

The Clothes They Wear and the Time They Keep:
The Orthodox Athletes' Tests of Tolerance in Contemporary America*

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The following incidents are extolled as touchstone moments within the lore of Yeshiva University athletics. In December 1979, the men's basketball team, representing this American Orthodox institution, traveled to Madison, New Jersey, to compete against Drew University. As the clubs warmed up for the game, a referee noticed that some of the Yeshiva athletes were wearing yarmulkes. The official decreed that these players had to remove their traditional Jewish male head covering since they were in violation of NCAA [National Collegiate Athletic Association] Rule 3, Section 9, Article 7 that prohibits players from wearing "head decorations, head wear and jewelry." His problem was primarily with "bobby pins," that Rule 3, Section 7, Article 1, Sub-section E, states may not be part of "headbands or hair control devices." His concern was that bobby pins that secure kipot (another word for yarmulke) conceivably could cut the hands of an opponent, if the competitors collided. The referee was unaware or did not care that there was, at least, an oral tradition among officials and competitors that this particular stricture did not apply to Yeshiva. The Jewish team had, by then, played intercollegiate sports for more than thirty years, long before that "player equipment" regulation had become part of the NCAA bible.¹

* - This essay appeared in *Muscling in on New Worlds: Jews, Sport, and the Making of the Americas*, ed. Raanan Rein and David M.K. Sheinin (Leiden and Boston: Brill Academic Publishers, 2014), pp. 68-84. It is made available in this format with kind permission of the publisher.

Mightily offended, the Yeshiva coach immediately told his players to put on their sweat suits, leave the court and prepare to return to their home campus. He would later explain that “although not all of my players wear kipot when they play, I would be damned, literally, if I told those who did to take them off.” In exasperation, the Drew coach appealed to the referee asserting that “they have been wearing their yarmulkes for the many years that we have played them. Let them keep them on.” Perhaps, this stance by a sports mentor at a Methodist institution reflected his, and his school’s respect, for another religion’s deeply held commitments. Or maybe, since his team was favored, he simply wanted the game to go off without this unexpected hitch. The referee remained adamant. Before the Yeshiva team departed, in a last ditch effort to have the match proceed as scheduled, the Drew coach telephoned the head of officials for the entire east coast of the United States. After explaining his dilemma, the Boston-based supervisor told the ref in no uncertain terms to allow the Jewish kids to wear their head coverings.²

Four years later, as a result of a call in a different arena, that official would be found to be even further in the minority. In 1983, the 7th District U.S. Court of Appeals ruled definitively that while an Illinois High Association had “legitimate safety concerns,” the rights of Orthodox players could not be abridged since – as their brief argued – “all Orthodox Jews [men] are obliged in compliance with the traditional tenets of their religion...to wear a covering on their heads at all times.” The victorious litigants from the Ida Crown Academy and the Yeshiva High School of Skokie did however accede to use “metal clips sewed into the fabric as opposed to bobby pins” that others had “considered unsafe.”³

In any event, the Drew-Yeshiva game ensued and the visiting team lost by thirty points. On the road back to Washington Heights, one of defeated ball players approached the coach and opined, somewhat tongue in cheek, “we should have gotten out of town while we had a chance.”

The coach did not agree. He was proud that his “Maccabees” – the team’s name – had stood up strongly for their faith.

Two decades later, Yeshiva University’s athletic director forestalled a conceivably comparable contretemps involving the clothing worn by a player who “recently got married” and was on his women’s basketball team. Dr. Richard Zerneck wrote to the NCAA about this player for the “Lady Maccabees” – the distaff team’s name. Zerneck explained: “She is an observant member of the Orthodox Jewish religion and as a married woman must cover her hair when in public. She plans to cover her hair during basketball games with a tight fitting cloth, tied in such a way as to stay securely on her head.” Thinking ahead of the prior point of difficulty, he stated explicitly that “no pins or fasteners will be used.” Sure to make the point that Orthodox Jewish women were not alone in needing such an accommodation, Zerneck noted wisely that “I imagine that similar requests have been made for other student athletes of faiths that have similar restrictions (Muslims, etc.)”

Barbara Jacobs, secretary-rules editor of the NCCA’s Women’s Basketball Rules Committee was quick to waive Rule I, Section 7, Article 7, of the association’s protocols. But she did detail precisely what the head piece might look like, stipulating that “there should not be a tail hanging that could cause danger to herself or other players.” To head off any misunderstandings on game day, she directed Yeshiva University to contact officials and opponents in advance of the accommodation and to carry “a copy of [her] letter to all games” should anyone question the players’ attire.⁴

Two years later Zerneck was back in touch with the NCAA requesting another waiver “in deference to the modesty issues of Orthodox Judaism.” In this case, four of his athletes wanted to don unconventional uniforms. Standard basketball shorts and tops would be too revealing. Once

again, Jacobs almost immediately allowed the specified competitors – not everyone on the team was as concerned with the so-called “modesty issue” – “to wear knee length skirts...bike shorts underneath” and “tee-shirts under the uniform tops” so long as the color of these additions matched that of other teammates. Jacobs also reminded Zerneck to have his coaches bring a copy of his permission to “all games” to prevent any possible misunderstanding.⁵

