

ישיבה חפץ חיים מראדין
Yeshiva Chofetz Chaim of Radin

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President



Founded in Radin
by the
Chofetz Chaim Zt"l
1864 (5624)



In the U.S. by his son-in-law
Hagoon Moran
Rabbeinu Menachem
Mendel Yoseph Zaks Zt"l



In Suffern by his son
Moran Rabbeinu
Avrohom Gershon
Zaks zt"l

Special Master Judah Gribitz Esq.
C/o Richards and O' Neil
885 Third Ave.
New York NY 10022

March 13, 2000

Dear Mr. Gribitz Esq.

Enclosed is a brief outline of our Yeshiva and its unique status as an institutional survivor of the holocaust. It was our belief that this issue would be raised by others and would be thoroughly evaluated, but after a review of available documentation it seems that institutions with our unique status has not been specifically addressed.

The Yeshiva Chofetz Chaim is and was the same Yeshiva that was founded by the Chofetz Chaim Zt"l in 1864. (*please see enclosed*)

During the Holocaust we were subjected horrific losses and total devastation of our Yeshiva, our students, teachers and their families. For their lives and losses no compensation can ever be found.

It is the loss of our bank accounts, building funds, libraries, and charity funds that are the basis of our claim.

It was through the grace and kindness of the Almighty that we have been able to continue in the United States after our ruin in Europe. Restitution will give us the possibility to fund our desperately needed projects, and help rebuild Radin to its former glory, keeping the continuation and remembrance of pre-war Radin for many years to come.

We ask that although we are fairly late in our submissions, that appropriate consideration to the issues raised be given.

For further information or questions please feel free to call me at (914) 357-6391.

Sincerely

Rabbi Aryeh Zaks

To:
Special Master Judah Gribitz Esq.
C/o Richards and O'Neil
885 Third Ave
New York NY 10022

Re: Swiss Holocaust settlement Funds Distribution

“The Yeshiva Chofetz Chaim of Radin is a survivor of the holocaust.”

This statement is tragically a simple fact that is public knowledge. The Yeshiva Chofetz Chaim of Radin is one of the few institutional survivors that are actually the exact same institution that existed in pre-war Europe and is now in the United States. Although we have not seen anyone advocate for these unique class members, this creates a different status of survivorship than that of an individual survivor, yet retains its survivor classification that keeps it as an integral part of the settlement proposal.

Although many institutions will be talking of their important work and how they are carrying forth the “memory” of Yeshivoths and communities of pre war Europe, others will talk of their great contributions to society and the importance of funding their programs, yet others will try to state that their Rabbis were leaders of other institutions in Europe, perhaps Rabbis of Chasidic dynasties, each one claiming their worth to be considered the best representative of the Holocaust survivors and their memories, those of us that through the grace of G-d survived don't need representation by others and those who tragically perished should be best represented by those who survived. It is our understanding that the settlement funds are to go to **survivors** who had losses by the Nazis that was most likely processed through the Swiss Banks. This includes individual and institutional survivors.

The Yeshiva Chofetz Chaim of Radin is such a survivor. The Yeshiva was founded by Rabbi Yisroel Mayer Kagan, the son of Rabbi Aryeh Zev Kagan, in 1864. Rabbi Kagan was recognized at the time as the upcoming leader of world Jewry through the publishing of his books on the laws of charity, kindness, and speech (refraining from gossip etc.). The world recognized that Rabbi Kagan lived his own life in the Halachic and moral manner that he prescribed for all and started calling the rabbi by the name of his first book. Chofetz Chaim - Guard Your Tongue, (literally translated to mean "Wanting Life" as careful speech will bring one to a long and better life).

The Yeshiva existed in the face of many hardships and it flourished under the leadership of the Chofetz Chaim. As the Chofetz Chaim rose to lead European Jewry the Yeshiva grew in stature and in numbers. The Chofetz Chaim raised an enormous sum of

money to build a beautiful structure for the Yeshiva. This was the largest building in the town and encompassed a large study hall for several hundred students, offices for administration, and dormitory facilities for students who did not have local lodging. The Yeshiva owned the home of the Chofetz Chaim as well as other important homes and buildings in town, which included the mill, the firehouse and the local synagogue.

