendly' for non-Jewish individuals seeking a more 'hands-on' or 'modern Orthodox' approach, said Rabbi Mordecai Zeitz, spiritual leader of Beth Tikvah Congregation in Dollard des Ormeaux." *CJN*, August 4, 2005).

<sup>15</sup> Petrovsky-Shtern describes the "isolating-alienating pattern" of European Hasidic groups in which the latter avoided the official kehillah in favour of independent action and leadership (Petrovsky-Shtern, "Hasidim, Havurot, and the Jewish Street," 26).

Furthermore, as many of the executive members now share similar ideological and experiential perspectives with the Rabbinical Council,<sup>16</sup> the narrowing of the agendas between the Vaad Ha'ir and the Vaad Harabbonim has continued.

Another way of examining the evolution of the Vaad is by examining its constituent agencies. In 1923, the Vaad Ha'ir supported three schools, of which two were Yiddishist and one traditional. Seventeen organizations (including landsmanshaftn and other political or social groups) were members, none of which had any overt ties to Orthodoxy. There were eleven loan associations and five unions who were supporting members.<sup>17</sup> By 1972, the face of the Vaad had changed. From three schools, the Vaad now supported sixteen schools, of which four were Yiddishist and non-Orthodox, two were modern Orthodox and ten were Haredi. As well, no loan syndicates or unions remained affiliated with the Vaad by 1972. Of the seventeen affiliated associations, four were now Orthodox.<sup>18</sup> Of course, many of these changes can be attributed to demographics as well as ideology. As the Orthodox population grew in size and need, the Yiddishist community, with its societies and landsmanshftn, dwindled.

Although the Orthodox community expanded dramatically over the decades, the largest demographic growth has been among the Hasidim who frequently maintained distance from the Vaad.<sup>19</sup> For example, in the 1970s, the Skverer rabbi offered

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<sup>16</sup> Chaim Waxman notes that the latter decades of the twentieth century have witnessed a role reversal among Orthodox Jews. Where Modern Orthodox Jews have turned inward, the Ultra-Orthodox have become increasingly assertive and more active in Jewish communal life. Chaim I. Waxman, "Winners and Losers in Denominational Memberships in the United States," *Changing Jewish Communities*, 1 (2005): 5.

<sup>17</sup> Vaad Ha'ir letterhead, 1923 (CJCCCNA/JPL/Vaad/MB 09/7/52/Correspondence/Various 1920s-39).

<sup>18</sup> "Constituent Organizations of the Vaad, *Voice of the Vaad: 1922 – 1972 Golden Jubilee* (CJCCCNA/JPL/Vaad/MB 09/18/10/Voice of the Vaad/1961-83).

<sup>19</sup> The Haredi community in Montreal alone comprised about 12% of the Jewish population of the city at the turn of the millennium (Shahar, *A Comprehensive Study of the Frum Community*, ii).



supervision on chickens.<sup>20</sup> The Belzer community as well established its own Kashrut council in this same period. In another example, in September of 2006, the Vaad announced that a local Hasidic take-out caterer was no longer under the MK.<sup>21</sup> In response, the caterer published the following announcement in a local Hasidic advertisement and shopping guide: “This is to inform the public that our establishment is and always was under the strict supervision of the Vaad Hakashruth d’Kehal Yetev Lev d’Satmar, Montreal, Canada.”<sup>22</sup> Unlike other Hasidic businesses that display a Hasidic hekhsher as well as the Vaad’s, in this case, the owner denied any allegiance to the Vaad. In fact, in 2007, another ad in the same magazine listed nine local companies, including two bakeries, two butchers and a fish market, as being under the supervision of the Vaad Hakashros D’Kahal Yetev Lev Satmar, of 1116 St-Viateur St. in Montreal. Most provocative was that the ad made no mention of the MK at all, even though some of these listed companies are under both supervisions.<sup>23</sup> The message seems to be that the client base is more interested and/or likely to rely on Hasidic supervision rather than the Vaad’s. In this case, local Hasidim who rely on Satmar supervision will be likely to buy from these companies and less punctilious Jews will likely rely on kosher supervision from a Hasidic council, thus causing a potentially serious challenge to the authority, unity and financial coffers of the Vaad Ha’ir. Proof of such an occurrence can be found in 2006, when for more than a year, all products from the Satmar-approved Continental butchers were removed from the Vaad Ha’ir list of approved companies. Despite the

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<sup>20</sup> Advertisement, undated, JPL/Jewish Canadiana Collection/Religion-Kashrut-Business.

<sup>21</sup> *JCC News Alert*, September 13, 2006 (<http://www.mk.ca.Flashpaper/kaindig.swf>, accessed February 4, 2007), *Vaad News & Views*, Succos edition (Fall, 2006), 4.

<sup>22</sup> *The Heimishe Newsflash*, September 22, 2006. The Yiddish version begins by noting that this ad was placed “in response to the many questions from the public,” presumably in the wake of the Vaad’s statement.

<sup>23</sup> *The Heimishe Newsflash*, March 2, 2007.

ruling of the Vaad that such products were no longer acceptable for kosher use, Continental products were not removed from store shelves and were available in most kosher outlets, because the larger public and the Hasidic community still trusted the kosher status of Hasidic-produced foodstuffs.<sup>24</sup> Thus, there existed by the beginning of the twenty-first century, three entirely new and separate Kashrut supervisory boards in Montreal, one emanating from the Satmar community, another from the Belzer group, and a third from the Sephardic community, each posing a direct existential threat to the Vaad Ha'ir. Despite all claims to unity, disunity is easily visible. Only time will tell how Montreal's Vaad Ha'ir will respond to these competing supervisions, although if the United States is any example, the future seems bleak for the Vaad's maintenance of unique authority.

One other significant immigrant wave influenced the Vaad. The arrival of some 25 to 30,000 Sephardic Jews, mainly from Arab lands who arrived in Montreal beginning in the 1950s and 60s<sup>25</sup> were initially a boon for the Vaad, as the vast majority as well as a significant segment of their children bought kosher meat exclusively, compensating for some of the Vaad's losses in diminished purchase of kosher meat.<sup>26</sup> However, the relationship between the Vaad and the Sephardic community was not always a smooth one.

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<sup>24</sup> *The Heimishe Newsflash*, March 2, 2007. In the winter of 2008, Continental returned to the Vaad fold, although it is not likely that its absence severely affected their bottom line (*Vaad News & Views*, Chanuka, 2008, 4).

<sup>25</sup> Gerald Tulchinsky, *Canada's Jews: A People's Journey* (Toronto: University of Toronto Press, 2008), 449-52. See also Jean-Claude Lasry, "A Francophone Diaspora in Quebec," in *The Canadian Jewish Mosaic*, ed. Morton Weinfeld, William Shaffir, and Irwin Cotler (Toronto: John Wiley & Sons: 1981), 221-40; Joseph Levy and Yolande Cohen, "Moroccan Jews and their Adaptation to Montreal Life" in *Montreal Jews in the Twentieth Century*, ed. Ira Robinson and Mervin Butovsky, (Montreal: Véhicule Press, 1995), 95-118.

<sup>26</sup> In 1997, 79.2 % of Sephardim reported buying only kosher meat, compared to 49.4% of the entire Jewish population of Montreal, thus, Sephardim are a significant segment of the consumers of kosher meat in Montreal (Shahar and Schnoor, *A Survey of Jewish Life*, 20).

Although initially welcoming of traditional Sephardic elements, the Vaad wanted to retain communal control, similar to its negotiations with the modern Orthodox rabbis. In 1966, Rabbi David Feuerwerker (1912 – 1980) was inaugurated as “rabbi to the French-speaking Jews in the city.”<sup>27</sup> “There are about three to four thousand Sephardic Jews and others from Europe who speak French and they have no spiritual leaders. First, this will give these Jews an Orthodox leader, and will bring them closer to the Vaad Ha’ir.”<sup>28</sup> Two important elements strike us about this self-serving act. First, the Vaad hired an Ashkenazi rabbi (descended on one side from Máramaros county in Subcarpathian Ruthenia and Burgenland on the other) to serve the Sephardic community, simply because of a shared linguistic ability. Second, the goal of the hiring was to bring the new arrivals into the sphere of the Vaad. The hiring, however, was not unanimous. Rabbi Eygerman of the Vaad strongly objected to the nomination because he had heard from a woman who used to live in Paris that in Feuerwerker’s synagogue an organ was used on the Sabbath, in violation of Orthodox law.<sup>29</sup> As well, at least one sector of the Sephardi community was displeased. The Association sépharade francophone wrote to the Vaad to complain that they had not been asked to vote on the choice of chief Sephardic rabbi, and that some of those invited to do so, should not have been.<sup>30</sup>

In 1978, the Sephardic chief Rabbinate of Quebec (known as the “rabbinate”), was established to help guide the growing and influential Sephardi community, replacing

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<sup>27</sup> Rabbinate, August 22, 1966 & September 7, 1966 (CJCCCNA/JPL/Vaad/MB 09/19/6/Rabbinate Minutes – Various Dates).

<sup>28</sup> Ibid.

<sup>29</sup> Minutes – Rabbinate, September 21, 1966 (CJCCCNA/JPL/Vaad/MB 09/19/6/Rabbinate – Minutes/Variou Dates).

<sup>30</sup> Letter to Vaad from Andre Amiel, president of the Association sepharade francophone, October 24, 1966 (CJCCCNA/JPL/Vaad/MB 09/8/79/Correspondence /1966).

Ashkenazi-appointed rabbis for the Sephardic community.<sup>31</sup> In 1979, the Vaad officially welcomed Rabbi David Sabbah, of the Rabbinat du Québec. The Vaad, however, would retain all rights and authority in Kashrut.

“It was decided that if and when a Sephardie [sic] applicant applies for kashruth supervision over a butcher-shop, restaurant, etc. he would have to turn first to Rabbi Sabbah’s office in order to obtain a letter of recommendation. Rabbi Sabbah, or a member of his staff, would investigate the conduct and background of the applicant as far as religious observance and honesty and communicate with us concerning this applicant.”<sup>32</sup>

However, within two decades, anger and frustration with the Vaad resulted in the Sephardic Chief Rabbi David Sabbah providing his own supervision under the symbol KSR (*Kachéroute Séfarade du Rabbinat*). There were complaints from the Sephardic community that despite fifteen years of negotiations, their needs had not been accommodated by the Ashkenazi-dominated Vaad.<sup>33</sup> An unidentified spokesperson for the Sephardic community explained that, “The Vaad Ha’ier has always been run according to the principles of the Ashkenazi community. But our community is quite numerous now, and the Vaad Ha’ier is not responding to our traditions.”<sup>34</sup> In 1996, the Vaad announced the involvement on the Presidium and executive of four members of the Communauté sépharade du Québec an organization that rivals the Rabbinat. As a gesture to the Sephardic community, the Vaad also invited a Sephardi Haredi rabbi, David Banon, to sit on the rabbinical council.<sup>35</sup> Like the modern Orthodox rabbis, it took the Vaad many decades to fairly and properly invite Sephardic involvement in its communal work. Perhaps in a move to win back some Sephardic customers, the Vaad

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<sup>31</sup> See “Le Grand rabbin d’Israel au Canada,” *Inauguration officielle du rabbinat sépharade du Québec*, December, 1984 (no publishing information or page numbers). Located in CJCCCNA/ZH/Maghen David.