For Yeshiva University loyalists, these victories were proud exemplars of Orthodox Jews standing up strongly for their faith. Some have even contended that their prideful reactions to these occurrences are somewhat secularized sanctifications of God’s name. If so, such heartfelt kudos would constitute the consummate transmigration of the spirit of sports from the stadium to the sanctuary. For indeed, from ancient Maccabean days before the Common Era, when assimilating Jews hellenized through sports, to the modern era where Zionists sought through a muscular form of Judaism to “normalize” their people, athleticism has been one of the cultural phenomena that has challenged the religious faith and commitment of its devotees. But now, choosing when and how to compete with the strictures of the tradition foremost in mind was being pitched as an elevation of faith.⁶

Others with a strong sense of their community’s social and religious history have noted that the question of wearing yarmulkes while on the court would not have been in play generations ago when sports first entered the Yeshiva College’s school life. Back in the 1930s – when teams were first organized – and well into the 1970s, athletes rarely, if ever, kept their heads covered during games and practices. And no one in the administration carped about this sartorial decision. It was one of the implicit accommodations that the institution countenanced in trying to raise up “All-American” Orthodox young men comfortable in both secular and religious worlds.⁷

Allen “Abby” Gewirtz, who played for the school in the mid-1950s, has recalled that “almost all of us took off our hats or yarmulkes in the locker room and did not put them back on until the game was over. Maybe a few of the most religious fellows who did not play much wore their kipot on the bench. But if they entered the game, they left them at their seats. The type of yarmulkes that we wore back then would have fallen off.” In thinking back about those days, Gewirtz sounded more than a bit like the referee at the Yeshiva-Drew game of the late 1970s when he mused: “there would have been a problem with bobby pins perhaps cutting an opponent’s hands. But the concern was never really there because we did not wear yarmulkes.” And while not a rabbi – although certainly then and now an observant Orthodox Jew – Gewirtz opined that he “was not certain that the halacha [Jewish law] really requires us to keep our heads covered when we played. We lived in a different religious culture than today.”

But what about the religious scene and concerns about eating without a head-covering in the locker room at half-time? Reflecting ruefully, but with some humor, about “what was not available to us when we played,” Gewirtz recalled that “we had no oranges or Gatorade or anything like that to refresh us. So the question of [saying a blessing over liquids or foods before] drinking or eating never came up.” Without any comment or discussion, “a few of the more religious guys would put a towel or place their hands on their heads if they found a water fountain or a sink faucet for refreshment.” After the competition, win or lose, with their hats back on, they joined their legions of fans for post-game activities. “Date night games” was a major social event for Orthodox youngsters. A venue of choice was often a local ice cream parlor where these athletes soaked up their classmates’ adulations.⁸

J. Mitchell “Mickey” Orlian who also played for Yeshiva during that era has identified a dairy eatery, “Farm Food” on 72nd Street and Broadway just a few subway stops from Central

Needle Trades where the nomadic club played its home games, as a favorite post-game venue. (The school did not possess an on-campus sports facility until 1985). Orlian, who became a rabbi, observed that: “the restaurant at that time did not have official rabbinical certification but it was known to be kosher and was an appropriate place to meet up with the large crowd that attended our games.” During the 1950s – before kashruth labels were de rigueur on almost all products – observant Jews were guided by what the ingredients were on food packages or, in the case of a restaurant, its reputation for scrupulousness.⁹

Though these Orthodox athletes did not think of their bare-bones world of fun and games in historical terms, arguably there were few activities that took place within the students’ world of their modern yeshiva that bespoke how far it – and they – had evolved away from the world of East European Torah institutions that were the base lines of Orthodox education. Back in Poland and Lithuania, though no rabbi would contend that physical fitness was contrary to Jewish tradition – to do so would contradict a basic teaching of Maimonides which prescribed that “a man should aim to maintain physical health and vigor in order that his soul may be upright in a condition to know God” – sports were unknown and the physical man was never honored. At Yeshiva, however, the rabbinical authorities of that era were either unknowing of the importance to their boys of this extra-curricular pursuit or if they were aware of such youthful affinities, in the end, they believed that sports would bring no harm upon the faith.¹⁰

What the Yeshiva University athlete may have known – as he blithely went about his sports activities – was that athletics were an implicit point of emphasis that set him apart from students who attended other yeshivas in the United States, primarily those in Brooklyn like the Mesifita Torah Vodaath or the Yeshiva Chaim Berlin. There, in their own limited departure from the cloistered world of the past, informal recreation was approved for budding young scholars.

