South african South Shall Represent the source of quality content, news and insights Volume 26 - Number 07 24 February 2022 23 Adar I 5782 Proposed From P

Mogoeng Mogoeng vindicated in Masuku judgment

NICOLA MILTZ

he highest court in the land last week ruled that recently retired Chief Justice Mogoeng Mogoeng's so-called controversial Israel comments made during a webinar in 2020 were "nothing more than his religious and personal views".

Earlier this month, Mogoeng "was forced by the law" to apologise for comments he made about Israel in a June 2020 *Jerusalem Post* webinar with Chief Rabbi Dr Warren Goldstein. He said South Africa had a role to play in resolving the Israeli-Palestinian conflict, that he supported both peoples, and as a Christian, he had an obligation to pray for the peace of Jerusalem.

His comments led to three anti-Israel organisations taking him to task, complaining that Mogoeng committed wilful or grossly negligent breaches of the code of judicial conduct in that he had become involved in political controversy or activity. The other complaint was that he had involved himself in extrajudicial activities.

The Judicial Conduct Committee, which heard the complaint, in April 2021 found him guilty and ordered him to apologise unconditionally.

The appeals committee in January 2022 found that Mogoeng had "involved himself in political controversy" and "was involved in extrajudicial activities". He was ordered to apologise, which he did on Thursday, 3 February, even though he admitted that he did so reluctantly.

The former chief justice was vindicated in the long awaited Concourt judgment that found Bongani Masuku, former international relations secretary of the Congress of South African Trade Unions (Cosatu), guilty of hate speech.

The judgment that ordered Masuku to apologise to the Jewish community for comments made 13 years ago also made the Concourt's views on Mogoeng clear. These views formed part of the judgment in an application for Mogoeng to stand down from the Masuku case, brought by him and Cosatu in November last year. They submitted that Mogoeng, through his Israel comments,

had created a reasonable apprehension of bias against

"Interpreted objectively and within the context of the entire webinar, none of Mogoeng CJ's statements can be taken to be anything more than his religious and personal views," read the judgment. "Quite contrary to what the respondents argue, an objective reader wouldn't understand the comments to be advocating for a particular political stance towards the conflict other than, at most, hopes of forgiveness, peace and love. They do not intimate any kind of hostility or negative views towards any of the parties involved in the conflict.

"It's an untenable stretch to characterise Mogoeng CJ's comments as expressing 'unconditional support for the state of Israel' when the context quite evidently shows that Mogoeng CJ was communicating his biblical love

for all, including Israel and Palestine, and his opinion on South Africa's painful past and unique perspective which enables it to advocate for peace in the global context. There's also nothing in the evidence provided by the respondents which supports the notion that Mogoeng CJ condemned the BDS [Boycott, Divestment, Sanctions] movement and South Africa's stance towards Israel. On the contrary, the transcript of the webinar reveals that Mogoeng CJ declined to comment on whether the BDS movement was conducive to a peaceful resolution of the conflict."

The crux of Masuku and Cosatu's case for recusal was that Mogoeng's Israel comments and subsequent conduct showed that he held strong personal views which were diametrically opposed to their beliefs.

Based on his comments, they claimed that Mogoeng

"professed his unconditional support for the state of Israel, and that he has openly condemned the BDS movement and South Africa's political stance towards the Israel-Palestine conflict". On the basis of these publicised views, Masuku and Cosatu submitted that it was evident that Mogoeng wouldn't be able to bring an impartial mind to adjudication of the main application.

However, the Concourt said in its ruling that on a plain reading of the transcript of the webinar, Masuku

However, the Concourt said in its ruling that on a plain reading of the transcript of the webinar, Masuku and Cosatu's submissions were "unsustainable". It ruled that they didn't meet the legal test for reasonable apprehension of bias.

Rowan Polovin, the national chairperson of the South African Zionist Federation (SAZF), welcomed the comments made in the Constitutional Court matter against Masuku regarding Mogoeng's statements about Israel. "The SAZF, from the very beginning, has maintained that the chief justice's utterances were uncontroversial.

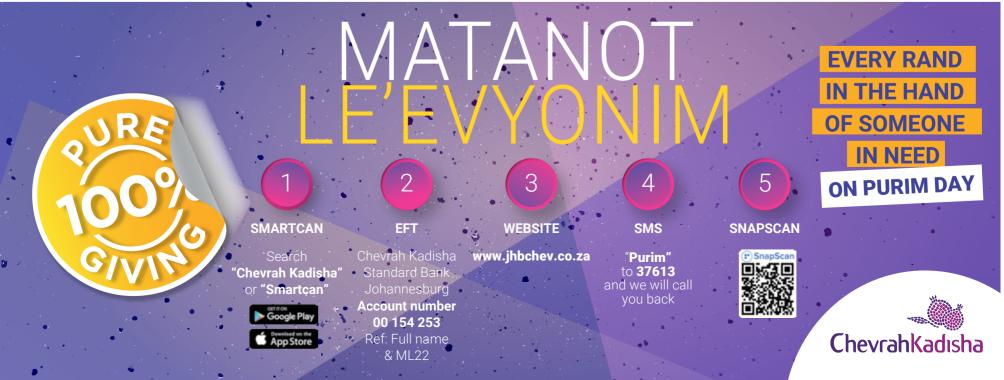
"These comments from the Constitutional Court vindicate the SAZF position that the chief justice's comments weren't politically controversial nor amounted to the chief justice involving himself in a political controversy. The SAZF, therefore, questions why so much airtime was given to this issue when there are so many pressing issues affecting the judiciary."

Advocate Mark Oppenheimer, who represented the Rule of Law Project (ROLP) as amicus curiae (a friend of the court) in the matter said, "After 13 years of the South African Jewish Board of Deputies battling very clear antisemitism, it's a resounding victory that the Constitutional Court has held Bongani Masuku liable for hate speech. He tried to derail this process by issuing a recusal application against the chief justice for statements he made in relation to Israel and Palestine in 2020. The court saw this tactic for what it was, and unanimously held that there was no reason for the chief justice to recuse himself as there was no reasonable apprehension of bias. We vehemently opposed his application for recusal, and we are delighted with the results that were handed down."

Continued on page 2 >>



United Arab Emirates Ambassador Mahash Saeed Alhameli and his wife, Kalthoom Alhameli, share a moment with Miss South Africa Lalela Mswane on 23 February. Mswane was on a visit to the UAE and Israeli ambassadors in Pretoria to thank them for hosting her during the Miss Universe pageant in Eilat in December 2021.



Madoff's sister and brother-in-law found dead

The sister and brother-in-law of Bernie Madoff, the hedge fund manager who ran a \$50 billion (R750.3 billion) Ponzi scheme that counted a number of major Jewish non-profit organisations among its victims, have died in an apparent murder-suicide.

Sondra Wiener, 87, and Marvin Wiener, 90, were found dead at their home in Boynton Beach, Florida, on

17 February. The cause, local police said, was gunshot wounds. A motive wasn't made public.

Madoff, whose crimes were discovered in December 2008, died in prison last year at the age of 82 after being sentenced to 150 years in prison in 2009. The investors defrauded in Madoff's Ponzi scheme included Yeshiva University, elite Orthodox Jewish schools in New York and Boston, Hadassah, the Women's Zionist Organization of America, and other Jewish organisations and family foundations.

Sondra and Marvin Wiener were among Madoff's victims, having lost several million dollars in the Ponzi scheme, their son told reporters at the time the scheme became public.

Dutch universities resist query about Jewish ties

A group of public universities in the Netherlands said that they would ignore a controversial freedom-of-information query on their ties with Jewish groups, but they appeared willing in principle to disclose their connections with Israeli entities.

The Universities of the Netherlands, an umbrella group for the country's 14 public universities, released its statement following a recent query by The Rights Forum, a pro-Palestinian organisation whose founder has long fought accusations of antisemitism.

The query "targets a specific group of citizens, including staff, students, and alumni of our universities, creating feelings of unsafety, injustice, and discrimination. We will not co-operate with this," the statement reads.

The Rights Forum had asked for documents or information on "institutional ties with Israel universities, institutions, and businesses and with organisations that propagate support for the state of Israel." But it also named non-Israeli Jewish organisations

from the Netherlands and beyond, including the Anti-Defamation League; the Central Jewish Board of the Netherlands; the International Holocaust Remembrance Alliance; B'nai B'rith International; and the office of the Dutch government's own National Co-

ordinator for Fighting Antisemitism, which is headed by Edo Verdonner, who is Jewish.

Roblox removes virtual gas chambers from game

Roblox, a popular collaborative computer gaming platform for children as young as seven, says it has removed a virtual Nazi concentration camp featuring gas chambers that users could operate.

In a report published on 19 February, the Daily Mail revealed the existence of the concentration camp game, which included tall watchtowers, gas chambers, and train tracks apparently representing the cattle cars that brought Jews to Nazi death camps to be murdered.

The game featured gas chambers which users could operate by pressing a button with the word "execute" or enter to experience



The Roblox app seen displayed on a smartphone screen

death of their avatar by gassing.

Roblox released a statement to the Daily Mail in which it said it had removed the game and condemned extremism and antisemitism.

All briefs supplied by JTA

Mogoeng Mogoeng vindicated in Masuku judgment

>>Continued from page 1

Oppenheimer said the case also gave further clarity to what "the rules are for genuine hate speech and what speech will be protected by the Constitution".

In opposing papers before the Constitutional Court, the ROLP said the Mogoeng interview and various other comments relating to his religion didn't impair his judicial impartiality.

"It's evident that Mr Masuku and Cosatu hold strong prejudices against Israel. The fact that Mogoeng CJ doesn't share those prejudices isn't a reason for him to recuse himself. His comments

were decried not because of a denouncement of Palestine, but rather a failure to condemn Israel. The mere fact that Mogoeng CJ doesn't condemn Israel doesn't logically lead to the conclusion Mr Masuku and Cosatu won't enjoy a fair hearing," stated the ROLP.

The Concourt ruling added that the law didn't expect judges to "deactivate their humanity and operate from islands of indifference", and that the test for recusal wouldn't be satisfied on the basis that a judge may have views or beliefs that differ from those of the parties before them, "even if those beliefs are relevant in

some way to the matter.