<sup>32</sup> Minutes, Executive Meeting, March 27, 1979 (CJCCCNA/JPL/Vaad/MB 09/12/29/Executive Council/1979).

<sup>33</sup> *CJN*, December 10, 1992, 2.

<sup>34</sup> *Montreal Gazette*, December 17, 1992, 1 & 10.

<sup>35</sup> Elias Levy, *CJN*, December 22, 1996.

announced in 2008 that it would try to increase the amount of meat slaughtered according to the guidelines of the Bet Yosef (Sephardic standard) to satisfy the requirements of the Sephardic community.<sup>36</sup> Was this evidence of the Vaad's concern about losing money to the Sephardic Chief Rabbinate?

At the same time, the Vaad Ha'ir has not shied away from larger aspirations. The *Vaad News and Views* of Passover, 2007 reported that:

Representatives of the COR in Toronto have discussed forming an allegiance with MK, thus joining their resources and personnel in order to enhance the effectiveness of the Hashgacha operation. Such a partnership could eventually evolve into a Pan Canadian Hashgacha, an idea with far reaching ramifications.<sup>37</sup>

The disunity in Montreal — including the 1960s conflict over a national shechita standard — belies the likelihood of a national hashgacha.<sup>38</sup> Further, it is unclear how the Vaad Ha'ir of Montreal would control bosor chutz if there were a pan-Canadian system. Indeed, unless such a system were completely under the control of the Montreal Vaad Ha'ir, any kosher meat might be considered bosor chutz. Needless to say, thus far, there has been no functioning pan-Canadian Kashrut supervision.

The Vaad Ha'ir received some legal support for its work in the second half of the twentieth century. Where earlier butchers falsely selling treyf meat as kosher had to be tried for fraud, in 1973, the Canadian government passed national legislation that selling treyf as kosher was in and of itself actionable. As part of the Food and Drug Act, regulation B.01.049 reads:

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<sup>36</sup> *Vaad News and Views*, June 2008, 3. In Toronto, the Sephardic community established their own Kashrut council in 2008 (*CJN*, April 1, 2010).

<sup>37</sup> *Vaad News and Views*, Passover, 2007.

<sup>38</sup> The 1966 attempt by Abraham Drach to create a national hashgacha under Canadian Jewish Congress and not the Vaad Ha'ir of Montreal may also have contributed to the latter's concerns about national endeavours.

No person shall use, in labelling, packaging, advertising or selling a food that does not meet the requirements of Kashruth applicable to it, the word 'kosher' or any letters of the Hebrew alphabet, or any other word, expression, depiction, sign, symbol, mark device, or other representation that indicates or that is likely to create an impression that the food is kosher.<sup>39</sup>

By 1974, the Vaad Ha'ir had learned that the Montreal office of Consumer and Corporate affairs had sent out letters to violators of this new law.<sup>40</sup>

Although the last five decades of the Vaad have seen a narrowing agenda, there has been a concomitant increase in activities within that agenda. The Vaad has become specialized, but within that purview, it remains an active and vital organization.

### Conclusion

The last half-century marked a period of tremendous change, in Montreal and the Jewish world generally. The postwar decline in halakhic observance obviously threatened the centrality of the Vaad as a communal organization. Eating became an ethnic rather than a religious phenomenon, and hence style of food became more important than the punctilious rules of kashrut. Thus were born, semi-kosher, kosher-style, and kosher-cut, none of which is halakhically kosher, and all of which diminished the authority and bottom line of the Vaad.

The last half-century was witness to two contradictory trends which may share the same etiology. The decline in traditionalism among Montreal Jews, which threatened the Vaad Ha'ir's central importance was accompanied by a rise in both the Haredi population and influence. Haredi communities — with increased size and power — were coming to dominate Orthodox life, especially on the east coast. Previously dependent on the larger

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<sup>39</sup> Letter to Food Manufacturers and Food Importers from Consumer and Corporate Affairs, Canada, December 7, 1973 (CJCCCNA/JPL/Vaad/MB 09/10/97/Correspondence/1973).

<sup>40</sup> Minutes, Executive Council, October 10, 1974 (CJCCCNA/JPL/Vaad/MB 09/12/24/Executive Minutes/1974).

Jewish community for representation and financial support, even moderate Haredim engaged in isolationism in this period.

In Montreal, this resulted in a decreasing engagement of modern Orthodox and marginally Orthodox, and a concomitant involvement — both in membership and leadership — of Haredi elements in the Vaad Ha'ir and Vaad Harabbonim. The marginalization of the modern Orthodox element had taken place. Perhaps the Vaad Ha'ir's lessening support of Zionism, as will be discussed in the next chapter, also caused many of these religiously moderate and strongly Zionist Jews to look elsewhere for communal leadership, although of course, many of these latter support the Vaad Ha'ir by purchasing kosher meat. Thus, while perhaps marginalized, the Vaad Ha'ir could not be completely ignored by traditional Jews in Montreal.

The period under review was also fraught with danger for the Vaad Ha'ir. Although the leaders — perhaps intentionally — engaged Hasidic elements into their organizations, the latter community continued its pursuit of kashrut independence with a proliferation of separate, Hasidic kashrut organizations in the city. The similar rejection of the Vaad Ha'ir from the Sephardic community only further diminished the Vaad's position, although the Vaad Ha'ir remains the largest and most lucrative kashrut organization in the city. However, these signs of dissent coupled with the decreasing modern Orthodox involvement merit close scrutiny. Do they foreshadow future changes in kashrut and rabbinics in Montreal?<sup>41</sup>

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<sup>41</sup> First, despite the engagement of Hasidic elements in the Vaad Ha'ir, the Hasidic community in general does not buy products that display an MK only. Most products directed at the Hasidic community display the MK along with the approbation of other Hasidic rabbis. Second, it would seem that dissatisfaction with the Haredization of the Vaad Ha'ir remains high in the modern Orthodox community.

## Chapter 8

### Conclusion

Like all social innovations, nineteenth century Orthodoxy needed to differentiate itself from its forebears, to highlight its novelty. Although the new movement introduced some minor social rifts while still in Europe,<sup>1</sup> the most extreme expression of communal schism only manifested itself after Orthodoxy's relocation to North America (and Israel). In America, the strategies that formerly permitted a European Orthodoxy to withstand the onslaught of modernity were no longer sufficient. Previously, the reliance on custom, peer pressure and social control kept deviance at bay or at least within manageable limits. The American emphasis on individual freedom, however, greatly diminished the coercive power of European Orthodoxy. With the reduction in social control, Haredi leaders understood that universal communal control was beyond their reach. Thus, their only possible alternative strategy was withdrawal and segregation. Complicating the issue is that by the latter half of the twentieth century, boundaries had been drawn even among Orthodox Jews. Haredi segregationism demanded distance from the non-Orthodox as well as the non-Haredi Orthodox. The history of Orthodoxy in North America, is therefore, a history of differentiation and identity maintenance. How did this process of Haredization affect the Vaad Ha'ir of Montreal? How do boundary definitions influence Orthodoxy in Montreal?

Social boundaries are maintained in several ways, among which the most salient are dietary restrictions. Historically Jewish dietary laws were designed to control socialization outside the community and that such regulations influence identity and group allegiance, as David Kraemer explains:

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<sup>1</sup> Full-scale communal divisions were limited to certain locales within Germany and Hungary.



[...]we may safely assume that there will always be some practice or pattern or choice that distinguishes the eating of one coherent culture (or subculture) from another. It will, therefore, always be possible to identify something in the eating practices of Jews in a given place and period that distinguishes them from their neighbours — and from Jews in other places and periods as well. When we do identify such distinctive practices, we shall be able to interpret them as signs of current Jewish identity.<sup>2</sup>

Andrew Buckser argues that consumption is an important measure of identity when older forms have lost relevance, which describes the situation of Jews in North America in the early twentieth century:

As modern institutions break down older social structures and networks, the affiliations that have historically rooted private conceptions of self lose much of their meaning. Identities become increasingly contingent, based on uncertain and shifting personal ties rather than locations in well-defined social orders. In such a context, consumption assumes a growing role in individual self-definition, as consumers attempt to establish and express ideas about self through their choice of goods. Their choices of foods take on special importance, since people have to obtain and process food more often and more urgently than any other type of product. The particular nature of food, moreover, makes it an especially effective symbol for expressing group memberships and relationships.<sup>3</sup>

Even a superficial glimpse into Haredi society shows that increased stringencies in Kashrut translate into greater control and homogeneity over alimentary patterns. Further, stricter requirements lead to an inability to eat with and consequently socialize with those who do not adhere to the same standards, and this is how social patterns mimic eating habits. Stricter dietary standards draw the social boundaries ever tighter, reducing social opportunities and increasing isolationism. In Montreal, as the primary certifier of kashrut, the Vaad Ha'ir of Montreal is therefore at the forefront of controlling the social patterns of its constituents. By introducing new and stricter standards, by issuing frequent rulings and by indicating what foods may be consumed by traditional Jews, the

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<sup>2</sup> Kraemer, *Jewish Eating and Identity*, 3.

<sup>3</sup> Andrew Buckser, "Keeping Kosher: Eating and Social Identity Among the Jews of Denmark." *Ethnology*, 38 (1999): 192.

Vaad Ha'ir of Montreal has direct influence on the socialization patterns of Orthodox Jews in the city.

As much as dietary laws can be the source of communal unity, so too can alimentary restrictions induce disunity. Mary Douglas argues that, “[...]bodily control is an expression of social control.”<sup>4</sup> In terms of Jewish experience, David Kraemer explains that, “[W]hat is clear here — as it has been before — is that the standards being applied to Kashrut are standards that separate one type of Jew from another, not one type of meat from another.”<sup>5</sup> Not only is Judaism a tradition in which meals are central elements of every holiday, wedding, birth, coming-of-age ceremonies, rabbinic gatherings, and social events, but strictures in daily eating habits require a closed structure. In order to ensure that a community follows only the most stringent alimentary rules, one may only permit eating in very restricted environments, usually one’s own home and few select others. Thus, strictures in Kashrut, while perhaps halakhically motivated, perforce, cause disunity in a community where eating is so central.