After all, even if they were *frum* [punctilious observant] boys, they were also boys from Brooklyn and enjoyed playing street games like those around them did. But formal sports activities and the attendant socializing was frowned upon. Though each of these schools drew the out-of-bounds line differently, none of them saw their mission, in any way, as dedicated to the cultivation of “All American” Orthodox young men.¹¹

As far as female Orthodox athletes are concerned, the inauguration of formal intercollegiate sports at Stern College in 1979 was perhaps one of the least revolutionary aspects of that idiosyncratic institution’s evolution. To begin with, there certainly was no hoary 19th century religious educational model against which this school’s mission could be compared and contrasted. In the old country most young women, if educated at all, were schooled informally or mimetically from their mothers. While in the 1920s, the Beit Yaacov movement in Poland began to provide comprehensive religious education to female youngsters, at those schools, there was no hint in the curriculum of an attempt to offer a well-rounded Jewish and secular education. What was so new at Stern College when it was established in the mid-1950s was essentially a distaff version of the American Orthodox institutional model that was first proffered to men on an elementary and secondary school level back in the 1920s and which led to the opening of Yeshiva College. Effectively, Stern College was in the business of producing “All-American” Orthodox young women who might live harmoniously within two cultures.¹²

Accordingly, Stern’s women, behaving like their male counterparts of the era of the 1950s-1970s, did not take on the issue of how an observant student should dress while engaged in the American world of recreation and games. Indeed, the persistence of that comfort zone among Orthodox athletes – male and female – within sports’ sartorial mores that Allen Gerwitz described, may be clearly seen by the lack of talk on the campus about modest dress for female

athletics. Moreover, there was an absence of comment or debate over what constituted appropriate mixed-gender activity when, in February 1979, Stern athletes competed for the inaugural time with Yeshiva College students on a co-educational bowling team. A month later, the Lady Macs took to the court wearing standard basketball shorts and short-sleeve jerseys.¹³

One sign of changing times within Orthodoxy and at Yeshiva was seen in 1985, when the men's campus was finally favored with the Max Stern Athletic Center "equipped with a regulation size gymnasium and locker room, a banked curve track... and a weight room (with Nautilus)." The men's teams' some forty years of wandering through the city in search of sports space had come to an end. Women athletes and fitness enthusiasts were chagrined that they were barred from using the facility. Indicatively, the athletic director explained that "the decision was made because of the general feeling among the Rashei Yeshiva [sic]" – teachers of Talmud – that the mixing of the male and female gender in a gym setting in exercise attire [is] inappropriate for an institution like Yeshiva University."¹⁴

A few years later, a Stern star fencer spoke publicly of her refusal to compete in front of men even in a sport where the athlete is covered from head to toe and wearing a mask within as unrevealing a uniform imaginable. By contrast, one of the issues back in the late 1970s for women's athletics was that there was no comfortable seating available in their cramped gymnasium for fathers and mothers and their friends both male and female who wanted to cheer on a club coached by both men and women. In explaining why she did not want men watching her matches, she asserted "we are a *frum* generation," and as such this foilist affirmed a growing sense of gender separation among the most observant on campus. She was also wont to remark that the social scene after games and matches, the ice cream parlor post-game activities that her parents and grandparents were so comfortable with, were not for her.¹⁵

Up to the most recent days, no one on Yeshiva's campus – neither on its male or female locales – has questioned the appropriateness of athletics at the school. But reflecting the religious values of contemporary students, there has been a discernible disinterest in athletics. Seemingly, more students prefer to spend their extra-curricular time in Torah study than in cheering on their teams. A decade ago, this proclivity troubled a Yeshiva College student journalist enough to take his classmates to task for their “apathy” towards “those who play out their hearts representing their school.” Pitching the “dedication” of the Maccabees as “only matched by those learn in the *beit midrash* [house of study], he analogized that when “people finishing learning *shas* [a tractate of the Talmud], they have a *siyum* [a commemorative celebration] to show how much they have accomplished. Similarly, “when the basketball players step out on to the court, they are displaying their accomplishments for us. But... very few fans are there to greet them.” Apparently, after contemporary athletic matches, there are few ice-cream parlor gatherings of players and their fans.¹⁶

Without gainsaying both these prideful views of standing up for Judaism and the social and religious implications of how these men and women over time chose to dress in the gymnasiums for understanding that community's sense of self, these “sports” incidents that engaged Yeshiva with American sports authorities were not really, or uniquely stories of Jewish triumph. Supporters of Brigham Young University (BYU) athletics and those devoted to the Mormon faith commitments that undergird their institution would be quick to point to analogous scenarios. They too have found athletic associations presently amenable to accommodate their religious scruples, proving that scheduling in the world of games is not set in stone.

They are proud of the NCAA's so-called “BYU rule” that as of 1999 directed all of the sports under its domain to work their championship schedules around member institution's

religious needs with a “written policy against competition on a particular day for religious reasons.” It has been noted that that requirement – which has basically gone unquestioned by the NCAA’s more than one thousand schools – has the potential to “disrupt...events that generate a substantial amount of national prominence, television exposure and revenue for the association.” In 2003, the NCAA and BYU were almost faced with a formidable test of their scruples. The Cougars qualified for the national basketball tournament and were shocked when through an “apparent oversight” they were bracketed to play a second-round game on Sunday. However, in the end that was no “Chariots of Fire” conflict in that year’s “March Madness.” BYU lost its opening game to the University of Connecticut.¹⁷

Back at Yeshiva University, in line with association protocols, the athletic department dutifully fills out the requisite forms stipulating those days on the Jewish calendar when teams cannot play. To date, the Maccabees have not made it to their Division III “Big Dance.” However, another high point in its basketball history occurred in 1997 when its regional Eastern College Athletic Conference delayed the start of a playoff game in deference to Yeshiva’s class schedule. That Orthodox school’s dual curriculum of academic and religious studies keeps its male and female athletes in classes and in labs for more than twenty hours a week. It puts the sports program at a competitive disadvantage on the court, the track field, including the logistical problem of having to rush to events, in that case traveling from Washington Heights to Staten Island for a post-season match up. Nonetheless, the willingness of their sports opponents and the associations once again to countenance their religious life-styles – as it does for Brigham Young – bespeaks tolerance, if not an honoring, of cultural diversity in the United States.