"It's safe and pragmatic to assume that judges are able to set aside their personal views and be guided by the relevant legal principles when deciding any matter. We must, after all, be reminded of the weight of the presumption of impartiality," it ruled.

"Whatever disagreement or disapproval the respondents may harbour in relation to the personal and religious views that Mogoeng CJ espoused are simply insufficient to constitute a valid ground for recusal," wrote the Concourt.

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Torah Thought

G-d is in the detail

arshat Vayakhel is a detailed account of the construction of the vessels for the Mishkan and the building of the Mishkan itself.

The Torah often withholds pertinent information from us in order that we glean the details of the law from the oral Torah. However, there are times when the Torah is supposedly verbose about "irrelevant" details. For example, it details the descendants of Esav or the repetition of Pharaoh's dream. Similarly the slave, Eliezer's, recounting of events when he searched for a wife for his master,

Yitzchak. Why the Torah does this is often a mystery. This week's parsha is another example of the Torah going into great detail about a topic that seemingly has no relevance to our lives. The Torah describes the construction and creation of the Mishkan in the minutest of

The Kli Yakar with his great brilliance and insight has some explanations about why the Torah goes into the excruciating details of every measurement of the Mishkan's construction.

The Kli Yakar looks at the three vessels that had crowns - the ark, the table, and the small golden altar. He explains that these crowns represent none other than the three crowns enumerated by Pirkei Avot. The ark which housed the Torah and the tablets represents the Crown of Torah. The table represents the Crown of Kingship, and the altar, the Crown of Priesthood.

But his genius comes to the fore when he analyses the measurements delineated by the Torah. He points out how the ark's measurements are all in fractions, the altar's is whole numbers, and the table has a mixture of fractions and whole numbers.

He explains that when it comes to Torah (represented by the ark) one can never attain completion in one's understanding or mastery of Torah. This is why the measurements are all in fractions.

When it comes to the table, one should, on the one hand, view one's wealth as complete

and be totally satisfied with one's portion. However, on the other hand, one should never strive to fill oneself up, but rather be lacking in some respects.

Finally, the altar, which represents service of Hashem, cannot be fractured at all. One's devotion and commitment has to be total and unwavering and therefore, the measurements are all whole numbers.

This should open our eyes to the fact that the Torah in its infallibility has many secrets and mysteries for us to discover that are indeed very relevant to our daily lives.

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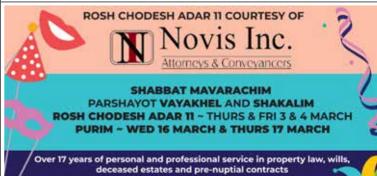
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'Superhero in a kippah' fights new aliya policy

TALI FEINBERG

srael is cracking down on a phenomenon known as "passport aliya", in which people make aliya just to gain the benefits of a passport.

But while the Jewish state is moving to implement a policy that all *olim* to sign a form in which they commit to living in Israel permanently, one champion of olim is determined that this doesn't happen.

Former minister of the Knesset, Dov Lipman, and his *olim* advocacy organisation, Yad L'Olim, believe the policy will have an adverse effect on potential olim who don't move their entire life to Israel and who maintain links with their previous country, whether it relates to property, children studying, or a job.

Lipman and Yad L'Olim played an integral role in getting Israel to reopen its borders to all tourists after its most recent lockdown against the Omicron variant of COVID-19.

hours after the country announced it was open to all, Lipman was back in the Knesset to speak out against the new aliya policy.

But just

"Today, I'm focusing on a new policy that has been announced by the population authority that's going to require olim to make a declaration of intent in terms of being in Israel and giving up their life outside of Israel, which we find completely unacceptable,' he said in a video as he

walked through empty Knesset corridors.

"It's going to have a particular impact on olim from Western, English-speaking countries, who very often make aliya and still have homes outside of Israel or children who live outside of Israel. We're not going to allow this policy change to happen," he said. "We're going to be here fighting on behalf not just of olim who have made aliya and their families, but on behalf of Jews all around the world who are considering making aliya. I have a series of meetings with members of Knesset today as we develop a coalition to try to fight against this new policy."

Speaking to the SA Jewish Report between meetings, Lipman said, "The population authority has decided to add new questions and declarations that new olim need to make. For example, 'Have you sold your property outside of Israel, or do you continue to work outside of Israel.' They're doing this because there's something called 'passport aliya', mostly for the former Soviet Union, in which people get an Israeli passport just for the advantages it brings, but have no plans to live in Israel.

"They're trying to crack down on that, which I certainly support," he said. "But they're cracking down on it in a way that's going to hurt olim from Western, English-

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and immigration form, titled "Application for the regulation of a new immigrant status in Israel". Along with the questions that Lipman mentions, olim will have to say if they are renting out their former home while they are in Israel, if they have a shipment coming to Israel and when it is expected to arrive, if their children have completed their studies abroad, and "any other indicators, if any, demonstrating the closure of the centre of your life abroad".

> They will also be asked if they have a place to live in Israel, whether their children have been registered for schools in Israel, and if they have jobs and bank accounts in Israel. They will be required to provide documents to prove their answers.

Israeli media reports that aliya applicants will also be required to sign the following declaration at the bottom of the form in front of an Israeli consular representative: "I, the undersigned, after being warned that I must tell the truth and that if I don't do so, I shall be subject to punishment set by statute, hereby declare that I requested immigrant status in Israel in order to settle in Israel immediately and permanently, and to make Israel the centre of my life. I also hereby declare that all the information and details I have provided in my application are complete and correct."

However, Israel Centre Director Liat Amar Arran said potential olim shouldn't worry about the new policy or form, it was just an administrative measure to prevent

"passport aliya".

"As long as someone is really planning to make aliya, they don't need to be concerned. As long as their heart is in the right place and they are ready to make aliva as part of a process, they don't need to be concerned," Amar Arran said

She said the form had already been included in the Israel Centre's aliya process. However, she knows we're living in a globalised world where people work remotely, travel often, and don't always shift their entire lives to Israel. The Israeli government knows and accepts this too, Amar Arran said. "The form just gives more

> content to show what their life will look like, and what they need in

"AS LONG AS THEIR HEART IS IN THE RIGHT PLACE AND THEY ARE READY TO MAKE ALIYA AS PART OF A PROCESS, THEY DON'T NEED TO BE CONCERNED."

Meanwhile, Kim Kur of the Facebook group "Community Circle Home SA", which supports travellers during the pandemic, told the SA Jewish Report, "Dov Lipman has shown extraordinary dedication in looking out for the best interests not only of olim, but the families of olim [during the pandemic]. Yad L'Olim's support, often enabling olim to make their move in the first place, should be respected and rewarded with the ability to visit their families with ease.

"He has fought tirelessly on their behalf, and we are forever grateful for his unwavering focus and efforts," she said. "He pushed through in spite of the tough stance of the Israeli health ministry. His approach is always respectful of its challenges while remaining strategically assertive and intent on creating a mutually beneficial strategy. I credit him for opening the health ministry's eyes to what these regulations meant from the other, powerless, side."

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speaking countries, and South Africa is certainly included. We plan to put together a coalition of aliya and diaspora Jewish organisations to fight against this and change it. We plan to lead the way to bring all the relevant organisations and groups together."

Lipman shared the official population

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4 SA JEWISH REPORT 24 February - 3 March 2022

To war or not to war – what is the impact?

PAULA SLIER

BERLIN - Russian peacekeeping troops have been dispatched in eastern Ukraine while more than 100 North Atlantic Treaty Organisation (NATO) aircraft are on high alert and 120 allied ships are

Sanctions have been slapped on hundreds of Russian legislators, and Russian access to European capital markets has been severely limited. It follows Russian President Vladimir Putin's recognition of the independence of the Ukraine's two separatists republics of Lugansk and Donetsk. NATO Secretary-General Jens Stoltenberg declared, "This is the most dangerous moment for European security in a generation."

It's also a telling moment for Jerusalem. Who does she side with? Washington, her most important ally? Or Moscow, whom she needs to counter crucial threats in Syria? Jerusalem isn't a player in the Russia-Ukraine dispute, but she has a lot to lose. Sanctions against Russia could harm her own security interests, while her close ties with the United States (US) could jeopardise her co-ordination with Moscow and her operations in Syria. For Jerusalem, this coordination is especially crucial to prevent Iran and its proxies from embedding themselves in Syria.

There are Jewish communities in both countries. According to the World Population Review website, about 48 000 Jews live in Ukraine, representing about 0.1% of the country's total population. The country's "enlarged" Jewish population, which includes individuals "with partial Jewish heritage" who may also be eligible for Israeli citizenship, totals about 140 000. Israel is on standby should Ukrainian Jews emigrate en masse, although so far only a few dozen have done so. As for the roughly 10 000 Israeli citizens in Ukraine, all have been told to leave. Just less than half have done so.

At the time of writing the world is holding its breath: will there, or will there not, be war? Caught between a rock and a hard place, Jerusalem wants to adopt a middle path. But sometimes being a friend to everyone can translate into being a friend to no-one.

Since the last Russia-Ukraine war six years ago and subsequent skirmishes, more than 14 000 people have lost their lives. I spent months reporting from eastern Ukraine, an area Putin calls "ancient Russian land" where the local population speaks and identifies as ethnic Russian. There, while embedded with pro-Russian fighters, I came across a former Israeli soldier in his early twenties who had returned to eastern Ukraine to fight against the Kiev military. "I am Israeli and Russian. I grew up here," he claimed while embracing his comrades. "I cannot sit by and do nothing in Bat Yam [an Israeli city] while the fascist Ukrainian government refuses to acknowledge the rights and wishes of my friends and family living here." He kissed his Israeli ID and Magen David necklace.



The Ukrainian aliya was the largest from the former Soviet Union after the breakup of the Cold War. According to the Israeli ministry of foreign affairs, about 600 000 expats from Ukraine and about 450 000 to 500 000 expats from Russia came to live in Israel. Their response to the conflict has been very emotional. Over the years, I've met several Ukrainian Israelis who returned, albeit temporarily, to fight alongside the Ukrainian military.

As Ukraine teeters on the brink of civil war, a smaller version of the conflict plays out in Israel. A handful of solidarity and protest demonstrations have taken place outside the Russian and Ukrainian embassies. Although many activists have spent more than half their lives away from their countries of birth, it doesn't make them feel any less involved. The real conflict, however, is in the Russian-language press and on social media, particularly Facebook. During the last conflict, I received several death threats from Israeli Ukrainians who criticised my reporting for the pro-Kremlin news channel, RT, that I work for.