The Chofetz Chaim felt that a Yeshiva has responsibilities to the Jewish community to help and assist wherever possible.

The Yeshiva created and ran the following:

- 1- A Free Loan Fund (loans without interest.) for students or other members of the community in need.
- 2- The Kolel Kodoshim: a study program for young married adults
- 3- A charity fund for the poor was organized and was supported by the Yeshiva. (*An old letter from the Yeshiva Gema"ch help fund is enclosed*)
- 4- A burial society to care for the dead and a fund to help the sick.
- 5- As many of the students needed help to start out in married life, the yeshiva provided a marriage assistance fund.
- 6- A large fund was set up to print and distribute the many works and proclamations of the Chofetz Chaim (This included the monumental Mishna Brurah a six volume compilation of all daily laws in Jewish life that can be found in 99.9% of all orthodox Jewish households worldwide.)
- 7- Many other communal help organizations were established across pre-war Europe that were guided by the Chofetz Chaim and the Radin Yeshiva.

In the 1920s, Rabbi Mendel Zaks married the daughter of the Chofetz Chaim and as his son-in-law, he joined the Chofetz Chaim as leader of the yeshiva and all other communal affairs. Rabbi Zaks was immediately recognized for his teaching and leadership abilities. His vast knowledge of Talmudic Law, coupled with a photographic memory and unending hours spent with his students attracted even more students to the Yeshiva at that time.

In 1925 Rabbi Mendel Zaks came to the United States to raise money for the operation of the Yeshiva and its many charitable programs. The Yeshiva Chofetz Chaim of Radin was first incorporated in the United States in 1925. A Yeshiva office was opened at that time led by Rabbi Herbert Kumin of blessed memory, thus establishing the first link from Radin to the United States.

By the time of his passing in 1933 the Chofetz Chaim had risen to be the undisputed leader of world Jewry. (At his passing the New York Times carried an article calling the Chofetz Chaim a Universally accepted man) The Chofetz Chaim worked tirelessly for his community and world Jewry creating Yeshivas, Day Schools and organizations to help protect the Jewish way of life. It was the Chofetz Chaim whose influence and leadership created the Agudath Israel organization to unite all facets of orthodox Jewry under one banner.

Rabbi Mendel Zaks stood at the helm of the Yeshiva continuing the work of his father in law, and the Yeshiva attracted the best and brightest students from far and wide. In the 1930s the yeshiva had over Four Hundred Students learning and studying in Radin. Although the great leader had passed away leaving the yeshiva and its many projects, it was now Rabbi Mendel Zaks who was producing the scholars to lead the next generation. A new Building Campaign was started to facilitate a major expansion but as history has shown this was not to be. The construction was halted as the winds of war swept over the community and those who did not escape were brutally murdered by the bloodthirsty Nazis in the streets of Radin.

The students of Radin were found leading and establishing many of the yeshivas and educational facilities around the world: **Rabbi Elchonon Wasserman**, who even as a student in Radin was at the helm of **Yeshivas Baranovitz**, **Rabbi Issur Zalman Meltzer** who was the **Rosh Hayishiva in Kletzk**, **Rabbi Avrohom Kalmanowitz** of the **Mir Yeshiva**, **Rabbi Kahnoman** of the **Ponoviz Yeshiva** in Israel, **Dr. Belkin** who was the dean of the **Yeshiva Isaac Elchonon /Yeshiva University in New York**, **Rabbi Chyken** of the **Yeshiva in Aix les Bains France**, **Rabbi Lazerovsky Chief Rabbi of Munich later Chief Rabbi of Philadelphia**, **Rabbi Shurkin of Yeshiva Chaim Berlin**, **Rabbi Orlansky Chief Rabbi Los Angeles Ca.** and many more, all far apart with the one common thread - they were all alumni of Yeshiva Chofetz Chaim of Radin .