### From Hierarchy to Separation

One of the greatest challenges to any authoritarian society is, of course, individualism and personal choice:

In a more popular sense autonomy means the necessity of choosing for ourselves, of rejecting decisions imposed on us by external authority. Autonomy and choice are the hallmarks of modern experience, for what was traditional man’s fixed destiny has become a matter of choice for modern man.<sup>6</sup>

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<sup>4</sup> Mary Douglas, *Natural Symbols: Explorations in Cosmology* (1970; reprint, London: Routledge, 1996), 78.

<sup>5</sup> David Kraemer, *Jewish Eating*, 152-53.

<sup>6</sup> Eugene Korn, “Tradition Meets Modernity: On the Conflict of Halakha and Political Liberty,” *Tradition*, 25 (1991): 30.

When individual freedom of choice is supported by the government and society, many traditionalists see no other strategy but to opt for separation from the larger, unstructured society. While a voluntary society initially challenged Orthodox social norms, by the latter half of the twentieth century, anti-establishment ethos, sexual revolutions, and rapidly changing social mores, forced a radical response and seemed to push many conservative traditionalists to separate from society at large.<sup>7</sup> As Almond et al. explain, “Strictness is the product of the need for clarity in an age of ambiguity and confusion.”<sup>8</sup> Ironically, voluntary North American society both presents the challenges that send some traditionalists into separate communities, and gives them the legal opportunity to do so — a possibility generally absent in the Jewish historical perspective.

Along with safety from outside influence, separation may also foster another characteristic of Haredism. Mary Douglas argues that holiness in Judaism is equated with completeness and distinct categorization of people and behaviours. “To be holy is to be whole, to be one; holiness is unity, integrity, perfection of the individual and of the kind. The dietary rules merely develop the metaphor of holiness on the same lines.”<sup>9</sup> Douglas’s theory of the centrality of classification is reflected in Friedman’s notion that Haredism requires “completeness (*shlaymus*).”<sup>10</sup> The ease of categorization — so necessary for Manichean societies — coincides with the need for segregation, for the latter is nothing but the manifestation of categorization, the next step, if you will. Thus,

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<sup>7</sup> See Charles Selengut, “By Torah Alone: Yeshiva Fundamentalism in Jewish Life,” in *Accounting for Fundamentalisms: The Dynamic Character of Movements* (Chicago: University of Chicago Press, 1994), 241.

<sup>8</sup> Almond, et al., *Strong Religion*, 48.

<sup>9</sup> Douglas, *Purity and Danger*, 67.

<sup>10</sup> Like Lieberman and others, Friedman argues that Haredism is an innovative “liberation from the masses” (Friedman, “Haredim Confront the Modern City,” 75). It is an elitist tradition rejecting the established community and the common plight while concentrating on the pursuit of increasing personal piety and stringency — a perceived “complete” fulfillment of the halakhic requirements.

holiness and separation are symbolized in the sociological sphere as well as the theological one.

In his review of nineteenth century Orthodox separatism in Hungary and Germany, Ferziger explains that determining how interaction with non-observant Jews became a significant communal dilemma for Orthodox Jews throughout central and eastern Europe. Full cooperation implied recognition of the validity of non-Orthodox interpretations of halakha. On the other hand, given the frequent political troubles of modern European Jewry coupled with a history of self-reliance, complete social schism was seen as dangerous to the entire Jewish collective. The responses ranged from complete exclusion — a rare phenomenon in this period — to a form of hierarchy, where social mobility was linked to religious observance:

[...]the dichotomy between hierarchy and enclave functions as a mechanism for distinguishing between the various forms taken by Orthodoxy as well as for analyzing internal orthodox battles that took place during the late nineteenth and early twentieth centuries.<sup>11</sup>

Such a system worked successfully in early North American Orthodox communities as well. The more pious were certainly advantaged — even admired — but even the less punctilious were still respected and accepted. Both Selengut and Gurock describe a pre-1960s American Orthodox community as tolerating minor deviances such as going to movies, or carrying keys on Shabbat.<sup>12</sup> Indeed, Gurock concludes that, “for the first sixty years or more of the past century, non-observance within the American Orthodox community was a given and accepted way of life.”<sup>13</sup> Moshe Samet refers to the earlier “time-honored principle of the unified Jewish community encompassing both the

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<sup>11</sup> Ferziger, *Exclusion and Hierarchy*, 15.

<sup>12</sup> Selengut, “By Torah Alone,” 252; Gurock, *Orthodox Jews in America*, 314.

<sup>13</sup> Gurock, *Ibid.*

observant and the ‘back-sliders.’”<sup>14</sup> In fact, to some extent during this period, even Conservative Jews were not completely eliminated from Orthodox interactions.<sup>15</sup> As late as 1969, the Vaad Ha’ir of Montreal still implicitly recognized the legitimacy of Conservative Judaism.<sup>16</sup> By the end of the century, Conservative Judaism was considered well beyond the pale, and even within Orthodoxy, ideological separation was taking place.<sup>17</sup>

However, this hierarchy, wherein deviance was accepted, would not serve a united Orthodoxy for long. By mid-century, North American Haredi leaders created clear divisions between themselves and the non-Orthodox and by the end of the century, had clearly distinguished themselves even from fellow Orthodox Jews. Such a process obtained in Montreal, as well.

Where the Vaad Harabbonim of Montreal may have engaged in a hierarchical set up at the beginning with power and control in the hands of Vaad rabbis, by the end of the century, the Haredization of the Vaad Ha’ir and the Vaad Harabbonim, especially, has resulted in a more exclusionary organization than a hierarchical one.

Whereas the Vaad once represented a vast, variegated and diverse ethnic community, albeit with an emphasis on maintaining Orthodoxy,<sup>18</sup> it retained the loyalty

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<sup>14</sup> Moshe Samet, “The Beginnings of Orthodoxy,” *Modern Judaism* 8 (1988): 249.

<sup>15</sup> As late as 1975, Nisson Wolpin, editor of the English-language, Haredi magazine, the *Jewish Observer*, criticized (mainly) modern Orthodox rabbis for retaining membership in ecumenical councils in defiance of the 1956 ruling (Nisson Wolpin, “The UOJCA, the Synagogue Council of America, and the Wave of the Future,” *Jewish Observer*, 10 (1975): 8-10.

<sup>16</sup> In 1969, rabbi Allan Langner, rabbi of the Conservative Beth-El Congregation was invited to the Vaad AGM as a representative of the Board of Jewish Ministers, which was an ecumenical council. (Letter of regret from Langner to Hechtman, October 10, 1969 (CJCCCNA/JPL/Vaad/MB 09/6/15/Conferences/1969)).

<sup>17</sup> Haredi separatism crystallized in the same period (Heilman, *Sliding to the Right*, 32).

<sup>18</sup> In 1969, the Vaad Harabbonim announced plans to build an *eruv* in the city. An *eruv* would permit individuals to carry items in public spaces on the Sabbath. While several neighbourhoods have established *eruvim*, there is no city-wide *eruv*. (Minutes, Presidium, December 1, 1969 (CJCCCNA/JPL/Vaad/MB 09/12/19/Executive Minutes/1969)).

of a large segment of the community until mid-century largely because it was the unique Kashrut organization in Montreal and most people, at that time, were still buying kosher meat. The postwar decline in Kashrut consumption eliminated some of the Vaad's support,<sup>19</sup> and by the end of the century, its centrality had given way to a narrower, more traditionalist bent.

The original design of the Vaad intended to avoid the New York error of blatantly neglecting the secular element of the community, and the Vaad's founders made sure to include the radical left and its institutions to support the Vaad. Throughout its early decades, the mostly secular landsmanshaftn, the irreligious unions, virtually every Orthodox synagogue, and some Conservative ones, were active members. However, increasing secularization, coupled with the Vaad's slow, but inexorable shift to the religious right increased that chasm, and as the landsmanshaftn dwindled, so too did non-Orthodox involvement in the Vaad. The decreasing involvement of the non-religious and the increasing conservatism of the traditionalist camp, coupled with the increasing separatism influenced the Vaad Ha'ir toward sectarianism.

By the end of the twentieth century, Haredi groups around the world were engaged in barrier building and closing the social gaps that allowed modernity access to the community. Safety was to be found inside the enclave, and danger outside. For the Vaad, such a dramatic change to complete insularity was not possible, but greater divisions and higher internal activity were possible.

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<sup>19</sup> Highlighting the contemporaneous status of ignorance among Jews, in 1959, Hechtman observed that formerly, there were two kinds of Jews: those who kept kosher and those who were not observant. Today, however, a third group has appeared: those who think they keep a kosher home. Some current misconceptions include the belief that one can buy treyf meat and make it kosher (kasher it) at home or the belief that if one broils treyf meat, it becomes kosher (Minutes, Rabbinat, September 30, 1959 (CJCCCNA/JPL/Vaad/MB 09/19/4b/Rabbinical Council/1959)).

Another example of exclusivity in Montreal can be traced to the arrival of the American-trained modern Orthodox rabbis. Where joining the Hasidic community is a sign of Haredization, avoiding the modern Orthodox rabbinate is equally indicative of a move to the right. The Vaad Ha'ir rabbis rejected the English-speaking rabbis for years. Even once they reluctantly integrated them into the Vaad Ha'ir, the modern Orthodox rabbis were treated as second class. By rejecting Anglophone rabbis as early as 1952, the Vaad Harabbonim evinced its own bias toward Haredism.

However, even clearer evidence of Haredization of the Vaad Ha'ir can be seen in the latter years when being Haredi became a requirement of more than half of the representatives on the Vaad Ha'ir, as explained in the previous chapter. A final example of the Vaad's position can be gleaned from the appointment of its new Chief rabbi, Yonasan Binyamin Weiss in 2005, a well-known Israeli posek (religious decisor) and Klausenberger Hasid. The Vaad journal reported that Weiss received support and blessings from Rabbis Yosef Shalom Eliyashiv, Yitzchak Tuvia Weiss (Chief Rabbi of the anti-Zionist Edah Charedis), Moshe Halberstam of the Edah Charedis, Shmuel Wosner, Nissim Karelitz, and the Belzer rebbe.<sup>20</sup> While these gentlemen certainly rate as world-renowned scholars, they are also conspicuously all highly conservative Haredi leaders in Israel. Clearly, Weiss's appointment to Montreal's Vaad Harabbonim was seen as a Haredi story.<sup>21</sup> From a "Hungarian Problem" to a Hasidic chief rabbi — the Vaad Ha'ir has certainly moved far in the past fifty years.

### From Folk to Elite Religion

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<sup>20</sup> *Vaad News & Views*, Succos 2005, p. 1

<sup>21</sup> In fact, at the inauguration which took place mostly in Yiddish, at least 90% of the attending crowd was Haredi (black-hatted) with fully one-half Hasidic.