The divide isn't just between Israeli Russians and Ukrainians, but the latter are just as divided among themselves. Those from eastern Ukraine, where ethnic Russians are dominant, most often side with the pro-Russians; those from the west are more sympathetic to the Ukrainian nationalists. Amongst the Russian-speaking Israelis, those who are more right wing tend to admire Putin and often express the view that he would be "good" for the Arab-Israeli conflict. "Give him one month," I've been told numerous times, "and he will sort out the mess here in Israel!"

Think what you want about Putin, he knows his history. "How is this different from Kosovo?" he asked in a major speech on Monday, 21 February. Much to Russia and Serbia's chagrin at the time, the international community - notably those countries now protesting Moscow's recognition of the two breakaway Ukrainian republics - loudly recognised Kosovo's selfdeclaration of independence from Serbia in 2008. The same parallel can be made with Palestine. On 31 July 2019, 138 out of 193 member states of the United Nations recognised the state of Palestine. Though only a third of

European Union member states are in that group and the US isn't, there's a strong argument against countries behaving inconsistently

and with double standards.

Should the Ukraine crisis escalate into a diplomatic and economic clash between Washington and

Moscow, Israel would back the US, according to several senior Israeli officials who spoke publicly this week. Still, the Ukrainian capital, Kiev, expressed disappointment that Jerusalem hadn't stepped up its diplomatic and moral support. The Ukrainian foreign ministry summoned Israel's ambassador to Kiev to demand an explanation for media reports that Jerusalem had requested Moscow's assistance in evacuating its citizens from Ukraine in case of war. The move was interpreted as relaying a message that while Kiev understands Israeli interests and its need not to anger Russia, Jerusalem mustn't rely on Ukraine's automatic support.

Israeli Foreign Minister Yair Lapid summed it up best when he said that Israel was "in a bit of a Baltic situation ... We have a kind of border with Russia ... We are being careful, and we need to be careful."

From words to deeds – why it's important to challenge racist comments

f I have learned anything over the past month, it's that racist tropes aren't harmless words. They must be actively and consistently challenged.

You know them, and so do I. The racist tropes peddled about Jewish people are plentiful. What you may not know is that antisemitic tropes caused my friends and me to be held hostage at Congregation Beth Israel in Colleyville, Texas.

Our Shabbat morning service on 15 January began normally. I had just sat down after the morning Amidah. Within a few seconds, I heard that unmistakable sound of an automatic pistol chambering a bullet. A man we invited into the synagogue on that cold morning so he could warm up was screaming. He waved his gun at us, and threatened to blow us up with a bomb.



Congregation Beth Israel in Colleyville, Texas

Without turning around, I picked up my phone from the chair next to me, dialed 911, and returned it, screen side down, to the chair. I stood up and faced our attacker. I slowly moved so that I was in line with an exit. Many of you saw the headlines, and are aware of the terror that unfolded over the next 11 hours. One of us was released after about six hours; the other three, including Rabbi Charlie Cytron-Walker and me, escaped by running out a side door five hours after that.

We were fortunate. This man wasn't like the attackers in Pittsburgh, Poway, or Paris. Instead of a hate-filled white supremacist who wanted to kill as many Jews as possible, our attacker had a specific demand. He wanted to free a person being held in a United States federal correction centre. And he thought we could get that done.

"Jews pull all the strings. Jews control the banks. Jews control the media. Jews control the government," he repeatedly told us.

He demanded we get the "chief rabbi of the United States" on the phone. Both Rabbi Cytron-Walker and I explained that, unlike the United Kingdom where our attacker was from, there's no head rabbi in the US - not that a chief rabbi would have that kind of power in the first place.

Our attacker frequently told us not to worry because President Joe Biden and former President Donald Trump would listen to his demands rather than allow even one Jew to get hurt. He had clearly bathed in racist tropes about my community.

People who say "sticks and stones may break my bones, but

words will never hurt me" don't know what Jewish people live

with on a day-to-day basis. They don't understand what other marginalised communities live with either. Words have caused - and will continue to cause - harm. And those little throw-away tropes that we all endure may be the most damaging because, when repeated often enough, people begin to believe them.

JEFFREY R. COHEN — JTA

When not addressed directly, racist tropes make all of us bystanders to hatred and participants in another's suffering. We expect them from the skinheads, and we hope good people will ignore them. We roll our eyes as our friend winces and apologises for the crazy older relative whom everyone accepts is a racist. We live in a society where we hold onto the premise that racists are the minority. We say nothing because we don't want to bring

attention to ourselves or to the comments. Sometimes we even tell ourselves that "we're stronger than those who hate us". We very well may be. But that doesn't mean that the actions of the hateful should be coddled or tolerated.

I say "we" because up until recently, I didn't speak up either. But racist tropes don't automatically dissipate. They must be challenged consistently and

How many of us have been taught that if we ignore the taunt and don't engage the bully, the bully will go away? That didn't work in elementary school; it won't work now. Words matter. Words influence. Repeated racist tropes dehumanise. Unchallenged words signal acceptance.

As I reflect on how to challenge hatred, here are several things I'm committing to do:

First, question what I hear, in the moment and on the spot. I will do better about asking, "Did I hear you correctly? What did you just say?" By making the

speakers repeat what they say, I believe we can force them to acknowledge their words and confront social norms. It also empowers others to speak out as well. Second, inform the individual that their comment is

unacceptable. I will do better about sharing in the moment something like, "Statements like that aren't acceptable here." I don't believe it's helpful to call the speaker a racist or antisemitic because I don't want people to shut down and not hear what I'm saying.

And third, respond to the trope with truth and appeal to the speaker's sense of right and wrong. I might share, "Both the fascists and communists used antisemitic tropes as propaganda. They needed a scapegoat to blame for their failings. Don't follow in their footsteps."

Will that approach keep the attacker out of the next synagogue or black church, or from stalking another Asian-American woman? Probably not. But if we don't challenge racist tropes, we have no hope that they'll ever stop. Far too many people will be threatened and harmed, and I don't want anyone else to go through what I did.

• Jeffrey R. Cohen lives and works near Fort Worth, Texas. He is the vice-president of Congregation Beth Israel in Colleyville, Texas, and was one of the four hostages who escaped a gunman on 15 January 2022.

New vigour for Yad Aharon as it bids farewell to Alice

ewish food fund Yad Aharon & Michael this week announced a new board of directors following the recent resignation of Managing Director Alice Friedman, the face of the much-loved organisation.

Friedman, 65, who has been at the helm of the charitable organisation for more than two decades, said the time had come for "new, young leadership with fresh ideas and business acumen to lead the organisation into the

Yad Aharon & Michael's new board members Saul Goldstein and Rabbi Justin Treger bid farewell to Alice Friedman

The board consists of three newly appointed members who bring with them a combination of knowledge and skill informed by experience in business and communal affairs. It includes Rabbi Justin Treger, the director of Sandton Sinai School and founder and chief executive of TecEx a division of VAT IT; Saul Goldstein, the chief executive of VAT IT and the co-founder and board member of CAP Community Active Protection; and Amit Cohen, digital-media specialist and chief executive of Verpakt. Labour attorney Craig Berkowitz is a non-executive director and acting chief executive.

"I have achieved my mission at Yad Aharon, and the time has come for me to re-invent myself in a different area of chesed in my latter years," said Friedman, "I realise the organisation needs new blood and a fresh start, with new direction to take it further in service to the community."

"I regard it as my legacy", she said, wishing the board continued success.

It has been difficult to hand over the reins, said Friedman, who has cherished her time at the organisation, having been a part of its journey almost from the beginning.

"I have handed the baton over to people I believe will take the organisation forward in the spirit I have led it, with our shared view on chesed and kindness," she said.

She said she was leaving knowing that Yad

by growing into a respected, independent organisation that had gone from helping a handful of families in need into assisting thousands

"Our recipients aren't poor in my eyes, they are creations of Hashem just like me and everybody else who deserve the respect and dignity one gives to any other human being,"

The mother of four and grandmother of eight became involved in Yad Aharon many years ago when it was still in its infancy.

> "It immediately spoke to my neshama [soul]," said Friedman, who exhibits a special aura of empathy and love

for recipients seeking help. "People are lonely, especially the poor, they need compassion and understanding. I know how to listen," she said, pointing out that she understands pain and suffering, having experienced her fair share of hardship, loss, and a personal struggle with her health throughout her life, all of which has helped her in this

However, like many organisations, Yad Aharon has had its share of issues. For the past several months, the independent food fund which feeds more than 650 Jewish families a week has been in a state of turmoil with growing friction amongst staff and leadership as it seemingly outgrew its capabilities.

The non-profit organisation, which also manages several feeding projects including the Soup for the Soul soup kitchen and the Ohr Natanel school lunch hampers, found itself in a "cycle of unease" as it began to be gripped by rumour, mutterings, and internal strife.

In spite of this friction, the fund continued to deliver food and second-hand clothing to the growing number of families needing assistance while at the same time looking for ways to resolve the crisis. At one point, it considered linking up with the Chevrah Kadisha, but decided to remain independent.

Stepping down has been a long, painful experience, Friedman said this week. "Yad Aharon is like my child."

"The organisation has been beautifully run," said Treger. "Financially, it has a clean bill of health, the South African Revenue Service has given it a stamp of approval, and Alice has been a blessing. This isn't a little food shop, it's a large organisation that feeds hundreds on a weekly basis, has about 20 staff members, and an annual budget of R20 million."

He said Friedman should be heralded for building a unique organisation out of love and

Treger said as a regular donor, he was excited to get involved in the organisation. "It's a big responsibility, but it's a very special place, with a unique DNA, that I feel strongly about," he said.

"As you walk onto the premises in Rouxville, you immediately feel an atmosphere of love and care for the people who come and collect their food parcels. It's an incredible experience. Yad Aharon does much more than provide food to people in need. There's a level of genuine love and care that makes it unique."

Cohen said he got involved in the organisation to "continue the excellent work Alice and her team had done for so many years. I believe in tikkun olam [healing the world] and that no

family or individual in our community should go without support to live a dignified life."