Upon the outbreak of WWII the Yeshiva was forced to flee its hometown and Rabbi Mendel Zaks together with many of the students and townsfolk escaped to Vilna -- - those who did not flee were subsequently murdered by the Nazis.

The Yeshiva continued to the best of its ability in Vilna. Under the communist rule of Vilna during the war, some students were deported to Siberia as foreigners. Of these, some survived. A few students managed to get visas to the U.S. but many were soon captured by the Nazis and were subsequently annihilated

In 1941 the Yeshiva and Rabbi Zaks managed to arrive to the United States together with some students. The Yeshiva had lost almost everything: the Yeshiva building, Synagogue, housing, many students and all the Yeshiva funds and assets left behind. Upon arrival in New York they immediately continued teaching and assisting the remaining students who had found refuge in the U.S. Thus, the Yeshiva continued on in the United States. The Yeshiva once again was struggling to continue in its traditional ways in a foreign land with a new language and culture.

Rabbi Zaks went about finding many survivors of the Radin Yeshiva, facilitating needed documents and funds to help them settle in the United States. At this difficult time many others who survived attached themselves to Rabbi Zaks to receive the needed help and support after surviving the war and Holocaust. Slowly, as more of the survivors joined up with Rabbi Zaks in New York, the Yeshiva once again began to prosper. A kollel, a day school, and high school were reestablished. The Yeshiva was now providing the needs for those who witnessed and survived the greatest evil in modern history: comfort for those who lost everything and everyone, money to help people start once more, counseling for some, shelter for others, medical help when needed, attention for the children of those who were broken physically and in spirit, education for survivors and their families etc. Trained leaders were needed for the new and upcoming generation. Once again, alumni of Chofetz Chaim filled that need all around the world.

In the 1950s, Rabbi Mendel Zaks was joined in his efforts by his son Rabbi Gershon Zaks, who too was a survivor of the war. He arrived to the United States alongside his father. Together they reestablished Radin and its reputation for educational excellence . The Kolel Kodoshim for married students was thriving once more.

It was some short time later that Rabbi Mendel Zaks and his son decided to move the main part of the Yeshiva out of the city to Suffern /Tallman NY, bringing all the students out to the suburbs to a fourteen acre campus in the quiet and serene surroundings of upstate New York . The site had housing facilities that were outdated, and in 1963 a new building was erected. Now the Yeshiva could improve its work by bringing survivors out to Suffern, and by keeping constant contact and giving all the needed services to the Radin students, townsfolk, and families.

The Yeshiva once again was providing education, assistance, and sustenance to the Radin survivors and their families.

The Yeshiva instituted a yearly gathering for all the Radin alumni, the surviving townsfolk, their families and their friends. This gathering provides them with the support and backing of their old colleagues and neighbors. The Yeshiva is in constant telephone contact with many of those who were not fortunate enough to rebuild their families, and are all alone, but for the "Radiner" yeshiva. All throughout the years in the United States, the Yeshiva maintained and rented housing in the Suffern area for select Radin survivors who needed full time housing and/or medical care. Apartments or small homes were rented in close proximity to the Yeshiva enabling them to feel as part of the "Radiner" family. In the time of tragedy it was Rabbi Zaks and the Yeshiva who arranged for proper burial and services. This included having someone say the mourners *Kaddish* daily for eleven months in memory and for the merit of the deceased.

Throughout the years countless millions of dollars were raised and borrowed as needed to facilitate this miraculous rebuilding of a European community from total devastation and destruction to a new vibrant beginning in the United States.

The Yeshiva expanded to serve the local community, opening Elementary and High school divisions. A pre-school and day care center were added to help the parents and families by providing these children with a warm and caring environment. In the late 1980s the Yeshiva made plans for the construction of a large new synagogue and study hall. This building was to have many needed classrooms and a large auditorium for the gatherings and functions of the Yeshiva. A large room was to house the Radin Memorial Library. At the center of this magnificent structure was to be the Radin Memorial Hall in remembrance of the Radin students and townsfolk who perished in the Holocaust. In 1989, shortly after the groundbreaking ceremony for this building, Rabbi Gershon Zaks passed away leaving the Yeshiva in the hands of his sons Rabbi Yisroel Mayer Zaks and Rabbi Aryeh Zaks. Due to the passing of the late Rabbi Zaks the Yeshiva was forced to put the plans for the new building and Holocaust memorial on hold.