Another hallmark of Haredization is the replacement of folk values in favour of elite standards. The move toward greater halakhic stringency is based on texts rather than accepted practice.<sup>22</sup> An important example of such came in 2004. For Passover of that year, the Vaad Ha'ir of Montreal prohibited caterers and kosher food manufacturers in Montreal from using most North American prepared machine-made matzot because most companies do not stop production every eighteen minutes to clean the machinery. Although previously acceptable for use in Montreal,<sup>23</sup> the Vaad Ha'ir opted for a stricter standard for 2004, which meant that Orthodox Union (OU) matza would not be considered acceptable for Vaad-approved companies.<sup>24</sup> In a follow-up statement in which the Vaad tried to minimize the public fears that it was indeed adopting stricter, Haredi standards, it admitted that such action was taken to appease those who adhere to a higher standard of Kashrut.<sup>25</sup> Machine-made matzot are not a universally accepted Passover item,<sup>26</sup> but they had been in Montreal since their invention, and this change in 2004 was a reflection of the influence of more Haredi elements. It is a clear example of a communal organization appealing, not to common denominators, but to exacting standards to which most people do not ascribe, as elite practices have now become the standard for all.

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<sup>22</sup> Selengut, "By Torah Alone," 252; Soloveitchik, "Rupture and Reconstruction," 70-73.

<sup>23</sup> In fact, in April of 1948, the Vaad Ha'ir proudly announced the opening of a branch of the B. Manischewitz Co. of New York City, in Longueuil, Quebec. This factory produced machine-made matzos until approximately 1960 (CJCCCNA/JPL/Vaad/MB 09/14/ 91B).

<sup>24</sup> *CJN*, March 11, 2004.

<sup>25</sup> *CJN*, March 25, 2004.

<sup>26</sup> See Meir Hildesheimer and Yehoshua Liebermann, "The Controversy Surrounding Machine-Made *Matzot*: Halakhic, Social, and Economic Repercussions," *Hebrew Union College Annual*, 75 (2004), 193-262.



In another example of the adoption of elite standards, Rabbi Irvin Brandwein, formerly of Montreal, criticizes the Vaad Ha'ir's position on the kashrut of vegetables.<sup>27</sup>

The Jewish Community Council of Montreal (Vaad Ha-ir) which supervises and administers Kashruth for most of the city has recently published its new manual (5761)<sup>28</sup> in which we are notified of more than one dozen fruits and vegetables which are no longer permissible without the following: careful inspection using a special fluorescent light examination box, elaborate cleansing procedures involving detergents and/or certification (bodek) symbols printed on the packaging (e.g., K-V – meaning Kosher vegetables). This is due to possible infestation. Indeed some of these foods cannot be used at all under any circumstances! (The Manual prohibits them ‘even with hashgacha.’). Included in the new ruling are: artichokes, asparagus, blackberries, broccoli, Brussel sprouts, cabbage, cauliflower, chicory, dill, lettuce, fresh oregano and parsley, raspberries and spinach. Alas, vegetarians are no longer automatically kosher.<sup>29</sup>

Such circumstances were not unique to Montreal. The Vaad in Toronto recently enacted new Kashrut regulations. Relying on the Montreal example, they have banned imported fresh kosher meat (bosor chutz) and prohibited non-shomer Shabbat butchers from selling kosher meat. Acknowledging the change that such stringencies represent, the Vaad explained that these policies reflect a “return to meticulousness in the observance of the precepts of Judaism.”<sup>30</sup> Interestingly, by 2010, the Toronto Vaad had dropped its prohibition on bosor chutz, and has

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<sup>27</sup> Although all vegetables and fruit are inherently kosher, they must be free from infestation. Any bug present in food is prohibited, and hence the rejection of certain vegetables is based on the possible presence of insects.

<sup>28</sup> Corresponding to 2000-2001.

<sup>29</sup> Irvin Brandwein, “Changing the Halakha,” *Judaism*, Vol. 50(2001): 429. It is interesting that the Vaad Ha'ir's kashrut standards for vegetables are exactly the same as those of the Central Rabbinic Congress of the United States and Canada — a highly conservative, halakhically stringent, anti-Zionist and Hungarian-Hasidic dominated organization, with close ties to the equally conservative Edah Charedis in Jerusalem, founded by the first Satmar rebbe, Joel Teitelbaum, in 1953 as a rejection of all previous US-based rabbinic bodies. To apply such standards to the entire kashrut organization of Montreal is a clear and obvious form of Haredization.

<sup>30</sup> *CJN*, Nov. 4, 1999, 9. A similar pattern — investigating the personal religiosity — of retail butchers took place in New York City in the 1980s (Kraemer, *Jewish Eating*, 150). The *CJN* presented a series of articles entitled, “Is Toronto's Jewish community becoming too religiously right-wing?” to address the question of Orthodox conservatism in Canada's largest Jewish population center (*CJN*, August 24 & 31, 2006).

recently permitted the importation of meat slaughtered outside Toronto with the aim of providing easier and cheaper access to kosher meat.<sup>31</sup>

Such a motivation for increased piety is, of course, manifest across the Jewish (and non-Jewish) world, and is a marker of increased segregation because Jews of differing halakhic standards tend toward disunity. Writing about the US scene, Marc Shapiro observes that, “Since then [the 1970s], the Orthodox have adopted a new standard in Kashrut, one that defines only glatt kosher as acceptable. Regular kosher has been relegated to Conservative Jews and others who don’t take Kashrut as seriously as the Orthodox.”<sup>32</sup>

Despite the Haredi claim to unaltered fidelity to the “tradition,” long-standing, communal standards have given way to canonical dictates, because custom can no longer determine ritual practice; it must be justified by the texts.

### Institutional Completeness

Another important theoretical question to be examined is social separateness. In order to be successful in retaining a distinct identity in multicultural societies, an internal infrastructure is necessary. Institutional completeness measures how well an ethnic community is able to provide services to its members with minimal or no reliance on the larger society.<sup>33</sup> Along the same lines, closure measures the degree to which a particular group is closed to integration or exchange with others. Not surprisingly, in Canada, Jews scored high on closure, along with First Nations, French-Canadians, Ukrainians, and

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<sup>31</sup> *COR: The Kosher Corner*. 4 (September, 2010): 3.

<sup>32</sup> Marc Shapiro, “Glatt Kosher Meat is Not All it is Cut Out to Be,” *Forward* (online), August 18, 2006 (Accessed August 19, 2006).

<sup>33</sup> Breton, “Institutional Completeness,” 193-205.

Italians, while Scandinavians and Western Europeans in Canada scored lower.<sup>34</sup> Both of these measures help determine how successfully an enclave can maintain itself.

In general, Orthodox Jews in North America have succeeded in creating a fairly high degree of institutional completeness in their urban and suburban neighbourhoods.

Jonathan Sarna's depiction of a typical Orthodox community mirrors the Vaad's original vision:

By carefully choosing residences in walking distance of an Orthodox synagogue, by encouraging businesses that catered to their special religious needs (kosher butchers, bakers, and restaurants, Jewish bookstores, and the like), and by establishing strong social ties reinforced by regular interactions in the synagogue, these Orthodox Jews succeeded in faithfully observing Jewish law and in re-creating under suburban conditions the characteristics of a faith-based caring community familiar to them from previous areas of settlement.<sup>35</sup>

Orthodox Jews in Canada have also created a viable sub-culture:

Nevertheless, in the four-decade period following WWII, Orthodox Jewish residential concentration in the neighbourhoods adjacent to Bathurst [Street, Toronto], together with the emergence of a visible Jewish landscape of synagogues, schools, and kosher food stores on the street itself, created an environment pervaded by religion and religious activities. Both inside and outside the Orthodox Jewish community, Bathurst Street became known as a Jewish space.<sup>36</sup>

Such communities exist in and around the Montreal area as well, as Shaffir's work has informed us.<sup>37</sup> What role does the Vaad Ha'ir play in Orthodox institutional completeness in Montreal?

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<sup>34</sup> Frank G. Vallee, "Multi-Ethnic Societies: The Issues of Identity and Inequality," in *Issues in Canadian Society: An Introduction to Sociology*, ed. Dennis Forcese and Stephen Richer (Scarborough: Prentice-Hall, 1975), 174-75.

<sup>35</sup> Jonathan Sarna, *American Judaism*, 290.

<sup>36</sup> Etan Diamond, *I will Dwell in their Midst: Orthodox Jews in Suburbia* (Chapel Hill: University of North Carolina Press, 2000), 27.

<sup>37</sup> See Wililam Shaffir, "Separation from the Mainstream in Canada: The Hassidic Community of Tash," *Jewish Journal of Sociology*, 29 (1987): 29-30; *Ibid.*, *Life in a Religious Community*, 41-69; *Ibid.*, *Life in a Religious Community*.

Certainly, we can glean from the evidence presented that the Vaad Ha'ir had visions of institutional completeness. Besides Wolofsky's initial vision that included schools, synagogues, Jewish social and political organizations, unions, labour arbitration, civil status, and a Jewish hospital; later years added a conversion committee, translation services, and an arbitration court. The shift to a more conservative religious stance further spurred the Vaad's goal of completeness. Breton suggests that highly institutionalized communities offer organized welfare and mutual aid societies, publications, commercial and service organizations, houses of worship and schools.<sup>38</sup>

However, the Vaad never managed to fulfill all of these roles, and many institutions it envisioned controlling are outside its aegis. The services that the Vaad provides today are mainly religious ones (Kashrut, divorce, conversion and halakhic rulings). Other services that facilitate the Haredi subculture, such as schools, cultural organizations, retail stores, welfare institutions, etc., are maintained privately or by sub-groups within the Orthodox community, and are not controlled by the Vaad. This, in turn, explains, in part, why the Vaad is not entirely relevant to the Hasidic segments of the community: the latter offer a high number of services to their members, many of which (eg. Kashrut, halakhic rulings) replace what the Vaad offers.

On the other hand, although the Vaad cannot lay claim to institutional completeness on its own, it plays an important part in the larger closure of Orthodox/Haredi Montreal. By providing fundamental services — including and especially Kashrut and divorce — it supports the enclave. Its Court of Arbitration, welfare, and halakhic guidance all support

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<sup>38</sup> Breton, "Institutional Completeness," 194.

a closed society. Breton notes that, “[...] religious institutions have the greatest effect in keeping the immigrant’s personal associations within the boundaries of the ethnic community.”<sup>39</sup> Of course, even the officers of the Vaad Ha’ir knew this. In an advertisement in the *KO* geared to “Jewish Women,” they state that “Kashrut and Jewish education are the fortresses against assimilation!”<sup>40</sup>

The Vaad Ha’ir is, therefore, an essential element among the requisite organizations that support greater institutional completeness. Of course, the size and diversity of the Montreal Jewish community have also contributed to a duplication of many of the Vaad’s tasks, mostly in the realm of Kashrut, but not only limited to that area.