Agreeing with him, Goldstein said, "The organisation does mind blowing, incredible work in the community in a wonderful gentle, kind way. It has a special heart and soul, with amazing people on the ground. As new directors, we're going to build on what has been done successfully. This isn't a fix-me-upper, this is a grow-on-top-of move in which we hope to add value to reposition the organisation for the

In the meantime, said Friedman, "I will endeavour to continue to make a difference in people's lives as *chesed* is my oxygen, it's in my



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6 SA JEWISH REPORT 24 February – 3 March 2022

Jewish Report The source of quality content, news and insights

Eight Concourt judges can't be wrong

hen former Chief Justice Mogoeng Mogoeng was forced to apologise for his statements about Israel and Palestine and he did so, most of us thought that would be the last we would hear about it.

No matter how uncomfortable we were about him having to apologise because we didn't believe he had done anything wrong, we understood that the law is the law. And as a judge, he was bound 100% by the Judicial Conduct Appeals Committee (JCAC's) findings. The appeal committee dismissed his appeal against the Judicial Conduct Committee's finding that he shouldn't have got involved in the political controversy over South Africa's policy on Israel.



Justice Phineas Mojapelo for the appeals committee maintained that Mogoeng's expression of his views on relations between South Africa and Israel wasn't compatible with the impartiality or independence of judges.

However, who would have thought that tucked away in the Constitutional Court judgment finalising a 13-year-old case against Bongani Masuku, a former official of the Congress of South African Trade Unions, Mogoeng's case would rear its head once again.

And this time, in the highest court in the land, a court that overshadows all other courts and – I would imagine – the JCAC. I mean, eight senior judges oversaw Masuku's case in the Concourt.

I guess, if they had agreed with the JCAC, there would be no story. However, they vehemently believed that Mogoeng did absolutely nothing wrong when he made his statements about Israel, implying that it wasn't political but rather had to do with his religious commitments. As I see it, they clearly vindicated him publicly in their judgment.

Why, you might ask, did Mogoeng even come up in an unrelated long, drawn out case about hate speech? Well, Mogoeng was one of the eight judges dealing with the case in November 2021 when the Israel haters wanted him recused, claiming he was biased.

Because of that, the judges had to deal with the issue of his demanded recusal before they could judge Masuku.

Can I say that I would like to thank the Israel haters for making a meal out of the demand for his recusal because the Concourt would never have taken up this issue in its judgment if they hadn't?

That's a first for me!

What, exactly, will happen now? Mogoeng has already apologised. He has already walked away from this situation, but now he has the highest court in the land backing him by saying that what he said wasn't problematic at all.

I wonder if he'll make a legal move now. Will he take it up again? Somehow I doubt it because I think the whole experience was shocking and unpleasant, and he just wanted it to go away. I totally understand that.

However, I would love to see him challenge the findings of the JCAC. $\label{eq:challenge}$

You see, this is the problem with issues relating to the Israel-Palestinian issue. Many South Africans are totally unbiased about it, partly because they may be oblivious to the situation. However, a large proportion of the educated intelligentsia in this country have clear and undeniable views on this issue. And for many who aren't Jewish, these views are anti-Israel. Being anti-Israel is the popular view. It's not easy to be a supporter of Israel in South Africa because most of the people you want to impress take umbrage against your views.

For those who believe that everyone knows how bad Israel is, it stands to reason that anyone siding with Israel must be wrong. The point is that those same "educated", "intelligent" people have never tried to find out for themselves by visiting Israel and properly researching the situation there. They just accept the word of strong-willed and determined Israel haters.

So, now that these esteemed Concourt judges have showed the innocence of Mogoeng's words, I imagine it will set some kind of precedent. Surely, the fact that this section of the Concourt judgment has an opposing view to the judicial appeal committee must be groundbreaking, whether the former chief justice does anything about it or not.

I do hope it opens people's eyes, and they recognise that unbiased means unbiased, not partially anti-Israel.

Also, I hope it gives more room for people to speak out about the wrong that has been said against Israel.

But more than anything, I hope it will strengthen our hand to deal with Israel haters and their belief that they can say what they want about us, Israel, and the Middle East, as long as it's anti-Israel.

If it fits the popular belief that Israel is evil and can do no right, then whatever is said is acceptable. But anyone who comes out in support of Israel is a demon and must be censured. Well, no more, because as many as eight esteemed judges on the Constitutional Court have made their point about this. And I couldn't be happier about it.

Lipman, champion for diaspora Jews

Then, I would like to draw your attention to a man called Dov Lipman. He's not South African and I doubt he has ever been here, but he has become someone I admire greatly.

I have never met him, nor spoken to him, but I love the fact that he's the champion of diaspora Jews in Israel.

He was the one who fought to allow us back into Israel after we were red-listed. He put up such a fight that now the laws are substantially relaxed for travelling to Israel.

And just as soon as that battle was won, he was back in the saddle fighting to prevent diaspora Jews making aliya from being forced to cut ties with their home countries.

He always appears cheerful and determined. I'm grateful he's on our side, and that we have a Dov Lipman in Israel (page 3). *Kol Hakavod* to you, sir!

Shabbat Shalom! Peta Krost Maunder Editor

Words can harm, Concourt rules

OPINION

ADVOCATE CAROL STEINBERG

he Constitutional Court recently handed down its much-anticipated judgment in the South African Human Rights Commission (SAHRC) on behalf of the South African Jewish Board of Deputies (SAJBD) versus Masuku and the Congress of South African Trade Unions (Cosatu) case, bringing finality to litigation which took 12 years to resolve.

In early 2009, at the height of the Gaza war, Cosatu official Bongani Masuku made various statements online and at a pro-Palestinian rally on the campus of the University of the Witwatersrand (Wits). On the basis of a complaint laid by the SAJBD, the SAHRC prosecuted Masuku in the Equality Court for hate speech in the form of antisemitism for four statements he had made.

- On 6 February 2009, Masuku made a series of remarks on the internet site supernatural.biogs.com stating, "As we struggle to liberate Palestine from the racists, fascists, and Zionists who belong to the era of their Friend Hitler! We must not apologise, every Zionist must be made to drink the bitter medicine they are feeding our brothers and sisters in Palestine. We must target them, expose them, and do all that is needed to subject them to perpetual suffering until they withdraw from the land of others and stop their savage attacks on human dignity."
- On 5 March 2009, at the Wits rally, Masuku said,
 "Cosatu has got members here even on this campus; we can make sure that for that side it will be hell."
- At the same rally, Masuku said, "The following things are going to apply: any South African family, I want to repeat it so that it is clear for anyone, any South African family who sends its son or daughter to be part of the Israel Defense Forces must not blame us when something happens to them with immediate effect."
- Masuku also said, "Cosatu is with you, we will do
 everything to make sure that, whether it's at Wits,
 whether it's at Orange Grove, anyone who does not
 support equality and dignity, who does not support
 the rights of other people must face the consequences
 even if it means that we will do something that may
 necessarily cause what is regarded as harm."

The Equality Court found Masuku guilty of hate speech on all four counts. Masuku and Cosatu appealed, and the Supreme Court of Appeal reversed the decision.

The SAHRC appealed to the Constitutional Court. Six parties joined as "friends of the court", one of which was the South African Holocaust & Genocide Foundation, for which I acted together with advocate Wim Trengove.

religion or ethnic identity.

On behalf the Holocaust &

Genocide Foundation, we argued that the court should accept and start from two fundamental principles. First, that genocide begins with words. Words have consequences. Hate speech, repeated hundreds and thousands of times, becomes incitement to commit genocide. It creates a culture of genocide. The second principle was that through millennia, leaders have used words, and in particular, proxy words, to prepare the ground for persecuting Jews.

We argued that the words Masuku used in the context in which he used them were likely to have had the effect of inciting violence against South Africa's Jewish minority. Avoiding using the word "Jew", Masuku drew on age-old antisemitic rhetoric and proxy words to convey to his audience that Jews should be harmed. He did so in a moment in time in which, worldwide and barely 70 years after the Holocaust, antisemitism is on the rise.

The critical question at the heart of the case was whether Masuku was merely criticising the political ideology of the state of Israel, as would appear from the express words he used, or was he in fact using the language of anti-Zionism as a code for antisemitism, expressly targeting "Zionists" but signalling "Jews"?

The Constitutional Court, in a unanimous judgment penned by Justice Sisi Khampepe, recognised the complexity of the relationship between Judaism and Zionism. Although they are distinct, Zionism forms part of the core identity for many Jews, for whom it's impossible to disentangle one from the other. However, the court also recognised that some are trying to silence legitimate criticism of Israel as being antisemitic.

In perhaps the most significant paragraph of the judgment, the court held that "...words cannot always be taken for their plain meaning. The [Holocaust & Genocide Foundation] aptly emphasised that there exists a long narrative of anti-Jewish rhetoric. This has dominated world history for thousands of years, and culminated in the Holocaust. Due regard to this context and history must be observed when dealing with expressions that are allegedly antisemitic because many socially acceptable words may become a proxy for antisemitic sentiments. Focusing on the plain text and ignoring the objectively ascertainable subtext would be ignorant, inappropriate, and antithetical to what our Constitution demands."

On this basis, the court held that Masuku's first statement constituted hate speech because it was

based on Jewishness as a religion or an ethnicity, and there was a clear intent to be harmful and incite hatred. Masuku's invocation of Hitler was the clincher. The court noted that "Hitler's antisemitic extermination campaign wasn't limited to people of the Jewish faith or ethnicity who identified as Zionists. Moreover, any mention of 'Hitler' undeniably evokes semantic associations with the entire global Jewish community, and not a specific faction thereof."

Regarding the other three statements, the court held that "Mr Masuku had in mind those persons actively involved in support of the state of Israel – and a political hew to these

comments", which means he wasn't singling out Jewish people generally as an ethnic and religious group. These statements didn't fall foul of the law.

The court ordered Masuku to "tender an unconditional apology to the Jewish community within 30 days of this order or within such other period as the parties may agree. Such apology must at least receive the same publicity as the offending statement."

This case has international significance because our Constitutional Court expressly recognised that, in certain contexts, anti-Zionist words, which are ordinarily part of legitimate political discourse, can be used as a cover to express antisemitic hatred. As important was the court's recognition of the power of words, as it said in its closing sentence: "In the context of this matter, and in appreciating the power of words to inflict harm, it's fitting to close with a cautionary and apposite extract taken from the Torah: 'Death and life are in the tongue'."