For Jews generally and for Orthodox Jews in particular, it shows how far respect for their traditions has come in gaining acceptance in America; a far cry from 1934 when the iconic

Jewish baseball player of his era, Hank Greenberg, was pressured to play on Rosh Hashanah and Yom Kippur. At that point, his manager and the owners of the Detroit Tigers effectively told him that he had to be uncompromisingly devoted to his community – that is to the city of Detroit – by competing for the American league pennant on Judaism’s holiest days.¹⁸

Indeed, there was a cruel irony to the demand with which Greenberg had to cope. During the 1930s, Jews hardly felt included or respected in the Motor City. Their town was as anti-Semitic a locale as any place in the United States. In the 1920s, the Ku Klux Klan had chosen Detroit as one of its northern bases of operations from where it spewed hatred of Jews along with Catholics and African-Americans. The Klan’s message was that Jews, and these other unwanted groups, could never be tolerated in America because they undermined the country’s social fabric and white Protestant religious spirit. Concomitantly, in 1920, industrialist Henry Ford, an unabashed believer in Jewish conspiracies, brought the notorious *Protocols of the Elders of Zion* to American readers through his *Dearborn Independent*, published out of a suburb of the city. And precisely during Greenberg’s era, Jews struggled with the public ramifications that emanated from the preaching of Catholic priest Father Charles Coughlin. From his own Detroit-area pulpit, this radio minister spoke to a nation-wide hook up, and accused the Jews of controlling the United States economy. He alleged week-in and week-out that through their ally, President Franklin Delano Roosevelt, Jews were bringing socialism to this country. And in promotion of their nefarious international self-interests, Jews were pushing America towards unwanted involvement in European conflagrations. Coughlin would not be silenced by his church until after December 7, 1941.¹⁹

Given their tenuous marginality it is understandable that the hard-hitting first baseman would be favored with heroic prose and even poetry from those around him when he sat out a

game on Yom Kippur. Edgar Guest wrote the most famous ode to the slugger when he declaimed: “Came Yom Kippur – holy feast day worldwide over to the Jew/ and Hank Greenberg to his teaching and the old tradition true/ spent the day among his people and he didn’t come to play.” Few critics of that verse, or of the history behind it, have noted that Guest also wrote: “upon the Jewish New Year when Hank Greenberg came to bat and made two home runs off Pitcher Rhodes.” In other words, on Rosh ha-Shanah – with the league championship in the balance – the pressure on Greenberg was such that he suited up for athletic battle on behalf of his “Detroit community.” Ten days later, the pennant was well-nigh in the Tigers’ hands and he sat out. To be sure, such competitive subtleties were lost on the congregants in Shaarey Zedek synagogue who accorded their hero a standing ovation when he appeared at Yom Kippur services – a rare sighting as Greenberg did not habituate religious life.²⁰

As a high school student in 2006, Ben Fuller of Des Moines, Iowa, may have been only vaguely aware of Greenberg’s dilemmas, the complexities of his response and the pains that his home town felt in 1934. He might have been more aware of Sandy Koufax’s decision in 1965, when his parents were growing up, to sit out a World Series game that was played on Yom Kippur and that a more accommodating America some forty years earlier had countenanced and respected his religious decision. What this “senior wide receiver” knew for certain was that he had a “burden” that he prayed his local school district would “lift.” As reported in the Des Moines Register, “Fuller is Jewish” and wanted “to celebrate Rosh Hashana... which beg[a]n at sundown without missing the Roughriders’ game against North.” With the help of his rabbi, David Kaufman of Temple B’nai Jeshurun, he appealed for the match to be rescheduled. “Christian students,” Kaufman explained to the newspaper, “can go to services on Sunday morning because there is no conflict with high school football. Reform Jews can’t come to

Friday night services if the games are played, so it's really important for them to go when the holidays come around." Clearly, the school board understood his concerns even though Friday night football is close to a civic religion in the Hawkeye State. To Fuller's and Kaufman's great pleasure, not only was the Roosevelt game pushed up a day to Thursday, but so were five other league encounters; among teams that had no Jewish players. This favorable outcome to what one coach called an attempt to "respect other people's traditions...as our community grows and becomes more diverse," also provided *The Register* with a valuable teaching moment. A side-bar explained to the Des Moines community the significance of the Jewish New Year and Yom Kippur.²¹