Further, the duplication of services provided to the Orthodox community — such as a conversion program at the Vaad and another one under the RCC, competing Kashrut supervisory bodies, etc. — are indicative that the Orthodox community is successful at retaining viable and competing cultural organizations. Indeed, it is a sign of a proliferation of enclaves. Since, as Barth argues, the definitions, lines, and allegiances of each group are more important than the content of each group, Orthodox Montreal is highly successful in building cultural walls that help maintain its unique identity (-ies).

### Women

We have discussed the move from folk to elite religion that took place in North America in the early days of Jewish emigration. While this shift is an important factor in Haredization, folk practices also reflect the experiences and influences of Orthodox

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<sup>39</sup> Ibid., 200.

<sup>40</sup> *KO*, September 16, 1935.

women, who are not permitted access to elite tradition. Women were, and are, on the forefront of alimentary boundaries. Not only did they determine the Kashrut of the home, women usually dictated the eating habits of the family, thereby binding ethnic identity to a mundane, daily necessity. Women were often the first ones to introduce North American manners to the immigrant family. Andrew Heinze describes this process:

Jewish women served as a catalyst for the adaptation of newcomers to the American standard of living. The increased prospects for consumption in urban America enabled Jewish homemakers to magnify their already powerful influence over family life. Through an expanded role as consumers and as managers of household consumption, these women smoothed the transition to a new way of life and emphasized the importance of new products to the cultural adjustment of Jews.<sup>41</sup>

Rather than seeing concentration on domestic tasks as limiting, Ruth Ann Abusch-Magder argues that there was power to be had in directing eating within the family, even for those women who abandoned Kashrut:

Within the kosher food pyramid, the role of women was subject to the hierarchical rabbinic structure. In reality, the position of women was much more powerful. Though power derived from food and home were limited by the boundaries of the home, within the reality of the Jewish food chain, the position of individual Jewish women was raised to that of gatekeeper of Jewish identity as expressed through food. No matter what a given Jewish woman thought about keeping kosher, whether she saw it as non-negotiable, a positive choice, something to be rejected, or of no consequence whatsoever, her opinion shaped the preparation of food and the enactment of law for of [sic] all of those who gathered around her table. Though the power women derived from both the religious structure and the social roles that tied them to the kitchen was significantly limited in scope, Jewish women found ways to engage it and give voice to their own approach to Jewish observance.<sup>42</sup>

Perhaps this illuminates the ambivalence of rabbinic leaders in America having to rely on the support of women. Although many Jewish women maintained strictly kosher

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<sup>41</sup> Andrew R. Heinze, *Adapting to Abundance: Jewish Immigrants, Mass Consumption, and the Search for Jewish Identity* (NY: Columbia University Press, 1990), 105.

<sup>42</sup> Ruth Ann Abusch-Magder "Kashrut: The Possibility and Limits of Women's Domestic Power," in *Food and Judaism: A Special Issue of Studies in Jewish Civilization 15*, ed. Leonard J. Greenspoon, Ronald A. Simkins, and Gerald Shapiro (Lincoln, NE: Creighton University Press, 2005), 189.

homes to reinforce halakha and identity, many others dabbled and experimented with the diverse alimentary options available to them. Thus, women presented a specific challenge to the Vaad. On the one hand, traditional women supported the Kashrut industry and through it, traditional Jewish identity, as was the case in the 1930s boycotts of kosher butchers. On the other hand, in the post Second World War years, as Kashrut observance declined, it was often the women who introduced those changes.

Further, it is believed that women both adapted to and adopted the consumerist model of early twentieth century America.<sup>43</sup> Sometimes, materialism triumphed over tradition. This frequently happened with offal. Tongue and liver were perennial favourites and often in great demand, as seen in this Vaad appeal to caterers in 1948:

We solicit your kind co-operation in the following matter, which will greatly help the supervision over the distribution of Kosher meats in our community:

There is an abnormal demand by Jewish housewives for tongues and livers, which it is practically impossible to satisfy. The fact that tongue is served also at weddings, Bar-mitzvahs and banquets in general, the menu of which is plentiful without it, aggravates the situation still more. The shortage of Kosher tongues and liver causes many retail butchers and many housewives to buy treyfah tongues and livers.

The Rabbinical Council and the Jewish Community Council therefore decided to order the caterers not to serve tongues and/or liver at weddings, Bar-Mitzvahs and banquets in general. This will save, it was estimated, about 200 tongues a week.<sup>44</sup>

The situation was similar in New York, where, “[...] the spleen, the heart, the liver, and similar parts that American women crave — these they buy from anyone, even from abattoir sales of improperly slaughtered and otherwise non-kosher meat.”<sup>45</sup>

However, like many organizations of its time, especially conservative ones, the Vaad Ha’ir relegated women away from central roles. Accepting women as the

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<sup>43</sup> Heinze, *Adapting to Abundance*, 105.

<sup>44</sup> Letter to caterers, March 11, 1948 (14/46/Kashrut-Caterers/1946-49).

<sup>45</sup> Sarna, *People Walk*, 49.

“gatekeepers of Jewish identity” gave them too much power. As Abusch Magder suggests above, in their kitchens, women were even more powerful than the rabbis — a reality that coupled with the individual liberties in the New World would not be allowed to stand. In the recreated Orthodoxy of texts and regulations, women, who were textually illiterate were seen as unreliable educators. Further, women — who relayed their wisdom through example — became less important in educating the next generation as mimetism gave way to book-learning. Haym Soloveitchik describes the loss of the culinary mimetic tradition as the kosher kitchen became tied to legal minutiae:

The simple fact is that the traditional Jewish kitchen, transmitted from mother to daughter over generations, has been immeasurably and unrecognizably amplified beyond all halakhic requirements. Its classic contours are the product, not of legal exegesis, but of the housewife’s religious intuition imparted in kitchen apprenticeship.<sup>46</sup>

Where women once had greater autonomy in the kitchen, homogenization and uniformity of law have taken halakhic influence away from them, leaving women with a significantly smaller role in the economics and politics of Kashrut than previously. In the mid-1960s, in an interview on the history of the Vaad Ha’ir, Rabbi Hechtman offered the following view of women, which may explain the reduced role of women in the Vaad:

‘Kashruth,’ explained Rabbi Isaac L. Hechtman executive director of the Vaad Ha’ir to the writer, ‘in the present stage of Jewish life is the key to the Jewish home. We all know now that the Jewish housewife of today means to come closer to Yiddishkeit. But sometimes we must remember that in many cases she is of the third generation of Canadian-born Jews — she is inclined to be naïve and unsuspecting. Nor is she close to the spirit of that impelled her mother and grandmother to be constantly alert and even to make

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<sup>46</sup> Soloveitchik, “Rupture and Reconsttuction,” 66.



sacrifices to ensure kashruth in her home. For this reason we must make the effort to remove as many obstacles as we can.<sup>47</sup>

Not only are third-generation women untrustworthy vis-à-vis Kashrut,<sup>48</sup> but they are seemingly less capable than their forbears to learn their responsibility. In fact, much of modern Kashrut — most of it in the hands of Haredi organizations — is designed to reduce women's authority. Virtually all female autonomy in the kitchen has been eliminated by a Kashrut industry so vast that most halakhic decisions are made before food leaves the factory. For example, not only are many vegetables prohibited, even those permitted are now produced in “bug-free” environments, because checking for infestation is now performed by rabbis at the plant. Even minor decisions about separating meat and dairy dishes have become standardized, and a woman's opinion or family tradition is completely ignored in face of elite rulings. The centralization and standardization of Kashrut has denied Jewish women one of their historical sources of authority. While perhaps ostensibly a product of stringency on Kashrut, it is equally obvious that this is a way of disempowering Jewish women.

In 1972, Mrs. Anna Raginsky — onetime chair of the Vaad Ha'ir's Womens' Auxiliary of the 1930s school strike — penned a piece entitled “Our Vaad,” in the fiftieth jubilee edition of the *Voice of the Vaad*. Unable to recall any involvement of women in the Vaad Ha'ir since the mid-1930s strike, she could only note that the centrality of women in Kashrut can be measured by the fact that, “The partisan

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<sup>47</sup> “The Vaad Ha'ir - Montreal's Jewish Community Council - the Model of a Kehillah,” by Jacob Heller (CJCCCNA/JPL/Vaad/MB 09/13/1/ History/Vaad/1930-78).

<sup>48</sup> Please note that although Canadian-born Jewish men are also believed to be less reliable than their ancestors, the men, at least, can be educated. There does not seem to be any resolution to female incompetence.

appeals, condemnations, warnings and approvals were directed to them as the immediate purchasers of kosher food products for their homes.”<sup>49</sup> Thus, even a onetime feminist activist acknowledged that women have become the target of Kashrut rulings rather than the instigators thereof.

Restricted female roles, along with virtually ubiquitous gender segregation, are, of course, significant and intentional elements of female disempowerment commonplace among conservative and fundamentalist religious factions, who deny women a public voice. The evidence suggests strongly that the Vaad Ha’ir has not made any space for women in its ranks.

### Zionism

Orthodox responses to Zionism span the gamut from complete rejection to acceptance. While fervent anti-Zionism is limited to certain extremist Haredi elements, a general disdain and intentional ignorance of the State of Israel are the responses of the majority of Haredim. Zionism has been relegated to the centre-left of Orthodoxy.<sup>50</sup> Most Haredim have neutralized the Zionist state to a political reality with no religious value at all — neither positive nor negative.<sup>51</sup> Although not incompatible with Orthodox Judaism, ardent, enthusiastic Zionism is eschewed by most — if not all — elements of the current Vaad Harabbonim. Where earlier the Vaad supported many Zionist causes, and many of

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<sup>49</sup> Anna Raginsky, “Our Vaad,” *Voice of the Vaad: Golden Jubilee*, 4.

<sup>50</sup> Andrew K. Noss, “War Within, War without: Russian Refugee Rabbis during World War I,” *AJS Review*, 34 (2010): 237.