 Advocate Carol Steinberg is senior counsel at the Johannesburg Bar.



The enormous public interest in the case went beyond the issue of antisemitism. As the court put it, the case implicated "the delicate relationship between the fundamental rights at stake" where "the ends of our constitutional democracy are served by striking an elusive yet crucial balance between the imperative to regulate hate speech and the importance of fostering an environment that allows a free and open exchange of ideas, free from censorship, no matter how offensive, shocking, or disturbing these ideas may be".

The crux of the matter was whether Masuku was expressing antisemitic or anti-Zionist sentiments. The SAHRC argued that Masuku's statements were directed towards Jewish people and propagated hatred and violence towards Jewish people. Masuku denied this, insisting that his statements "entail my bona-fide views on Zionism and the plight of the Palestinian people".

All the parties and the court accepted that it was legitimate to criticise the ideology of Zionism and the policies of Israel, even in trenchant and aggressive terms, but it wasn't legitimate to attack Jews on the basis of their

Whither COVID-19 in 2022?

ith 2022 well underway, many expected to see the end of the COVID-19 pandemic. Instead, we find ourselves rather bewildered by the information at hand

On the one hand, Hong Kong is reeling from its worst onslaught of the disease, with hospital facilities overwhelmed without precedent with severe COVID-19 cases. By contrast, Boris Johnson of the United Kingdom is scheduled to announce "COVID-19 Freedom Day" on Thursday, 24 February.

The premier of Denmark, one of the most highly vaccinated countries in the world, has welcomed a "completely open Denmark". This is in spite of experiencing one of the highest daily COVID-19 death rates in the world.

Myriad questions have arisen. Let's tackle the most frequent.

Does the relatively milder but more contagious Omicron variant herald the end of the pandemic and the commencement of a tolerable endemic phase of the disease?

Much has been made of the relative mildness of the erstwhile fourth wave caused by the Omicron variant of COVID-19. Combining this with the much greater infectiousness of the virus and its ability to escape pretty effectively from the body's immunity, it has been suggested by some that the virus may now be evolving into a more manageable endemic agent.

We can but hope that this is the case, and that the virus will soon join its relatively benign four endemic human coronavirus relatives. However, there is as yet no scientific evidence to support this. Virus evolution to milder endemicity has been demonstrated with some animal viruses, but not for any human virus.

With so many people suffering "breakthrough" infections - being infected in spite of being vaccinated - does this mean that the vaccine is ineffective?

What has been strikingly apparent in the fourth, Omicron-driven wave has been the great number of people who became infected in spite of being fully vaccinated. Yes, COVID-19 vaccines are undoubtedly effective and, indeed, very effective in protecting against severe disease and death.

The great majority – more than 80% – of severe cases have been in unvaccinated individuals or in persons already compromised with underlying illnesses and comorbidities.

Do we still need to keep our masks on and minimise social functions?

With the current lull in the COVID-19 pandemic, there has been a widespread creeping tendency to discard COVID-19 regulations and restrictions. Nevertheless, the national epidemic curve has still stubbornly refused to descend to a baseline inter-wave level

There are a number of reasons for this. First, the aftermath of the opening of schools and the further evolution of the Omicron variant to an even more infectious subvariant (from the original Omicron subvariant BA.1 to Omicron BA.2).

Second, the epidemic has been prolonged to a significant extent by the growing carefree abandonment of preventive precautions. Data for the Jewish community, reflected by the Hatzolah home monitoring programme, have revealed an almost fourfold increase in new cases over the past month.

With monotonous regularity, one hears of superspreading outbreaks of COVID-19 following celebratory functions. Also, in a number of shuls, caution has been thrown to the proverbial aerosol wind, not to mention the flouting of government regulations and general public-health advice, with the abandonment of wearing masks indoors.

Can we expect more waves and, if so, when and how severe will they be?

Given the unpredictability of COVID-19, no serious scientist would rush to predict the future. Historically, the first four waves have followed a fairly regular cyclical pattern of a 75-day duration and a 100-day inter-wave interval, albeit that the fourth wave broke somewhat with tradition by appearing significantly earlier and lasting for a significantly shorter time.

Epidemic waves reflect the balance between the fitness of the virus, in other words its contagiousness and immunity evasiveness on the one hand, and the resistance of the population on the other. South Africa was quite fortunate in the relative mildness of its fourth wave, largely the result of the extensive immunity in the population, both vaccine induced as well as, to a large extent, derived from the silent spread of the virus through a younger, less clinically affected population.

Though the resistance of the population is extensive in our country and will be even more so following the fourth Omicron wave, what remains unpredictable is the fitness of the next new variant and how mild or severe the disease it causes. Unfortunately, we remain vulnerable to new variants as long as the virus is able to multiply in under-vaccinated human populations or in individuals whose immune system is suppressed by infection, such as HIV, or drugs – for example chemotherapy for cancer. As immunosuppressed

PROFESSOR BARRY SCHOUB

individuals are unable to eliminate replicating the virus fully, selective pressure in the remnant virus could well foster new variants.

Ultimately, control of the pandemic may need to wait for a new generation of vaccines better at combating new variants and perhaps even protecting against the remote risk of the introduction of a completely new coronavirus from an animal reservoir, as indeed was the case with SARS-CoV-1 and 2.

Was it really necessary for South Africa to retain COVID-19 restrictions, as announced by the minister - probably for the remainder of 2022?

It's clear that as much as we are anxious to return to our pre-COVID-19 lifestyles, and as much as we are fed up with two years of COVID-19 restrictions and disturbed by their economic implications, and as much as there's political pressure to abolish restrictions immediately, the reality is that COVID-19 hasn't disappeared. In South Africa, mask requirements and social gathering warnings will remain for 2022 if not under the Disaster Management Act then under the National Health Act. However, regulations can really achieve only a limited amount. Controlling this pandemic will ultimately be determined by common goodwill, common sensitivity, common humanity, and common sense.

• Barry Schoub is professor emeritus of virology at the University of the Witwatersrand, and was the founding director of the National Institute for Communicable Diseases. He chairs the Ministerial Advisory Committee on COVID-19 vaccines. This article is written in his private capacity. He reports no conflicts of interest.

Sin tax, state-owned companies, and sugar – the Budget breakdown

inance Minister Enoch Godongwana balanced austerity and relief in his maiden Budget speech to parliament on Wednesday, 23 February.

Earlier this week, predictions were that tax collections were way better than predicted. This has turned out to be R62 billion more than the government estimated just four months ago. It's a whopping R182 billion higher than last year's Budget.

That has created a climate for some tax relief, which totals R5.2 billion. This has also been made possible due to the fuel levy remaining unchanged.

It's the first time since 1990 that the fuel levy hasn't increased. Daunted by the almost R20 per litre pump price, with this brake on the fuel levy, motorists can be optimistic. Should there be a speedy resolution to the Russia-Ukraine crisis, oil barrel prices may tumble, which would translate into cheaper petrol prices for us all.

The overall improvement in tax collections is undoubtedly due to the foundations laid in the creation of the South African Revenue Service (SARS) in 1997 by Gill Marcus. This year marks the 25th year of

to buy property in Israel.

SARS' existence.

Tax relief for individuals has come from an adjustment by 4.5% to personal income tax brackets and rebates in line with inflation. The tax threshold or amount you earn before you start paying tax if you are under 65 increases from R87 300 to R91 250, or from R7 604 per month.

Companies will soon benefit from the drop in corporate income tax rates promised in the 2021 Budget, and they will pay 27% instead of 28%.

The domestic outlook looks gloomy as we are still recovering from the violent unrest in July 2021 and commodity prices slowing in the second half of 2021. Though we were hoping for a real growth in gross domestic product (GDP) of 2.1%, this is now unlikely to be the case.

Industrial action in the manufacturing sector and the re-emergence of loadshedding slowed the pace of our economy so that GDP growth is expected to be only 1.8%

The usual smattering of increases in sin taxes is the hallmark of every Budget. A 340ml beer will cost 11c more. A packet of cigarettes will cost an additional



Finance Minister Enoch Godongwana delivering the 2022 Budget speech

R1.03, and the bottle of whiskey on our Shabbos tables will cost R4.83 more.

Added to the sin tax basket for the first time are vaping products. There is a reprieve for a few months, with a new tax to be imposed from 1 January 2023 of R2.90 per millilitre.

The tax on sugar products has been controversial, with new calls to scrap the tax altogether. Though it has been dubbed "a health-promotion levy" and has remained unchanged for three years, it will now be increased by 2.31c per gram of sugar.

The poor state of Eskom remains the focus of attention of National Treasury. It seems that Eskom is saddled with a debt bill of which the government has already provided R136 billion and a further R88 billion is committed in bailouts until 31 March 2026.

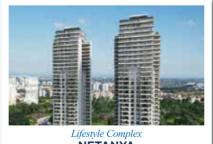
Do we fear more power outages as the minister states that Eskom is expected to take further steps towards cost containment, sale of assets, and operational improvements to enhance the reliability of our electricity supply? Perhaps we've heard this too many times before!

The minister has described tough love coming the way of a number of state-owned companies (SOCs). Whilst stopping short of identifying them, he has stated that National Treasury will outline the criteria for rationalisation and consolidation of these SOCs, which will be a welcome move.

So, dear Minister Enoch, our eyes are on you deliver us unto economic freedom!

 Anthony Chait is the chief executive of Zeridium, a niche tax and exchange-control consultancy.





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When Israel's first lady had Shabbat in Benoni

TALI FEINBERG

ura Herzog, who died recently at the age of 97, was the wife of late Israeli President Chaim Herzog, and the mother of the current

president, Isaac Herzog. But before she became first lady, she was a young woman who studied a BSc in maths and physics at the University of the Witwatersrand (Wits).

She graduated in 1945, and although her years in South Africa were spent a very long time ago, at least one person remembers her from back then.

"My sister, Hazel [Nestadt, nee Orlin], and Aura studied together. They were very close friends," says Lorna Ossip in Johannesburg.

"They were the only two women doing the course, and they were both very bright. Aura was staying in residence, so my sister would invite her to come to our home in Benoni for Shabbat and for the weekend. She would come often. It was the end of the war, so it was difficult to get flour, but I remember my mother baking bread especially for them. I was only a teenager, so I can't believe I remember her, but I do!"