Sometimes, however, when it comes to young Orthodox athletes – where the clock and calendar of sports pose barriers on a weekly basis to their participation – school associations are not nearly as forthcoming. Then it takes a ground swell of popular outrage to force them to be tolerant. Such was the case in February 2012 when in Houston, Texas, The Robert M .Beren Academy, a Jewish day school, won its regional championship but was initially deterred from moving on to the state semi-finals because the game was scheduled for Friday night. In filing an appeal to the Texas Association of Private and Parochial Schools, the school made much of the fact that the league "doesn't schedule games on Sunday in deference to Christian teams, we expected that as a Jewish team, there would be grounds for a scheduling change." The petitioners had the support of "several of Beren's opponents who in the past had altered game days and times to avoid Sabbath conflicts." But the Association remained adamant in refusing to amend its program. Its director was quick to point out that when the Orthodox team "joined years ago, we advised them that the Sabbath would present them with a problem with the finals." Indeed, the Beren coach and some of his players admitted that "we knew this could happen down the road."

Still, they hoped for an accommodation even as they were prepared to forfeit a shot at an uncommon athletic triumph.²²

While the school and its students received kudos from many rabbis who spoke of their own sanctification of God's name, in the three-day run-up to the now controversial game, they also garnered enormous support not only from Jewish organizations but from the wide world of sports. Former coach of the NBA Houston Rockets, and presently basketball analyst Jeff Van Gundy, was among the voices that spoke through the *New York Times* and ESPN calling upon the Texas association to let them play. One pundit compared these young men favorably to NFL quarterback Tim Tebow, a devout Christian who often wears his faith on the sleeve of his jersey. It was said that in "refusing to bend to the dictates of the majority, they have done more to honor the cause of faith than the histrionics of football star Tim Tebow. No matter who wins the state basketball championship in Texas this year, the Beren team is the true champion." Most importantly, Beren parents, showing faith in the court system, prepared to seek a restraining order from a local magistrate allowing their team to compete before sundown. Weighted down by an avalanche of criticism and anticipating a negative judicial ruling, the association reluctantly "agreed to allow Beren Academy to compete in the State Tournament, rather than have the tournament delayed by a court hearing." In the immediate aftermath, one commentator worried that the parents and fans of the replacement team would be "ticked because they thought their team would be playing." He was also concerned that "there will be plenty of parents and fans of other schools that are going to be ticked that a Jewish school had the nerve to demand changes to a longstanding, quasi-Christian organization." However, in the end, tolerance prevailed. Reportedly, "officials at Kerrville Our Lady of the Hills High School – which was scheduled to play in Beren's absence – said that they supported the scheduling change. "As

Beren Academy expressed support for us playing in their stead, we share our support of them in their earned Semi-Final game,” the statement read. ““Good Luck Stars!”²³

From the sidelines it should be observed that this triumph of acceptance and tolerance fits well into a contemporary period in American Jewish history where empowered observant Jews are increasingly comfortable in larger society. They certainly are made to feel at home behind the plate at Major League parks where kosher food is readily available for purchase. And in some ball yards, space is provided for those who want to recite their evening prayers without missing much of the action on the diamond. Unquestionably, in their quest to maximize box office profits, recognition of these fans’ special needs perhaps transcends tolerance and is just good business. But far more important, for these contented consumers, the travails of their grandparents and, to a lesser extent, their parents who had to deal with onerous “Blue Laws” which restricted work on Sunday – the Christian and civically-recognized Sabbath – are distant unhappy memories. That is, if the present generation is aware at all of the problems their ancestors faced. One hundred years ago – and in many places until very recently – Jews who wished to advance economically in America while remaining true to Jewish prohibitions against Sabbath work were forced to labor only five days a week, unless they were willing to toil on Saturday. Many of them reluctantly did so because the laws of the land decreed that shops, factories and stores had to respect the holiness of Sunday. Such is no longer the case. With powerful assists, punctilious Jews have adroitly navigated the rising crests of a flourishing affinity for cultural pluralism that flows through this land. For now close to fifty years, for example since 1965, the National Jewish Commission on Law and Public Affairs, an independent group of “Orthodox laymen, mostly lawyers,” have championed the cause of Sabbath-observant Jews whose rights have been abridged. There is in place a mature Orthodox

defense establishment that has chalked up an impressive track record against any potential employer who might seek to undermine the traditional values of its clients. In prior generations, legislators in the United States who reflected through their votes the wishes of the Christian majority of the constituents, were highly reticent to interfere with the civic sanctity of the Christian Sabbath. Nonetheless, despite contemporary changed social-religious atmospherics, not every conflict between Orthodoxy's and America's clock and calendar may ever be totally reconciled even in a tolerant host society.²⁴