<sup>51</sup> Aviezer Ravitsky, *Messianism, Zionism, and Jew Religious Radicalism*, trans. Michael Swirsky & Jonathan Chipman (Chicago: University of Chicago Press, 1996), 151-52. Indeed, the rejection of the Zionist ideal led some contemporary Orthodox leaders to criticize the positive support for Zionism previously exhibited by Orthodox groups in America, including the isolationist Agudath Harabbonim. (Gurock, *Orthodox Jews in America*, 223).

its rabbis were active Zionists,<sup>52</sup> such fervour diminished by century's end. Especially absent were any references to the state of Israel as an object of Divine help or an example of contemporary miracles, such as that noted by Hechtman at mid-century:

Our loyalty to Medinath Israel and to its financial agencies, such as the UJRA [United Jewish Relief Agency], the Jewish National Fund, and the State of Israel Bond Drive, has been proven more than once. Our record of deeds will confirm our belief that the re-establishment of the State of Israel is a gift from G-d to our generation...<sup>53</sup>

Not only was Israel's consul general invited to address the Vaad's AGMs in the 1950s and 60s, the Israeli national anthem was sung at the end of these meetings.<sup>54</sup> As early as 1944, the Vaad provided an unequivocal statement of support for Israel:

With full responsibility (achrayus), the 23<sup>rd</sup> annual general meeting of the Vaad Ha'ir expresses its deepest and appreciative recognition of the heroic Jewish settlement in the Land of Israel, to the brave *chalutzim*, pioneering in the Land of Israel, for their wondrous and heroic construction work towards a national homeland in the Land of Israel for our persecuted Jewish people. The gathered delegates identify with all elements of the Jewish people in their rightful fight for the withdrawal of the 'White Paper' and for the creation of a Jewish commonwealth in the Land of Israel.<sup>55</sup>

Even more surprising was the Vaad's paradoxical support for some organizations. For example, in 1941, the Vaad Ha'ir received a letter of acknowledgment for advertising in the souvenir journal of the Zionist youth organization, HaShomer HaTza'ir. Not only

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<sup>52</sup> Chief Rabbi Cohen was an ardent Zionist. See Lapidus, "Maggid of Montreal;" Robinson, *Rabbis*, 21-34.

<sup>53</sup> It must be remembered that Hechtman was a former director of Mizrachi in New York. Letter from Hechtman to Mr. Wolofsky, April 25, 1956 (CJCCCNA/JPL/Vaad/MB 09/7/60/Correspondence/1956).

<sup>54</sup> Letter to Yehudah Golan, Consul General from JCC, November 23, 1956 (CJCCCNA/JPL/Vaad/MB 09/1/23/33<sup>rd</sup> AGM/1956); Letter to David Rivlin, Consul General from JCC, October 9, 1962 (CJCCCNA/JPL/Vaad/MB 09/8/69/Correspondence/Various 1962). In 1967, Consul General Lt.-Col. Dov Sinai was invited to bring "Greetings on behalf of our beloved State." (Letter to Sinai from JCC, November 1, 1967 (CJCCCNA/JPL/Vaad/MB 09/13/6/Jubilees-45<sup>th</sup> Banquet/1967).

<sup>55</sup> Resolution # 6, AGM December 10, 1944 (CJCCCNA/JPL/Vaad/MB 09/1/11/AGM – 1944).

was such an organization openly Marxist, its members were also militantly anti-religious. Yet in the early years of the Vaad, such universal aid and recognition were not unusual.<sup>56</sup>

### The Vaad on the Vaad

In the final analysis, it is illuminating to understand how the Vaad Ha'ir evaluated its role, challenges and success. Throughout its history, the Vaad's primary claim to fame was its uniqueness in post-European Orthodox centres and its internal unity, by which the Vaad meant its claim to unanimous communal support. Comparing itself favourably to a European kehillah, the Vaad frequently emphasized its ability to bring unrelated or even warring factions together in a way that is unparalleled anywhere else in the world. For example, at the 1946 AGM, the following was read:

It is with pride that we can state to-day that the Jewish Community Council of Montreal is without a doubt one of the most successfully organized Jewish communities in the world. There is no community anywhere that is so completely organized to deal with its communal problems as in our city. All the active Rabbis in the city form one Council; all the active shochetim in the city form one group, and all together form part of the Communal administration. No other city enjoys such unity and control. Passover hechsherim are issued only by one authority and generally speaking all the synagogues are united into one Council. In fact, all the Jewish organizations in the city form part of the Council, and the surplus revenues are distributed to our education institutions. Where is there another community in the world that can compare with this?<sup>57</sup>

In 1961, the Vaad's publication, *The Voice of the Vaad*, wrote, "The Jewish Community Council of Montreal is unique on this continent. Because the Council exists, Montreal is the only city where there is uniformity of Kashruth supervision."<sup>58</sup> In 1962, Israel Cohen, longtime member of the Vaad, wrote: "On the entire American continent as well as Canada there are today few Jewish kehillot which are as organized as the Vaad

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<sup>56</sup> CJCCNA/JPL/Vaad/MB 09/4/37/Assistance.

<sup>57</sup> Presidium's Message, 24<sup>th</sup> AGM, January 6, 1946 (CJCCNA/JPL/Vaad/MB 09/1/12/24<sup>th</sup> AGM/1946).

<sup>58</sup> *Voice of the Vaad*, May 1961, 4 (CJCCNA/JPL/Vaad/MB 09/18/10/Publications).

Ha'ir of Montreal — with respect to its activities and in the religious and cultural realm.”<sup>59</sup>

The Vaad arrogated to itself an important and central role in Montreal and sometimes Canadian Jewry. “The Vaad strives to be the central administrative body of an organized kehillah.”<sup>60</sup> “The Vaad Ha'ir should use its influence over all local and national endeavours, just as all old organized kehillot.”<sup>61</sup> The Vaad also emphasized its authority over the local community. “From all perspectives, we had to create a sort of Jewish ‘Parliament’ whose authority and power would spread over Jewish Montreal.”<sup>62</sup> In a similar statement, we learn that the “The Vaad maintains the Rabbinate, known as the Council of Orthodox Rabbis, which has the exclusive authority in all matters of Halacha (Jewish law) and the interpretation of religious matters.”<sup>63</sup>

In 1964, the Vaad engaged Jacob Beller to write its history to date. Beller describes prewar Montreal Jewry dominated by secular and radical elements, making traditional life difficult. Traditional Jews were depicted as forlorn, homesick and abandoned by the community. With the end of the First World War, a new wave of traditional immigrants arrived, which helped raise the status of religion. This new reality drove the perceived need for a communal organization based on a kehillah model. Aid to schools, consistency in Kashrut and the involvement of communal rabbis in the Vaad's hierarchy were the hallmarks of the Vaad Ha'ir's successes. The piece clearly advantages Orthodox Jews over others, and reflects only the successes and none of the

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<sup>59</sup> Israel Cohen, *Voice of the Vaad*, 1962, 41 (CJCCCNA/ZB/Cohen, Hirsch/1962).

<sup>60</sup> Activity report, AGM December 11, 1938 (CJCCCNA/JPL/Vaad/MB 09/1/4/AGM – 1938).

<sup>61</sup> Report of Rabbi H. Cohen at 1939 AGM, December 25, 1939 (CJCCCNA/JPL/Vaad/MB 09/1/5/AGM 1939).

<sup>62</sup> *KO* September 21, 1962.

<sup>63</sup> “Some Facts about the Jewish Community Council of Montreal,” undated (but probably 1964). CJCCCNA/JPL/Vaad/MB 09/13/1/History/Vaad/1930-78.

mistakes or challenges the Vaad has faced. In his conclusion, Beller highlights the historical responsibilities to govern Jewish communal life:

Essentially, the Vaad Ha'ir — Montreal's Jewish Community Council — is a kehilla like those that existed in Eastern Europe in all its functions. However, it also has its eyes turned to this continent and to the New World on the pattern of a modern Community Council body, but without the mechanics or apparatus which are concerned only with the raising of funds.<sup>64</sup>

In 1967, Hechtman explained why Montreal's kashrut system is so successful:

Even were there a continent-wide kosher marking symbol, the Vaad still would not be able to assume the Kashrut responsibility of rabbis in various communities on the continent since we in Montreal have a standard of Kashrut acceptable to all observant Jews including the ultra-orthodox who unquestionably have accepted our system of Kashrut.<sup>65</sup>

In 1976, an interview with Hechtman appeared in the Hebrew-language journal, *Hadoar*.

In it, the author quotes Hechtman as describing Montreal as a “[...]city of unity and peace. Many years have passed since the voices of argument have been heard.”<sup>66</sup>

Another undated Vaad document underlines the ingathering of competing ideologies:

In conclusion, I would like to point out that Montreal is the only Community on the Globe that has such an Organization as the Vaad who represents all groups from one extreme to the other, starting from Satmar, Belz, Lubavitcher, Mizrachi, general Zionists, Poale Zion and representatives of all yeshivoths and Educational Institutions in Montreal, all of whom are represented on the Vaad.<sup>67</sup>

Again in 1973, the Vaad underlined its unifying efforts. Its in-house publication, *Voice of the Vaad*, published a photograph entitled “A Symbol of Unity,” in which were gathered representatives of local schools. Interestingly, the photograph itself dates to 1962 meeting at which were present members of the following array of Jewish groups:

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<sup>64</sup> Jacob Beller, “The Vaad Ha'ir - Montreal's Jewish Community Council - the Model of a Kehillah” (CJCCCNA/JPL/Vaad/MB 09/13/1/ History/Vaad/1930-78).

<sup>65</sup> *CJN*, January 13, 1967, 2.

<sup>66</sup> Tuvia Parshel, “Vaad Ha'ir of Montreal,” *HaDoar*, July 9, 1976, 528.

<sup>67</sup> “Some Facts about the Jewish Community Council of Montreal,” undated (CJCCCNA/JPL/Vaad/MB 09/13/1/History/Vaad/1930-78).

Agudath Israel, Mizrachi, Poale Zion, General Zionists, Jewish National Workers' Association, Satmar, Belz, Lubavitch, Klausenberg as well as several landsmanshftn.<sup>68</sup> In 2005, the *Vaad News & Views* described Montreal's status as "[...]entire city [that] fuses into one entity, all focussed on the same goal."<sup>69</sup>

These statements are important because not only are they belied by the events of the end of the century, even at the time they were made, many of these claims were not valid. While decades of rabbinic in-fighting belie the Vaad's historic sense of unity, the multiplication of competing kashrut organizations in Montreal is even greater proof of the inaccuracy of those claims. Especially with respect to Kashrut, claims of unity ring hollow. Kashrut in Montreal, by the end of the millennium, had become a diverse and competitive field. Within the last several years, at least two Hasidic communities have developed their own kosher councils and their own identifying stamps — one from Belz and one from Satmar — appear on many food items prepared by the Hasidic community. The Tosher community of Boisbriand also supports its own separate kashrut council with the symbol TK standing for Tosh-kosher. Others symbols as SK (for Satmar Kosher) or “Under the supervision of Rabbi Berel Volf Lerner of Machzikei HaDa'as – Belz,” appear alongside the Vaad Ha'ir's MK, although the MK is not ubiquitously present on Hasidic foodstuffs prepared in Montreal, which is a clear indication that the Hasidic community is currently running competitive supervisory councils. In fact, in January of 2011, it was announced that a new kosher restaurant was to be opened in Montreal under the unique supervision of Rabbi Steinmetz of Monsey, New York.

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<sup>68</sup> *Voice of the Vaad* Vol. 11(3), Kislev (November-December), 1972.