Hazel Nestadt (née Orlin) in Israel, two

years before she died at the age of 86

After their studies, both women made their way to Israel, but settled in very different circles and sadly, lost contact. "My sister was a chalutz, and went to Israel before independence to live on a kibbutz," says Ossip. "She was a member of Ha'Shomer Ha'tzair. She later taught maths and science, and was a brilliant teacher. Up until she passed away, students would say that they remembered her as an amazing teacher. Aura must have also been brilliant.'

Meanwhile, Aura met Chaim, who would later

become Israel's sixth president. Her life up until that point was fascinating. She was born Aura Ambache in Ismailia, Egypt, on 24 December 1924, to an Ashkenazi Jewish family of Russian and Polish Jewish descent. Her parents were Leah Steinberg (the daughter of Yechiel

> Michal Steinberg, the founding family of Motza, a village on the outskirts of Jerusalem), and Simcha Ambache (the Hebrew acronym for ani ma'amin b'emunah shleima – I believe in complete faith), an engineer by profession who worked on the Suez

The family was originally from Jaffa, but relocated to Egypt after they were expelled by the Turks during World

War I. Herzog attended French schools in Ismailia and Cairo, and then studied in Johannesburg.

But what led her to South Africa in the first place? "I asked my niece in Israel if her mother [Hazel] had ever spoken about her friendship with Aura, and she said she had talked about it fondly. I asked her why she thought Aura studied in South Africa, and she said that until today, people in Arab countries send their children away to study if they are able to," says Ossip.

Herzog had another connection to South Africa: her sister, Suzy, married Israeli leader Abba Eban, who was born in Cape Town.

In October 1946, Herzog moved to what was then mandatory Palestine – probably about the same time that her classmate, Hazel, made aliya. The following year, Herzog was chosen to participate in the first class of the diplomatic school established by the Jewish Agency. She was a member of the Haganah, and went on to serve as

an intelligence officer and later in the Science Corps.

Not many people know that she was severely injured in a car bomb at the Jewish Agency in National Institutions House in Jerusalem on 11 March 1948. It was one of the worst attacks of the War of Independence up to that time. Thirteen people were killed. Newspapers reported that Chaim carried her out of the building. According to other reports, her injuries were severe and life-threatening. She remained in hospital for about two months, and lived with many scars after the ordeal.

She married Chaim in 1947. The couple had four children: Yoel, an attorney and former brigadier general; Michael, the Israeli ambassador to the United States; Isaac, the current president of Israel; and Ronit, a clinical psychologist.

From 1950 to 1954, Aura accompanied her husband to the United States, where he was sent as a military attaché, and again from 1975 to 1978, when he served as ambassador to the United Nations.

In 1958, she headed up the committee that organised Israel's 10th anniversary celebrations. She also initiated the first International Bible Contest, which takes place annually on Israel Independence Day.

From 1959 to 1968, she headed the department of culture in the Ministry of Education and Culture, and was a member of the Council for Arts and Culture. In 1969, she founded the Council for a Beautiful Israel, a leading environmental-protection nongovernmental organisation, and chaired it for 38 years, after which she became its international president.

Aware of the many cultural differences between different immigrant groups to Israel, she also wrote a well-received book on hospitality and etiquette.

After the end of her husband's presidency and her own tenure as first lady, she held various positions: chairperson of the public committee for the celebration of Israel's jubilee celebration (1998); member of the public advisory board of Mifal Hapayis (Israel's national lottery); member of the board of governors of the Tel Aviv Museum; and the chairperson of Friends of Schneider Association at Schneider Children's Medical Center. She worked in many spheres until her passing.

She died on 10 January 2022, just more than two weeks after her 97th birthday. She's buried alongside her husband and a number of other Israeli leaders in western Jerusalem's Mount Herzl national cemetery.

Prime Minister Naftali Bennett eulogised her as "a public figure and social activist who loved her people and country. She lived humbly and raised a family to be proud of, while constantly working for the public and Israeli society," he said. Defence Minister Benny Gantz called her "a pioneering woman who worked for Israeli society and was a part of the generation that built the nation, and to whom we are all grateful".

For Ossip, it's still incredible to think that Israel's first lady and first mother spent weekends at her home in Benoni. It's special that Herzog will always be connected to the South African Jewish community in this way.

The remarkable journey of Klimt's Woman in Gold

STEVEN GRUZD

n 1907, Austrian artist Gustav Klimt completed a striking gilded portrait of Jewish socialite Adele Bloch-Bauer in Vienna. Commissioned by her husband, Ferdinand Bloch-Bauer, a banker and sugar magnate, it's best known as The Woman in Gold.

It represented the opulence of the Viennese Jewish nouveau riche and a community that would be decimated by the Anschluss with Germany in 1938 and the horrors of the Holocaust that followed. Stolen by the Nazis in 1941, 70 years later, Adele's family was finally able to reclaim the painting and five other Klimt masterpieces from Austria.

Randy Schoenberg, the California lawyer who made it all happen, told this inspiring story of perseverance and justice in a SA Jewish Report webinar on Sunday, 20 February. The tale was the inspiration for the 2015 film Woman in Gold.

Schoenberg's grandmother was best friends with Maria Altmann nee Bloch, the niece of the childless Adele and Ferdinand, so he had an emotional connection to the entire saga. Altmann was a laatlammetjie, much younger than her siblings. She therefore was the only one alive to fight for the restitution of the paintings when the time came.

Klimt was a womaniser, with at least 18 people claiming to be his illegitimate children. Rumours of an affair with Adele abounded but were never proven. He

completed another portrait of her in 1912. The other four Klimt paintings in question were landscapes

Adele died aged 42 in 1925. Ferdinand's brother, Gustav Bloch-Bauer, was the executor of her 1923 will, which requested that the six paintings be given to the Austrian State Gallery (the Galerie Belvedere) after Ferdinand's death. In deceased estates, this is

known as "precatory language", somewhat less than a direct order. Ferdinand fled Vienna shortly after the Anschluss in 1938, and lost his fortune, including the paintings. The Nazis stole the painting in 1941, and it was later donated to the Galerie Belvedere, supposedly fulfilling Adele's wishes. Her Jewish-sounding name was removed from its new title, Dame in Gold, in

The Woman in Go

Ferdinand himself died in 1945, leaving his estate to his two nephews and his niece, Maria. Altmann, born in 1916, also fled Europe and eventually settled in Los

Fast forward to 1998, when Austrian investigative journalist Hubertus Czernin broke the story that the Galerie Belvedere housed several artworks stolen from Jewish families. The gallery would neither acknowledge the crime nor restore the art to these families. Altmann then asked Schoenberg, a family friend, to help her get the paintings back after the law changed in Austria allowing such claims. She was 85 at the time.

After a tortuous seven years, including winning in the United States Ninth Circuit Court and eventually the Supreme Court – against the odds – Altmann was given permission to sue Austria. With Altmann then aged 89, she and Schoenberg agreed to a mediation process with the Austrian authorities. To their surprise, they were finally able to get the paintings back.

Altmann sold Woman in Gold to businessman and art collector Ronald Lauder (of Esteé Lauder fame, and also president of the World Jewish Congress) in 2007. It fetched a then-world record \$135 million (R2 billion). Lauder put the work on public display in the Neue Gallery in New York. The other paintings were also auctioned off. Altmann died in February 2011, aged 94.

Schoenberg confirmed that Lauder did indeed – as depicted in the film - offer to pay for "a real lawyer", the famous legal figure Robert Bork. Lauder felt that Schoenberg was too much of a greenhorn to win. Altmann (played by Helen Mirren in the film) stuck with Schoenberg (played by Ryan Reynolds).

> Schoenberg noted that with the devastation of World War II, art was the last thing on many people's minds, but more of these cases have recently emerged and have been won. "It put wind in the sails of other claimants," he said. "I really believed it was possible to win. I really believed we were right ... even though it was a long shot."

He said many Jewish families were forced to surrender some artworks to the Austrian state in exchange for getting export

permits for other pieces - essentially an extortion racket. "Jews were bullied after the war."

This case elevated public knowledge of and admiration for Gustav Klimt and his works, and of course told the story of Adele Bloch-Bauer and Maria Altmann. By extension, it celebrates the lost world of Austrian Jewry - both the fabulously wealthy and the poorer Jews who sought refuge in Austria only to be collectively damned by the Anschluss and the Holocaust. Claims continue to be made to restore art stolen from Jewish families in Europe.



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Joel Pollak: from Yeoville to Charlottesville, via Melville

STEVEN GRUZD

ow does a yarmulke-wearing boy born in Yeoville become speech writer for the leader of the opposition and senior editor-at-large for the third most viewed news website in the United States (US)?

Joel Pollak shared his remarkable journey and firm views on American, South African, and Middle Eastern politics with me over a café latte in a quiet Melville coffee shop.

His family moved from Johannesburg to Chicago shortly after Pollak was born in 1977 so that his father could pursue a medical career in organ transplantation. He graduated from Harvard, and won a Rotary Scholarship to study environmental science and social studies at the University of Cape Town. There, he researched the vociferous attacks by Ronnie Kasrils on Israel. He attended the 2001 United Nations World Conference Against Racism, where ugly anti-Zionism and antisemitism spilled onto Durban's streets.

He worked as a freelance journalist and caught the eye of Tony Leon, then leader of the Democratic Alliance (DA). Pollak became Leon's speech writer from 2002 to 2006.

"Tony Leon is one of the most brilliant political thinkers," Pollak said. "He covers politics with such a degree of insight from his incredible mental library." Pollak spent several nights sleeping in his parliamentary office for his demanding (but kind) boss. He met his future wife Julia, the daughter of activist Rhoda Kadalie, through Leon.

"populist nationalist".

Pollak explained that Republicans are split about former president Donald Trump. Many adore him. Some were reluctant to endorse him as he started out as a Democrat; others were put off by his crass mannerisms. *Breitbart* backed Trump though.