In 2011, seven-year-old Amalya Knapp found out how difficult it could be to “balance faith and sports” when the young gymnast, also an Orthodox Jew, was unable to compete in a major meet. USA Gymnastics permitted her to compete on Sunday and have her scores count in her team's overall ranking. But, in fairness to all athletes, her individual scores were ruled out of bounds because she “hadn't competed at the same time as girls of her skill level and age group.” Amalya's parents who tried “to work within the system” came to recognize that a special accommodation might have given her an unfair advantage. They did not actively support the call of their local Assemblyman – also an Orthodox Jew – to the association to reverse the decision, preferring not get further involved with an “issue that has really been pushing a lot of buttons for people over whether religious exemptions have a place in sports.” They did not want to answer the question that the unsympathetic might raise: “why did [you] sign up for something that [you] couldn't be able go to some of the events.” In the end, they explained to their daughter that “there are decisions you have to make.”²⁵

Indeed, on balance, observant Jews who play on teams – like Yeshiva University or Beren – have fared better among conference colleagues and if necessary in litigation, than individual competitors. For example, according to NCAA protocols, the “BYU rule” does not

help an athlete who plays for an “institution [that] has no policy against Sunday competition.”²⁶

Perhaps that stipulation explains in part the excitement within Orthodox Jewish circles that surrounded the saga of Baltimore yeshiva high school hoopster, Tamir Goodman. In 1999, media from *Sports Illustrated* to ESPN to every Jewish news outlet coast to coast were captivated when it was reported that the University of Maryland had tendered a verbal commitment to Goodman while still a junior at the Talmudical Academy of Baltimore to join its basketball team as of 2001 with the unprecedented understanding that he would not have to play on the Sabbath. It was “widely assumed that Maryland [would] petition the NCAA for as few Saturday games as possible.” One scribe pointed out that the association “has in the past been accommodating to Brigham Young, a Mormon school.” There was also much chatter that Maryland would lobby its fellow Atlantic Coast Conference teams to change the days or times of its multimillion dollar weekend post-season tournament to make way for that special young man. That set of assumptions was seen as the fulfillment of the consummate Orthodox sports fantasy: A star would be so bright that the entire sports world would turn over its rules to make him comfortable.

Ultimately Goodman proved to be less than a stellar player and the University of Maryland backed away from its implicit commitment. In the meantime, the young player dealt with his desire, while still a high-schooler, to play in a more competitive sports environment and to keep faith with his traditions. He decided to transfer to Takoma Academy, a Seventh Day Adventists institution. As a member of the squad, Goodman was not obliged to compete on Saturday. But before contests began, he, and his legion of fans, did have to listen to his coach offer a prayer within their earshot for a “safe injury free game in Jesus’ name.”

Upon graduation, Goodman earned a scholarship at a lower level Division I program, Towson State. Its conference, America East, more tolerant than the NCAA, scheduled its games with Goodman in mind. Commissioner Chris Monach said that “in an educational setting, we’re not about to create anything that would be an obstacle to someone’s religious belief. Coach Jay Wright, then of Hofstra University, was particularly sensitive to the Goodman issue since he had a Mormon ballplayer on his club who struggled with his Sunday sports dilemma. Ultimately, Lance Dunkley decided to play on his Sabbath but to avoid practices on that day. In retrospect, Wright would aver that “I sort of felt bad for my guy that I did not request” help from the league.²⁷

Very recently this spirit of tolerance for the observant – so noticeable in America –has even permeated ever so slightly into the previously inhospitable arenas of international sports federations. Needless to emphasize, these groups, starting with the International Olympic Committee [IOC], have a long and inglorious history of insensitivity to Jewish concerns, dating back to Hitler’s 1936 Berlin Games. No less painful for Jews – and Israelis particularly – was the sports officialdom’s decision in 1972 to continue the Munich Games after but one day of mourning for the sportsmen murdered by Palestinian terrorists. To add continuing insult to injury, in July 2012, the Olympic leadership turned down a request from a widow of one of the Israeli victims –backed by a petition that close to 100,000 people signed – for “one minute to remember the 11 Munich athletes” before the London Games commenced. The IOC’s position was that its charter provides that its competitions are solely between individuals and sports teams and not between nations. Yet, critics have seen this decision as an effort to avoid “rocking the boat, angering Arab nations by honoring men who were killed by Palestinian terrorists. It’s afraid to take Israel’s side; it does not see it as a gamble worth the cost.”²⁸

Similarly, FIFA – the world governing organization of football-soccer – has repeatedly shown where its sympathies lie. In 2006, for example, FIFA “condemned Israel for an air strike on an empty soccer field in the Gaza Strip that was used for training exercises by Islamic Jihad and the Al-Aqsa Martyrs Brigade. This strike did not cause any injuries. At the same time, FIFA refused to condemn a Palestinian rocket attack on an Israeli soccer field...which did cause injuries.” Not surprisingly, FIFA and most other international sports groups have shown no interest in considering the Jewish calendar in scheduling its most important events.²⁹