<sup>69</sup> *Vaad News & Views*, July 2005, 1.

Indeed, even the MK has branched out, providing kosher supervision at different levels. For example, the Vaad Ha'ir recently developed the "MK – Mehadrin," meaning extra stringent. This symbol is attached to food prepared in a punctilious way and can be distinguished from food carrying the basic MK marker. Thus, even within the Vaad's own supervisory council, hierarchies of strictness have been established. In other words, a situation has obtained where one person in Montreal may rely only on select MK products, which essentially denies the Vaad's claim of being the unique and pervasive Kashrut authority in Montreal. At this time, other Montreal Haredim may choose to ignore the MK completely, as kosher products without the Vaad's hekhsher are easily available in the city. The situation today clearly belies Hechtman's vision in 1967:

They [the ultra-orthodox] most definitely would question the reliability of certain Kashrut setups in a number of Jewish communities in America. It would mean that the Vaad would have to create categories of Kashrut some of which would be accepted to use while others would not.<sup>70</sup>

On the other hand, many, including insiders, long recognized that the Vaad's major — and perhaps singular — strength was Kashrut. In fact, in 1952, the Vaad's treasurer acknowledged its shortcomings in light of the original mandate. "It is true that Reb Hershel Wolofsky, may he rest in peace, in his proposal sketched a broad program of tasks. But the main point was the question and sale of kosher meat and order in this field."<sup>71</sup> In a 1962 retrospective, the *Keneder Odler* acknowledged the Vaad's primary concern for Kashrut. It was established "to create a communal representative that would centralize all Jewish activity and establish a kehillah on a strong Jewish foundation

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<sup>70</sup> *CJN*, January 13, 1967, 2.

<sup>71</sup> Yitzchok Eiley, Treasurer. "Some Remarks on the Thirtieth Jubilee of the Vaad Ha'ir." (CJCCCNA/JPL/Vaad/MB 09/13/2/Jubilees – Banquets/30<sup>th</sup> – 1952).



according to the Torah, which meant first of all, to provide the Jewish public with kosher meat.”<sup>72</sup>

However, by the twenty-first century, rabbinic unity was achieved through a homogenization of the membership of the Vaad Harabbonim and kashrut was no longer a unified, centralized affair in Montreal. Like other cities, kashrut in Montreal is now decentralized and variegated.

### Orthodoxy in Transition

How does our study of the Vaad Ha'ir of Montreal explicate the transition of Orthodox values over the twentieth century? Through the Vaad Ha'ir's own records and documents, we have traced its evolution from an organization designed to regulate Jewish life in one city for the entire community (a European style) to a separatist, Haredi one which ignores the diversity of its constituents and its history. Halakhic stringencies are universally applied to all who submit to the standards of the Vaad Ha'ir. Enclavism and conformity characterize the Vaad Ha'ir and Vaad Harabbonim today, where the original mandate called for universality and communal engagement. Even previously utilized strategies of hierarchy, where the non-Orthodox or less punctilious still found a place and a voice in a unified community, have disappeared. The non-Orthodox now face exclusion because their personal behaviour does not conform to new elite standards. Cooperation and concern for klal yisroel have given way to a singular halakhic truth.

It is important to remember that sectarianism, divisiveness, and halakhic maximalism are characteristics of Haredization the world over. These phenomena, which this dissertation has documented with respect to Montreal, reflect larger changes and patterns in the international Orthodox world.

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<sup>72</sup> KO, September 21, 1962.

Haym Soloveitchik attributes the traumas of the twentieth century for the Haredization of Orthodoxy:

It is this rupture in the traditional religious sensibilities that underlies much of the transformation of contemporary Orthodoxy. Zealous to continue traditional Judaism unimpaired, religious Jews seek to ground their new emerging spirituality less on a now unattainable intimacy with Him, than on an intimacy with His Will, avidly eliciting Its intricate demands and saturating their daily lives with Its exactions. Having lost the touch of His presence, they seek now solace in the pressure of His yoke.<sup>73</sup>

### The Vaad Ha'ir Today

The story of the Vaad Ha'ir of Montreal is one of an organization that sought grand and universal aspirations, but whose end is rather less grandiose than its beginning. It is the story of the adaptation of Orthodoxy to America and the subsequent, inevitable changes such accommodation wrought on Jewish communal patterns. It is also the story of segregationist and maximalist Orthodoxy in late twentieth-century North America. In Charles Liebman's terms, it is the story of an evolution from folk to elite religion. The Vaad has evolved into an organization designed to guide the retention of Haredi identity through the creation of an infrastructure — primarily targeted at kosher food production — that abets social boundaries. But what of the Vaad's relation to its original mandate?

Several years ago, Ira Robinson observed that “Founded in 1922 in an attempt to create an all-embracing *kehillah* for Montreal, it ultimately emerged as an organization espousing Orthodoxy and specializing in the ritual certification of meat and other kosher products in the Montreal area.”<sup>74</sup> Clearly, the Vaad's original and extensive mandate was never completely fulfilled. And over the decades, other elements of its mission fell by

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<sup>73</sup> Soloveitchik, “Rupture and Reconstruction,” 103.

<sup>74</sup> Ira Robinson, “They Work in Faithfulness: Studies in the Constitutional Documents of Canadian Jewish Organizations Other Than Synagogues,” in *Not Written in Stone: Jews, Constitutions, and Constitutionalism in Canada*, ed. Daniel J. Elazar, Michael Brown, and Ira Robinson (Ottawa: University of Ottawa Press, 2003), 137.

the wayside, leaving it, as Robinson rightly notes, primarily a Kashrut organization — a far cry from Wolofsky’s original plans. In the words of one of its own historians, “Its achievements are the best guarantee of how far it was successful in realizing the goals its founders set.”<sup>75</sup> Therefore, the Vaad’s very narrowed area of expertise is symbolic of its distance from the original mandate. How little the current Vaad has accomplished in terms of its goals in its early years is indeed the “guarantee” of its limited success.

Although the Vaad never fulfilled all of Wolofsky’s original mandate, within its narrower purview, it has often excelled. If we examined only its Kashrut supervision, the Vaad Ha’ir has performed well, greatly increasing the number of companies under its supervision and providing supervision in an increasing number of public locales. Extra precautions, and even increased stringencies, have also been a part of the Vaad’s expertise. Beyond food issues, the Vaad, too, has evolved, offering more halakhic services and increasing its visibility. Although it performs well in its primary role as a Kashrut organization, its status as the unique Kashrut authority in Montreal is now in question as competing hashgachas continue to increase. The Hasidic community in general tends to avoid relying on the MK and thus imports many items from New York with “a better hekhsher,” which will further erode the Vaad’s singularity. It competes with Hasidic hekhsherim — both imported and local. Even meat which is not slaughtered under the MK, but privately, or imported from outside Montreal is reputedly available, albeit generally under the radar.<sup>76</sup> It is unlikely that the Vaad is unaware of this, but rather has no successful method to combat such changes. If the New York City

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<sup>75</sup> “The Vaad Ha’ir — Montreal’s Jewish Community Council — the Model of a Kehillah,” by Jacob Beller (CJCCCNA/JPL/Vaad/MB 09/13/1/ History/Vaad/1930-78).

<sup>76</sup> The author once met a shochet who casually remarked that he slaughtered calves for an American hashgacha that was available in Montreal as well (Montreal, December 3, 2006). In 2010, the *CJN* reported that Montreal has three or four Kashrut agencies (*CJN*, April 1, 2010).

kehillah experiment inspired Wolofsky, New York's current state of multiple and competing hekhsherim is the contemporary model for the Vaad's current challenges. It would seem that the attempt to recreate the kehillah — even a refashioned version — in a voluntaristic Canadian setting is not possible.

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## Appendix A

### The Vaad Ha'ir — Montreal's Jewish Community Council — the Model of a Kehillah<sup>1</sup>

by Jacob Beller

In the last half century vital changes have taken place in North American Jewish life which have given the upper hand to traditional Judaism and the growth of religious Jewishness is noticeable in all directions. At the beginning of the mass migration from Eastern Europe it was the secular and non-religious Jewish outlook which was dominant. The reason for this was that the religious Jew did not wish to emigrate to America — a land where 'even the paving-stones are treif.'<sup>2</sup> This was the picture of American kashruth that prevailed in the small towns of Eastern Europe.

And thus it was that the hegemony on the Jewish 'street' was in the hands of the radicals with their anti-religious slogans. They set themselves the task of uprooting religious Jewishness which in their opinion was an opiate for body and soul. Even the Yiddish press was on the whole a captive of this ideology, and religious Jews had no entrée to it being often labelled by the press as 'wild fanatics.'

The religious Jewish immigrants who were then a minority began with their 'Ansheis'<sup>3</sup> and their humble, tiny prayer-houses where after a hard days [sic] work in the factory they came to pour out their bitterness and their longing for the old home and to enjoy the sweet sound of the chazzan's (prayer-leader) melody. Often it happened that in the midst of Yom Kippur when Jews stood wrapped in their prayer-shawls murmuring the *Un'saneh Tokef*<sup>4</sup> with trembling heart, the Jewish radicals would march by in a parade with music shouting insults at the fanatics inside on their way to the Yom Kippur Ball<sup>5</sup> to spite the Almighty.

In those days a strong sense of inner hope and self-confidence and an even stronger sense of willpower was demanded of religious-minded Jews to fight

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<sup>1</sup> CJCCCNA/JPL/Vaad/MB 09/13/1/ History/Vaad/1930-78.

<sup>2</sup> A reference to the Ridbaz's famous comment.

<sup>3</sup> A reference to small, grassroots, often landsmanshaft type synagogues. For more on the 'Anshei' phenomenon, see Ira Robinson, "*Anshe Sfarad: The Creation of the First Hasidic Congregations in North America.*" *American Jewish Archives Journal*, 57 (2005).

<sup>4</sup> A particularly solemn and mournful part of the High Holiday liturgy.

<sup>5</sup> Yom Kippur Balls, which took place in New York, Montreal, and London were organized by Jewish anarchists to mock religious adherence. They featured food, drink and partying — all antithetical and contrary to Yom Kippur tradition. The reference above is slightly exaggerated in that only one such ball was ever held in Montreal, in 1905 (Rebecca Margolis, "A Tempest in Three Teapots: Yom Kippur Balls in London, New York and Montreal," in *The Canadian Jewish Studies Reader*, ed. Richard Menkis and Norman Ravvin (Calgary, AL: Red Deer Press, 2004).



to undo the havoc which secularism and anti-religion was wreaking within Jewry. Tiny islands, nuclei of religious immigrants, turned their homes into bastions against the waves of the vulgar environment. They raised their children in the true Judaic spirit and as soon as they had the opportunity they openly challenged the chaos about them with great sacrifice they founded yeshivoth, Talmud torahs and other religious institutions.