Pollak described what happened at the notorious rally in Charlottesville, Virginia in 2017. "Neo-Nazis hijacked a legitimate political cause. Protesters wanted the removal of a statute of US Civil War Confederate General Robert E Lee, who was made into a hero of the American South. Taking inspiration from the #RhodesMustFall movement in South Africa, the Black Lives Matter (BLM) movement was pushing to remove the statue. There was also a legitimate, peaceful protest against taking down the statue. Right-wing groups from out of state converged on the town. Left-wing crazies came with clubs and pepper spray, and the police let the two sides fight. It was a big mess. But the media wasn't covering the left-wing violence, and felt it had a special responsibility to single out the right."

After the media demanded that Trump make a statement, "In a White House press conference, Trump said, 'There were very fine people on both sides.' This became the story of Charlottesville – that he supported the ultra-right-wing. Trump just couldn't win [with the media] after that. He was unfairly labelled."

But Pollak said antisemitism in the US is "a fringe phenomenon. You could fit all the American neo-Nazis into

a room. The level of tolerance and embrace of Jews is incredible." Antisemitism is a problem, however, on some university campuses. "Now Jewish kids feel they have to hide their views, they feel under siege."

So, did Trump win the 2020 election? "Trump didn't win," Pollak said, emphatically. "But that doesn't mean the election

was free and fair." He cited fear of violence stemming from BLM, with riots in 48 of the US's 50 biggest cities that year. He said access to the media was unequal, big tech firms suppressed stories that portrayed the Democrats badly, and extending vote-by-mail to states unused to it proved chaotic. "But people voted against Trump. They felt his politics was too contentious, too intense."

He called the social media ban on Trump "completely unacceptable ... freedom of speech is under attack".

Pollak said Trump was wrong not to have conceded the election, but insisted he was right to have boycotted Joe Biden's presidential inauguration. "Biden demonised Trump as a neo-Nazi. How do you share a stage with someone like that?"

He said the events of 6 January 2021 – when a mob stormed the US Capitol, egged on by Trump – wasn't an insurrection, but a riot. "[Participants] saw themselves as defending democracy. I thought the protest would be a waste of time as it was never going to change the certification of the election results ... Trump was leading people into a cul-de-sac. He bears

political [but not legal or criminal] responsibility." Pollak said the congressional committee investigating the riot was exceeding its mandate.

Finally, Pollak said the South African Jewish community had the support of world Jewry in its fight against those who demonise and delegitimise Israel here. He said the Abraham Accords had profoundly reframed the Middle East. Air traffic and trade between Israel and the United Arab Emirates is booming, for instance. Pollak said the community should encourage our government to join this reconciliation. "They can support the Palestinians, but why be anti-Israel? Why miss an opportunity to be part of peace? Maybe things will change after Mohammed Abbas is no longer in power."

Agree with him or not, Joel Pollak is an interesting chap to have coffee with.





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Pollak's politics evolved radically. "I started out left-leaning," he said, "but being exposed to life's realities, I changed my mind. Socialism is a luxury good, for elites." Two incidents in South Africa's parliament shook his beliefs. One was when an African National Congress member of parliament berated the DA benches and said, "If we'd followed Nuremburg, you'd all be in jail," referring to the post-war trial of Nazis. The other was when then deputy president Jacob Zuma responded to a DA question about Zimbabwe by saying it wasn't about the seizure of land, but just white racism.

Back in the US, Pollak first supported moderate Republicans like John McCain. Pollak failed in his own run for Congress in 2010, portraying himself as a "Tea Party" candidate. He moved to California.

Pollak became editor-in-chief for the conservative *Breitbart News*, founded and funded by Jews. Breitbart has come to be associated – rightly or wrongly – with the "alt-right" movement in the US, although he characterises its editorial line as

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Miracle as Cape runner survives accident

TALL FEINBERG

ape South African Jewish
Board of Deputies member
and local finance director
David King is lucky to be alive after
a freak accident while running that
almost claimed his life.



As he recovers, King says, "I was being watched over – many miracles occurred on that day." He's grateful for a second chance at life, and implores the community not to take anything for granted.

It all began with his decision to start running more seriously at the beginning of 2021. A year later, he was running up to 60km a week and loving it. At the age of 44, he was fitter than ever, and he took off on an early morning run along the magnificent Atlantic Seaboard on the morning of 5 February 2022.

"The last thing I remember is admiring the Antipolis shipwreck that washed ashore recently. The next thing I knew, was in an ambulance, and they were asking me my date of birth."

It turned out that as he turned around to head back home, he collided with a cyclist going at about 70km per hour. The cyclist was injured, but King was in much worse shape. "I had a fractured skull, fractured ribs, a burst eardrum, and cuts all over. Witnesses say I was

Someone was definitely watching over me.

lying lifeless on the ground."

The first miracle of the day occurred when King's sister's friend, who had been with King and his family for Shabbat the night before, cycled past in a separate group. Because he had seen him so recently, the friend recognised King, stayed with him

- literally holding him - and called his sister. Because of this, King was identified, taken to a private hospital, and given the best care possible. He had no other identification on him and would probably have disappeared into the government hospital system

> before his family knew where he was.

Doctors
also told
him that if
he hadn't
been so fit,
he probably
wouldn't
have made
it. "They
said I could
have been
in a coma or
paralysed."

At the time, the accident was reported on a Facebook group called "Stay wider of the rider". In the picture of the scene, you can see that there was no pavement for King to run on to, and he could have landed up on the busy road or even fallen over the

side of the barrier down the cliff towards the sea. He emphasises that it was a freak accident, and no one's fault. He was told that the cyclist shouted "Bike!", but there was no room for him to move. The cyclist has since kept in touch with King's sister to check how King is doing.

King spent 12 days in intensive care, which gave him even more appreciation of the fragility of life. "In ICU, you don't have any freedom, which was really hard," he says. He shares a video message of him wishing family and friends a good Shabbos, and one can see that he wasn't fully functional. "Many tears have been shed with family and friends, especially when I was able to video call them," he says. He's extremely grateful for the excellent care he received at Vincent Pallotti Hospital.

In hospital, he met people who were paralysed or who had brain cancer. King felt incredibly grateful to be healthy, mobile, and alive. He also met a German

patient called Werner. "He asked if I was Jewish. When I said I was, he said, 'On behalf of the German people, I apologise for what

apologise for what Hitler did to your people during the Holocaust."

King says the outpouring of support from the Jewish community was breathtaking, and he's grateful to be part of a community that truly cares. He's also grateful to his workplace, CGI Creative Graphics International, which has been incredibly

He notes that at this time of year, there are more runners and cyclists on Cape roads. Bikers are often training for the Cape Argus Cycle Tour, and runners are pushing themselves ahead of the Two Oceans Marathon. "You hear of these kinds of accidents, but I never imagined it would be me." While he's disappointed at the setback to his running, he knows he'll return to the road, and will never forget that he almost lost the ability to do so. He cautions people always to carry identification while out exercising

and to be aware of others, especially in the early morning or late evening light.

He's still in a lot of pain, and there's a possibility that he may experience seizures. His burst eardrum means it sounds like everything is underwater. But he's alive. "I've been blessed with a second chance, and I'm going to make the most of it. Some people don't get that," King says.

Meanwhile, he's in the care of his parents, which isn't easy for a 44-year-old independent guy. Perhaps King is even more blessed because his aunt was late Chief Rabbi Lord Jonathan Sacks' executive director for 20 years, and his parents once took Sacks around Cape Town. Though that's a story for another day, King feels "someone was definitely watching over me."

He says has always been guided by the saying, "Tov le'hodot l'Hashem" (It's good to give thanks to Hashem). "I'm even more thankful now," he says. "People mustn't always focus on the negative, but focus on hope. It was a terrible accident, but Hashem has been good to me, miracles do happen, and please G-d, I'll be fine. I'll just go forward from here."

Jewish man may be behind antisemitic posts

TALI FEINBERG

n a shocking turn of events, antisemitic posts written on a fake Facebook profile are believed to have been written by a member of the Cape Town Jewish community.

According to an affidavit made at the Sea Point Police Station on 1 February 2022 by Capetonian Peter Flentov, "someone created a fraudulent profile in my name" and then "posted two antisemitic posts in an attempt to make me appear to be antisemitic, impair my dignity, and damage my reputation and standing in the community."

He said he had reason to believe the fake profile and antisemitic posts were written by a prominent Cape Town Jewish professional. The *SA Jewish Report* cannot name the Jewish man at this point.

The first antisemitic post, written on 5 January 2022, says, "I have to say that many or most Jews on the Atlantic Seaboard act as if they are really rich and privileged – and they echo this on other fb [Facebook] groups.

"I find it in poor taste and ironic since are they not meant to have suffered under 'the Holocaust' – and if that's the case, they should show compassion to homeless people living around Clifton, Camps Bay, and Sea Point.

"I mean, with their wealth and power, they should put their heads together to raise funds to help these people. Have they forgotten their history?"

The second post talks about South African Jewry's response to apartheid, and says, "It's no wonder that the Jews of the Atlantic Seaboard now feel shameful. If you look closely, the office bearers of the main NGOs [nongovernmental organisations] who operate in our area are, in fact, Jewish. The question is, does this

late attempt at altruism absolve them in any way from their lacklustre political attitudes of the apartheid years?"

Flentov repeatedly
tried to get Facebook to
delete the fake profile,
but it was deleted only
this week after local
newspaper, The Sunday
Times, wrote to the social
media company about it.

In his affidavit, Flentov describes a toxic and vicious feud

among people on Cape Town's Atlantic Seaboard, centering on the response to homeless people. He names two members of the Cape Town Jewish community [including the Jewish man in question] as leading a relentless campaign against those who disagree with them.

According to Flentov, it began on 20 February 2020 when he

According to Flentov, it began on 20 February 2020 when he "reported that a Green Point resident had slashed the tyres of his neighbour's car". Flentov wrote about this on two community chat groups, but didn't name the suspect.

"Later that day, [the Jewish man] was arrested on a charge of malicious damage to property based on a case opened with SAPS [South African Police Services] Sea Point by the owner of the car," the affidavit said. "On 21 February 2020, after [the Jewish man] was released, he published a lengthy post in which he stated that he was the person who had been arrested for slashing his neighbour's tyres. He then started an ongoing campaign of online harassment against me in which he has, at times, enlisted the help of others."

Flentov's affidavit says the Jewish man told a third party that

he would "do everything in my power to bring him [Flentov] down, to make him regret that he started with me". The affidavit also describes many other fake Facebook profiles and community groups that have been utilised by the Jewish man and his supporters in the feud. It also notes that the fake profile describes Flentov as living in Boston, which Flentov did do for a number of years. "It's not something that's generally known. It is, however, something that [the Jewish man] has knowledge of."