However, in 2011, in a reversal of prior policies, FIBA, the international basketball association, allowed “an Orthodox Jewish basketball player to cover her arms during competition in accordance with her religious beliefs.” Much like the woman at Stern College, Naama Shafir, a member of Israel’s national squad, was permitted “to wear skin-colored sleeves under her jersey...to adhere to Orthodox standards of modesty.” Shafir’s Orthodox values are somewhat more nuanced than her counterparts at Yeshiva’s women’s college. While playing for the Division I University of Toledo Lady Rockets, who like Towson State’s approach to Goodman, accommodated her needs, Shafir sought and received a “dispensation” to play games on the Sabbath so long as she did not travel to matches and did not practice on Saturday. Her rabbi, Chaim Burgansky reasoned that “practice is in the category of ‘exercise’ and therefore forbidden, but the game itself is fun. Who wants to sit on the bench?” This unconventional rabbinic decision raised many eyebrows in Orthodox circles. But, unquestionably, FIBA did not calibrate the degree of Shafir’s fidelity to *halachic* [Orthodox Jewish legal] protocols in rendering its decision.³⁰

More likely, Shafir rode the coattails of the international sports world’s greater problems in dealing with the dress requirements of female Muslim athletes. They come to the

field, arena or pool having overcome the longest standing objections of their religious authorities against women participating in such public venues. Still, many of these participants adhere to their tradition's laws that require them to cover their legs, arms and head completely; strictures that are far more confining than those with which Orthodox Jewish women deal. Generally, the international boards have banned women wearing the hijab even if creative supporters of women's athletics in the Arab world have pushed for acceptance of "two new hijab designs with Velcro or magnetic fasteners." There is no evidence that Muslims have learned from Orthodox Jews even if these moves are more than vaguely reminiscent of how their religious counterparts of another faith in America have dealt with their head covering issues. The best news for Muslim sportswomen is that the international governing body of women's weightlifting, following the lead of United States officials, agreed to allow "lifters to be covered as long as they're wearing a uniform that doesn't prevent judges from ruling if they locked out the elbows and knees." Ebullient about this turn-around, Kulsoom Abdullah can not only take on all other competitors but, like Ben Fuller and Rabbi Kaufman in Iowa, has been granted an opportunity to teach others, through the medium of sports, what her traditions are all about." Abdullah has averred that these "learning experiences" are sports at their best.³¹

NOTES

¹ On the NCAA's regulations regarding head coverings, see NCAA Basketball 2020 and 2011 Men's and Women's Rules (on line edition): 59, 60.

² Johnny Halpert, *Are You Still Coaching?: 41 Years Coaching Yeshiva Basketball* (Bloomington, Ind: Authorhouse, 2013), 31.

³ See an Associated Press dispatch dated February 25, 1981, that appeared widely in American newspapers. See for example, *The Telegraph* (February 25, 1981), 24. See also Associated Press dispatch, dated January 11, 1983, that appeared in the Gainesville Sun (January 11, 1983), 25.

⁴ Richard Zerneck to Amy Rule, October 25, 2001; Barbara Jacobs to Zerneck, October 31, 2001. (Files of Yeshiva University Athletics Department).

⁵ Zerneck to Barbara Jacobs, November 6, 2003; see also Jacobs to Zerneck November 10, 2003 (Files of Yeshiva University Athletics Department).

⁶ On the problems that ancient sports posed for Judaism, see Jeffrey S. Gurock, *Judaism's Encounter with American Sports* (Bloomington: Indiana University Press, 2005), 16-20. On Max Nordau's Zionist call for Jews to engage in sports, see Benjamin Netanyahu, *Max Nordau to his People: A Summons and a Challenge* (New York: Scopus Publishing Co., 1941), 88.

⁷ On the early history of Yeshiva's teams and their reflection of the school's mission, see Gurock, "The Beginnings of Team Torah u-Madda: Sports and the Mission of an Americanized Yeshivah," *Torah U-Madda Journal* 14 (2006-07): 152-172.

⁸ Interview with Allen Gewirtz, August 7, 2012.

⁹ Interview with J. Mitchell Orlian, August 13, 2012.

¹⁰ On Maimonides' call for physical fitness, see Meir Baskhi, "Physical Culture in the Writings of Maimonides," [Hebrew], in *Simri, Physical Education and Sports in Jewish History and Culture* (Netanya, Israel: Wingate Institute for Physical Education and Sport, 1973), 11-18, 50.

¹¹ On the limits such yeshivas placed on athletics and the attempts of students to circumvent them, see Gurock, *Judaism's Encounter*, 130-34.

¹² On the founding of Stern College, see Gurock, *The Men and Women of Yeshiva :Higher Education, Orthodoxy and American Judaism* (New York: Columbia University Press, 1988), 186-196.

¹³ On the history of athletics at Stern College, see its student newspaper which printed pictures of its student-athletes. See, for example, *The Observer* (February 20, 1979): 8; (March 3, 1979):3; (November 6, 1985), 1.

¹⁴ On the problems of facilities, see internal memo Gil Shevlin to Dean Karen Bacon (May 3, 1988) regarding seating problems at games. (Files of Yeshiva University Athletics Department).

¹⁵ On the fencer's unwillingness to have men at her matches and her views of her parents' religious and social mores, see Gurock, "Orthodoxy on Display in the Arena of Sports, 1920-2000," in *Imagining the American Jewish Community*, ed. Jack Wertheimer (Waltham: Brandeis University Press, 2007), 120-40.

¹⁶ Shai Barnea, "Op-Ed: Student Apathy," *The Commentator* (February 22, 2001): 30.