As the years passed it was apparent that some of the elderly survivors needed special attention that could not be given at a distance, and the concept of Kiryas Radin was born. This was to be a project to house the elderly survivors who are capable of living on their own (or with some assistance) in small apartments or homes. They would feel independent, yet would be close to the Yeshiva, thus enabling the Yeshiva to care for their needs. A site nearby was originally purchased by the Yeshiva for faculty housing and the Yeshiva has dedicated several units for elderly survivor use. A full renovation has now just about been completed. All homes have received new kitchens, bathroom fixtures, carpets, flooring, closets, lighting and paint. All homes are of one story, saving the elderly needless danger of climbing stairs. A synagogue was built on the site as it is understood that any long distance is difficult for these elderly survivors to walk. The Housing complex is now called KIRYAS RADIN. The street has been renamed Kiryas Radin Drive, and some of the Radin survivors have already started moving to the site. Kiryas Radin is in close proximity to the Yeshiva, thus enabling the Yeshiva to care for those who are in need in the best manner possible.

Of late, the yeshiva has started once again to prepare for construction and expansion of the new building, as the need for space is critical, and the few remaining survivors and their families push for a Radin Memorial in the Radin Yeshiva. It is due to this important need that the Yeshiva decided to honor all the surviving alumni of the Radin Yeshiva at our annual gathering and dinner that was held at the Crowne Plaza Hotel in New York City on November 16th 1997. A video documentary consisting of recollections and thoughts from their years at the yeshiva was filmed at the dinner preserving a most important part of history for the future.

Enclosed is the last published announcement and proclamation from Rabbi Mendel Zaks stating that the **Yeshiva is a direct continuation from the yeshiva in Radin**. Furthermore please review the enclosed affirmation from a survivor who remembers the Yeshiva in Radin, The Chofetz Chaim, Rabbi Mendel Zaks Rabbi Gershon Zaks, and now Rabbi Mayer Zaks and Rabbi Aryeh Zaks. He states therein how the Yeshiva continued through the war and its arrival in the United States. A letter from Rabbi Moshe Feinstein of blessed memory (*undisputed leader of world Jewry up to the time of his passing about 13 years ago.*) about the continuation of the Yeshiva, is also enclosed. (if a

Translation is needed for any document it will be provided upon request) Given a short amount of time the Yeshiva can bring many affirmations from the remaining townsfolk and students, to confirm the Yeshivas' history and lineage as stated.

As stated **The Yeshiva is an institutional survivor** that had incalculable losses and has struggled for years to survive and grow. For years the Yeshiva has provided for the needs of many to the best of its financial ability. Although we are sure that many of the organizations that claim their importance and good deeds are in fact good causes, allowing any organizations with their own agendas, who are not survivors to have any role in this distribution is questionable at best. An organization that has received millions in the past would like to set cultural agendas for the Jewish nation. Another would like to use these funds to protect human rights, another proposes to build a survivor housing complex, (*the Yeshiva tried to receive funding for a senior survivor housing project from the claims conference in the past and was told that no funding will be available for this use*) yet another to build a memorial.

We think it reasonable that the goal of the settlement funds is, that it go for the classes set forth in the agreement by the court. Some organizations have raised the possibility of using a portion of the settlement to create a fund overseen by the court to benefit survivors (*see proposal of world council of Orthodox Jewish communities*) The creation of any fund for the survivors should be done by survivors for survivors without new outside interests dictating use of survivor funds. If given the opportunity the Yeshiva would expand its services as an institutional survivor and enlarge its service to include the worldwide Jewish community with the true benefits to the survivor population in mind.

The Yeshiva would be honored to have its' representative meet and discuss all matters that pertain to the potential distribution as it relates to institutional survivorship and any services that can be expanded on behalf of the greater survivor population.

Thank You.

Yeshiva Chofetz Chaim of Radin