After the end of World War I there were among the immigrants a large number of traditional-minded Jews who had by this time created their own religious environment and for whom and for whom the sidewalks were no longer considered tabu [sic] or treif. Religious Jewry now began to make rapid progress. Magnificent modern synagogue-structures arose from the tiny corner prayer-houses; the modest yeshivoth developed into a network of important Torah institutions. It did not take long before the religious segment of the Jewish community overtook the secularist component which is not merely the discredited shell of a bankrupt ideology.

The Vaad Ha'ir of Montreal which has just held its 42<sup>nd</sup> annual conference since its establishment, is a product of this rise in traditional Judaism. It was founded 42 years ago by communally minded men who looked far into the future and were able to assess the need to resist steadfastly the chaos and anarchy that threatened the Jewry of that day. Its achievements are the best guarantee of how far it was successful in realizing the goals its founders set.

First and foremost a model kehilla structure was created which functions on the pattern of the long settled *kehilloth* of Europe. At the same time the Vaad Ha'ir — the Jewish Community Council — keeps its face turned to the new developments and to the North American way of life. One of the Vaad Ha'ir's most important accomplishments has been its success in bringing together around one table leaders of all shades and trends in Jewish life. This, no doubt, is because the Vaad Ha'ir has not limited itself to kashruth alone but is concerned with all Jewish needs and is interested in and lends encouragement to Jewish education. Since its inception the Vaad Ha'ir has given generous aid to Jewish schools of all shades and to cultural institutions. As far back as 37 years ago when Jewish schools were undergoing a financial crisis, when teachers who had been unpaid for months were no longer willing to continue with their classes, the Vaad Ha'ir took the initiative and responsibility, paid the teachers their salaries and convened an educational conference to work out plans to keep them from closing their doors and depriving children of their Jewish heritage.

Clarity in the field of kashruth was one of the most important achievements of the Montreal Jewish Community Council (Vaad Ha'ir). When the Vaad Hadati (as it was first called)<sup>6</sup> was founded in 1921, it hit upon serious difficulties which gave rise to conflicts. Today after 42 years clarity and order prevail. The word *mashgiach* has become familiar and popular in the most elegant hotels of Montreal. Jewish banquets are arranged with delicious food prepared under supervision in the most luxurious hotels. The ugly excrescences of the 'kosher-style,' 'semi-kosher' or 'kosher cut' labels and

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<sup>6</sup> A forerunner to the Vaad Ha'ir. See Robinson, "Kosher Meat War," 44.

signs which exploited and abused the credulity of the housewife giving her treifa food kosher, all this has been eliminated.

‘Kashruth,’ explained Rabbi Isaac L. Hechtman executive director of the Vaad Ha’ir to the writer, ‘in the present stage of Jewish life is the key to the Jewish home. We all know now that the Jewish housewife of today means to come closer to Yiddishkeit. But sometimes we must remember that in many cases she is of the third generation of Canadian-born Jews — she is inclined to be naïve and unsuspecting. Nor is she close to the spirit of that impelled her mother and grandmother to be constantly alert and even to make sacrifices to ensure kashruth in her home. For this reason we must make the effort to remove as many obstacles as we can. If there is kashruth in the home, it leads to giving the children the proper Talmud Torah education, it leads to bar-mitzvah and in general to a full restoration of our traditional Jewish way of life.

‘Take for instance our policy with Jewish institutions in kashruth. Let us begin with the Jewish Hospital. There was a time when patients who were recovering from illness had no kosher food to eat, when there were Jewish camps affiliated with the Federation and children were unable to attend these because there were no kosher facilities and had to accept the alternative on staying on the burning sidewalks, when children from traditional homes could not enjoy the facilities of the YMHA, the most important agency for our youth.

‘Thanks to the Jewish Community Council all these obstacles have been removed through a process of understanding and clarification with all Jewish agencies who realized that our complaints were justified. Today, Jewish children of all classes can go to Jewish camps in the summer months, they can practise the various sports at the YMHA, and Jewish patients at the Jewish Hospital need not restrict themselves after their recovery to dry or cold foods. Even for the non-traditional Jews who do not observe kashruth its introduction to these institutions and to the leading hotels has had a positive effect. It reminds them that they are after all involved in Jewishness and Judaism and what is more, the foods taste better with that Jewish *taam*.<sup>7</sup>

The *Mishpot Hasholem* — the arbitration and conciliation court — is another of the achievements to the credit of the Vaad Ha’ir. This is a tribunal which settles intra-Jewish disputes to avoid them intruding into the public courts where matters can be aired that may not reflect praise or glory on the Jewish name. In its sessions, the juridical body consists of a rabbi, an attorney and a businessman. In this way the criteria of Jewish halacha, of official law code, and of business ethics are applied to each case. The verdict is final as is agreed on beforehand. It has occurred that even disputes between Jew and non-Jew are brought to this tribunal and the judgments are firmly respected by both parties.

The rabbis of the community are also affiliated to the Vaad Ha’ir. In this way they ensure that marriage is performed only under proper circumstances,

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<sup>7</sup> Yiddish for flavour, taste.

avoiding the growth of mixed marriages. It is imperative for such a procedure to be under a central body.

Essentially, the Vaad Ha'ir — Montreal's Jewish Community Council — is a kehilla like those that existed in Eastern Europe in all its functions. However, it also has its eyes turned to this continent and to the New World on the pattern of a modern Community Council body, but without the mechanics or apparatus which are concerned only with the raising of funds.

## Abbreviations & Glossary

### Abbreviations

CJC:	Canadian Jewish Congress
CJCCCNA:	Canadian Jewish Congress Charities Committee National Archives
<i>CJN:</i>	<i>Canadian Jewish News</i>
COR:	Central Ontario Region. Commonly known as the Ontario hekhsher.
JPL:	Jewish Public Library
<i>KO:</i>	<i>Keneder Odler</i>
MK:	Montreal Kosher, the Vaad Ha'ir of Montreal's hekhsher.
OU:	Union
RCA:	Rabbinical Council of America
RCC:	Rabbinical Council of Canada
UOR:	Agudath Harabbonim (Union of Orthodox Rabbis of the US and Canada)
YU:	Yeshiva University

### Glossary

H-Hebrew

Y-Yiddish

Balebus, b alebatim (H): lit. homeowner. Lay person.

Beth din, bes din, bet din (H): halakhic court presided over by three judges.

Bishul Akum (H): cooked by a non-Jew, referring to food prohibited to eat because it was not prepared by Jews.

Bosor chutz (H): lit. outside meat. Kosher meat imported from outside the local area.

Chazaka (H): inherited or acquired rights.

Cherem (H): excommunication.

Chilul Hashem (H): defamation of God's name.

Chilul Shabbat (H): Sabbath violation.

Chumra (Pl: Chumrot, H): stringent option.

Din Torah (H): ruling derived by a rabbinic court.

Eruv (Pl: eruvin, H): a symbolic set of wires and doorways used to enclose public space, in turn permitting the carrying of objects on the Sabbath, when such activity would otherwise be prohibited.

Ezras Torah Fund: New York City-based fund for indigent rabbis.

Fray, fraye (Y): lit. free, meaning secular.

Frum, frume (Y): religious, pious.

Gadol (Pl: gedolim, H): great one. Refers to great rabbinic authorities.

Glatt (Y): smooth, referring to slaughtered beef whose lungs were without blemish. A stricter kosher standard.

Halakha, halakhic, halacha, haloche (H): Jewish law.

Haredi, (Pl: Haredim), Haredism (H): pertaining to an elitist, separatist Jewish Orthodoxy which advocates strict textual fidelity.

Hashgacha (H): kosher supervision.

Hasogas gvul (H): halakhic concept akin to copyright legislation.

Hekhsher, hechsher (H): stamp or label indicating the rabbinic supervision under which a kosher product was manufactured.

Issur (H): prohibition.

Kasher, koshered, kashering: lit. to make kosher. Usually refers to the washing and salting of meat post-slaughter, necessary for kosher consumption. Can also refer to ritually cleansing kosher utensils that came into contact with non-kosher items.

Kashrut, kashrus, cashrus, kashruth (H): the collective term for the laws and practices regarding the preparation and consumption of kosher food.

Kehillah (Pl: kehillot, H): lit. community. Usually refers to the leaders and administration of the Jewish community.

Klal Yisroel (H): entirety of the Jewish people.

Korobka (Russian): tax paid to the kehillah on certain products, primarily meat.

Mashgiach (H): supervisor of kosher production.

Mikve, mikva (Pl: mikves, mikva'ot, H): ritual bath consisting of naturally gathered water. According to biblical law, women must immerse in a mikve after menstruation. Also visited by men for spiritual purification.

Mitnaged (Pl: mitnagdim, H): lit. opponents. Refers to Orthodox Jews of Lithuanian descent who differ and/or object to Hasidism.

Mohel (H): ritual circumcisor.

Neveila (H): term for an animal that was not slaughtered according to Jewish law, either a non-kosher slaughter or kosher kill that involved an error in slaughter. Although neveila is the accurate term for meat produced through non-kosher slaughtering methods, colloquially, most people use the term treyf(a) instead. When neveila is used alone or in conjunction with treyf, it always designates improper slaughter.

Nikkur (H): post-slaughter removal of blood and certain blood vessels. Its absence renders meat treyf.

Pareve (H): neither meat nor dairy. Can be eaten with both.

Plombe (Y): from the Latin *plumbum* (lead). Kosher seal attached to poultry wing. Used to be used on beef as well.

Posek (H): rabbi qualified to make decisions based on halakhic precedents.

Psak din [also: psak halakha] (H): rabbinic decision based on halakhic precedents.

Shabbos, shabbat (H): the Sabbath.

Shaygetz (Y): non-Jewish male. Often derogatory or at least patronizing.

Shechita (H): kosher slaughter.

Shechita gelt (Y): slaughtering fees. Can be calculated per head or per item, and can be paid to the slaughterer or the kehillah.

Shecht (H): to slaughter.

Shochet (Pl: shochetim, shochtim, H): ordained kosher slaughterer.

Shomer shabbos (H): one who observes the laws of the Sabbath.

Smikha (H): rabbinic ordination.

Treibor (Y): post-slaughter removal of blood and certain blood vessels. Synonymous with nikkur.

Treyf (H): lit. not kosher due to illness or wound. Although colloquially it is used to refer to non-kosher meat of all kinds, non-kosher beef, or pork. When used alone, treyf can refer to literal treyf or neveila.

Treyfnyak (Y): Jewish butcher who wilfully sells treyf as kosher.

Vaad Ha'ir Vaad Hair, Vaad Hoir (H): Jewish community council.

Vaad Harabbonim (H): rabbinical council.

Yiddishkeit (Y): literally, Jewishness. Refers to the entirety of living a traditional Jewish life.