¹⁷ Kevin J. Worthen, "The NCAA and Religion: Insights About N-n-State Governance from Sunday Play and End Zone Celebrations," 123. *The NCAA and Religion-University of Utah E Publications*, 128-129. This article also notes the shifts in attitude within the NCAA since the 1950s towards tolerance which led to the BYU rule that has been unchallenged since 1999.

¹⁸ William M. Simons, "Hank Greenberg: The Jewish American Sports Hero," in *Sports and the American Jew*, ed. Steven A. Riess (Syracuse: Syracuse University Press, 1998), 192-200.

¹⁹ For a full discussion of the Northern reaches of the Klan in the 1920s, including Detroit, see Kenneth T. Jackson, *The Klu Klux Klan in the City* (New York: Oxford University Press, 1967). For the most recent, comprehensive study of Henry Ford's anti-Semitism, see Victoria Saker Woeste, *Henry Ford's War on the Jews and the Battle against Hate Speech* (Stanford, Ca.: Stanford University Press, 2012). On Father Coughlin, see Charles J. Tull, *Father Charles Coughlin and the New Deal* (Syracuse: Syracuse University Press, 1965.)

²⁰ For the latest biography of Greenberg which notes Guest's verse about Yom Kippur but omits the line dealing with Rosh ha-Shanah, see Mark Kurlansky, *Hank Greenberg: The Hero Who Didn't Want to Be One* (New Haven and London: Yale University Press, 2001), 10-11.

²¹ Mike Malloy, "Football Schedules Now Consider Jewish Holiday," *Des Moines Register* (September 26, 2006); on line edition. desmoinesregister.com

²² Mary Pilon, "In Texas, The Sabbath Trumps the Sabbath," *New York Times* (February 27, 2012): online edition; "Yeshiva Hoop Dreams Shattered," *Jewish Week* (February 29, 2012): on-line edition.

²³ "Jewish High School Back in Texas Tourney after Parents File Lawsuit," *Wall Street Journal* (March 3, 2012): online edition. See also online comments on the article. Jonathan S. Tobin, "Sabbath Observing Texas High School Does More for Faith than Tebow," *Commentary* (February 29, 2012): online edition.

²⁴ For a discussion of how today's ball parks court kosher eaters and provide for Jewish religious services, see Gurock, "Baseball, the High Holidays and American Jewish Status and Survival. What is Jewish about America's Favorite Pastime," eds. Marc Lee Raphael and Judith Z. Abrams (Williamsburg, Va.: College of William and Mary Press, 2006), 27-34. On founding the Commission to protect Sabbath observers, see *American Jewish Year Book* (1966), 129. See also ed. Marvin Schick, *Governmental Aid to Parochial Schools--How Far?* (New York: National Jewish Commission on Law and Public Affairs, 1968), 7. It should be noted that there have been instances, in recent years, where a sports association would not alter its schedules. In 2010, The Washington [State] Interscholastic Activities Association denied a request from the Northwest Yeshiva High School of Mercer Island to move a basketball game because the match was scheduled for the Fast of Esther. See "Jewish Basketball Team Forfeits over Fast Day," www.jewishjournal.com (February 25, 2010), online edition.

²⁵ "Young Athlete Faces Uneasy Balance of Faith, Sports," Associated Press news release (March 5, 2011): online edition.

²⁶ Worthen, 129,-130, note 52.

²⁷ For a full consideration of Goodman's saga upon the Orthodox community, Jews generally, and the world of American sports, see Gurock, *Judaism's Encounter*, 160-70.

²⁸ For criticism of the Munich games' decision to resume play after the murder of the Israeli athletes, see the editorial "Munich, 1972" *New York Times* (September 7, 1972), 42. On the controversy in 2012 over a moment of silence, see Jennifer Lipman, "London 2012: One Minute to Remember 11 Munich Athletes - Too Much to Ask?" <http://www.guardian.co.uk/comments/free/2012/jul/06>.

²⁹ Tom Gross, "Football Killing Fields: Outrage and Disbelief as World Soccer Body Condemns Israel, not Hamas." *National Review* (April 11, 2006): online edition; "Israel and FIFA World Cup Soccer" <http://blogsofzion.com/blog> posted July 1, 2008. Interestingly, Israeli teams have been criticized by Jews who feel that they should be mounting significant protest when games are scheduled in conflict with Jewish holidays. See, for example, Jeremy Last, "The Last Word: Why Is Israel Playing on Rosh Hashana?" *Jerusalem Post* (September 18, 2009): online edition.

³⁰ Michele Chabin, "Orthodox Basketball Player Allowed to Cover Her Arms," <http://blog.beliefnet.com/new/2011/06>; see also "Orthodox Basketball Star Naama Shafir led the University of Toledo to Victory," <http://jwa.org/this-week/apr/02/2011>.

³¹ Penny Hopkins, "The Many and Varied Barriers to Sports Participation for Muslim Women," www.womensviewaonnews.org (June 7, 2012), online; "Sports Helps Muslim Athletes Cope with Fallout From 9/11," www.masslive.com (September 11, 2011), online.