Regarding the fake profile and antisemitic post, Flentov said in the affidavit, "This was a blatant attempt to steal my identity in order to commit fraud. These [antisemitic] posts contain statements that characterise Jews in antisemitic terms and suggest that I'm a Holocaust-denier. I'm shocked and deeply offended by the comments made in my name. The antisemitic posts are degrading and harmful to my esteem and dignity. I believe we're all part of the same humanity and that every person deserves to be treated as an equal and with dignity. I vehemently oppose all forms of ethnic stereotyping and discrimination. The two antisemitic posts unlawfully made in my name are an act of *crimen injuria* in that they intentionally and seriously impair my dignity."

He said he believed the Jewish man planned to post more comments to make Flentov look antisemitic, but the page was shut down. "Instead, he posted comments on a post I made that disclosed the fraudulent profile. He publicly called me an antisemite, a Jew-baiter, and a Holocaust-denier, and claimed that I was 'no friend of the Jewish people'. He further attempted to impair my dignity by trying to link me to actions that my mother was allegedly involved in during World War II."

The SA Jewish Report contacted the accused Jewish man,

who chose not to respond to the allegations that he had created the Facebook profile and written the antisemitic posts. However, he did share numerous items that he said proved Flentov was antisemitic. It's unclear if these items are real. The Jewish man also shared his own social media comments in which he emphasised that the antisemitic posts on the fake Flentov profile were antisemitic. He insisted

that the fake profile was real, even after it had been deleted.
Cape South African Jewish Board of Deputies (SAJBD)
Executive Director Daniel Bloch says, "Peter Flentov informed the Cape SAJBD of a fake Facebook profile made in his name due to the antisemitic nature of the posts published on this account.
After investigating the matter further, we chose not to pursue legal action, and advised Mr Flentov to report the profile to

Facebook so it could be removed.

"The Cape SAJBD acts to protect and advance the rights, status, and welfare of the Western Cape Jewish community," he said. "We work tirelessly to fight hatred in order to combat a culture of racism, antisemitism, and prejudice online. We advocate that our Western Cape Jewish community take up the challenge of becoming practitioners of careful, thoughtful, and deliberate positive communication, that we don't fall for the ease of speaking without thinking, and that we practice engaged listening and connect with one another meaningfully in spite of our differences. We're still in contact with Mr Flentov and continue to monitor the situation."



One of the antisemitic posts on the fake profile set up to

make Peter Flentov look antisemitic

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12 SA JEWISH REPORT 24 February - 3 March 2022

Secret history buried in shul foundations around the world

TALI FEINBERG

hen the Small Jewish Communities Association of South Africa's Rabbi Moshe Silberhaft found a glass time capsule hidden behind the foundation stone of the Rustenburg Shul, it triggered an

outpouring of interest from around the globe.

It turned out that Silberhaft has discovered many such time capsules in his role as travelling rabbi. Not only that, but time capsules have been discovered hidden behind foundation stones in synagogues around the world.

published by The

University of Victoria (British Columbia, Canada), "Cornerstones often contain a cavity in which a time capsule or 'votive deposit' could be placed. Historically, local newspapers, coins in circulation, and other artefacts relevant to the time were placed within the vessel. Today, most vessels are to be opened on a given date. Traditionally, vessels were deposited in the hope that they would never be disturbed."

It seems this was a custom all over the world. "Among the synagogues built in the Copperbelt region [Zambia] was one in Mufulira, the smallest and northernmost of the places where Jews established themselves. Their synagogue in the Mufulira central district was built on a generous plot of land acquired by the community in about 1945, and construction began that same year. An early construction ceremony was held by the congregation when it deposited some type of time capsule in one of the incomplete walls." This is according to a website titled "Sub-Saharan Africa synagogues architecture and context".

Silberhaft shares an incredible tale about this time capsule. "The Mufulira shul was sold in the 1970s to a church. When I started to travel there in the late 1990s, I used to visit the old synagogue and communal buildings. There, the priest asked me, 'Do you Jews bury people in the synagogue or under the synagogue? I said, 'No, we don't do that.' He said, 'Well, when we worship, we still feel a Jewish presence in the synagogue, and it's unsettling for us.'

"On my return to South Africa, I contacted Barry Epstein who was involved in building the shul at the time," says Silberhaft. "He said, 'We did bury a copper time capsule in the walls in 1948. There was no foundation stone, it was just buried in the walls.' I asked him to tell me where it was. He drew a picture: four bricks up, four bricks to the right, on a corner. He also gave me a picture of him and others putting this time capsule into the wall.

"On my next visit to Mufulira, I had a builder with me as well as a chisel and a hammer. We found the sealed copper time capsule. It had in it the newspaper of the day, a few coins of the time, and the list of the executive committee that established the shul. We took the capsule, sealed up the wall, and painted it. Now, every time I visit the church [or former shul], the priest blesses me, because he says they can now worship in peace."

Meanwhile, in Sydney, Australia, on 26 January 1875, Sydney's Jewish community gathered to celebrate the laying of the foundation stone of the iconic Great Synagogue, and buried a time

In England, as described in *The Jewish* News and the Jewish Chronicle, builders discovered a 150-year-old time capsule at the Manchester Jewish Museum during renovation work in September 2020, just before the high holidays. A year later, the capsule went on display for the first time



According to research

Placing a time capsule at the time of consecration of the Mufulira Synagogue, Zambia, 1946

at the Manchester Jewish Museum. Its contents remain a mystery.

It had been buried deep in a wall cavity near to the synagogue's ark, dated to the building's foundation in 1873. The waxsealed capsule, which is filled with papers, coins, and synagogue documents, is now on display. Officials at the museum say they are working with paper conservators to safely open the capsule this year.

These items are similar to what has been found in other synagogue time capsules. In Washington, DC, the building on the

corner of 6th and I Streets has undergone numerous incarnations, and is currently the world renowned Sixth & I Historic Synagogue. The shul's website says that the congregation held a cornerstone laying ceremony on 22 November 1906.

It placed a time capsule inside the cornerstone containing copies of Jewish

> newspapers, coins minted in 1906, congregation membership lists, copies of constitutions, and a copy of the 15 April 1865 edition of the New York Herald, which included articles on the assassination of President Abraham Lincoln.

Also in America, according to The Forward, deteriorating documents, newspapers, and coins were unearthed at the Jewish History Museum in

Tucson, which once served as Arizona's first synagogue. The items were found in 2010 in a time capsule buried inside a cornerstone of the building 100 years ago. At a celebration to mark the shul's 100th anniversary, a 2010 time capsule was placed in the ground filled with, among other things, 2010 US coins, local newspapers, and an American flag that was carried in Tucson in 1912, to be opened 100 years from then.

Also in the US, in Richmond, Virginia, the façade of Congregation Beth Ahabah's Barbara and William B. Thalhimer, Jr.

Religious School was demolished in 2017 to facilitate construction of its new integrated campus. Contractors and staff were surprised to discover a time capsule hidden behind the cornerstone. The time capsule, a soldered copper box, had been concealed for 62 years since a cornerstone laying ceremony on 2 June 1957.

On 7 June 2019 at the end of the Shabbat service, community member Billy Thalhimer III and Rabbi Scott Nagel opened the capsule. The contents included a photograph of the 1957 cornerstone laying ceremony featuring a young Billy Thalhimer III. A new time capsule was sealed by the congregation, to be opened in 2069.

One of the most poignant time capsules discovered in recent times is one placed by congregants of the Tree of Life Synagogue in Pittsburgh. The same congregation would endure a massacre when on 27 October 2018, a gunman attacked the synagogue, killing 11 people.

One hundred and thirteen years ago, members of the congregation placed documents, religious items, and even a Heinz pickle pin in the cornerstone of its original synagogue in Pittsburgh's Oakland neighbourhood when it was built in 1906. In 1953, the congregation moved out of that building to its location in the Squirrel Hill neighbourhood. On 4 November 2019, Tree of Life officials and long-time congregants opened the time capsule found inside the cornerstone at the old site of their shul.

According to the Jewish News of Northern

California, when the 1895 cornerstone of San Francisco's historic Congregation Ohabai Shalome was removed in October 2001, local Jewish history buff Felix Warburg was waiting in anticipation.

The cornerstone of the disbanded synagogue contained a time capsule with items dating back to the Lincoln assassination and the pre-gold-rush era. Among them were American and Chinese coins, Anglo-Jewish publications, a mezuzah, and a 1847 letter in Yiddish that was sent from Hamburg, Germany, to someone in Mississippi.

"I was absolutely amazed," said Warburg, a San Francisco architect. "I always expected that there would be a time capsule, but what was a real surprise was how much older some of the documents were."

Warburg's knowledge that the synagogue's cornerstone would contain a time capsule was based on prior experience. When the cornerstone of another nearby shul was extracted some years before, it also held a time capsule.

There are probably many more "messages in a bottle" waiting to be uncovered around the globe. "We should always be aware that history is all around us waiting to be uncovered," said Warburg. "It's like a puzzle with an unknown number of pieces. We don't know where the next one will come from or how many there are, but it's important for people to know their history and that of their community."

Why Wordle is the game of the moment

TALI FEINBERG

hat's simple and complicated, addictive and once-off, free, and also owned by the New York Times, and something you can do alone or with others? It's Wordle, the word game that's taken the world by storm. As one person famously said (on Twitter recently), "Wordle is the sourdough starter of Omicron." To which another person responded, "Just imagine your 2019 self trying to make sense of this tweet."

Indeed, the word game has made itself at home in our strange new world. And while a cynic (14 February's mind-bending word) might say it's a passing fad, it looks like it's here to stay as a firm feature of pandemic life.

At a time when our existence is both frenetic and slow (when you're hit by lockdown or quarantine), the game demands that you spend a bit of time each day exercising your brain. But not too much - you can do only one puzzle a day. Knowing you have this task to do in one 24-hour cycle feels somewhat like an indulgence - like making a cup of tea or taking a lunch break And to know you're competing against millions around the world creates a feeling of connection that many of us are missing two years into COVID-19.

Another surprising outcome of the game is that everyone playing it seems to have made an unspoken, mutual agreement not to ruin it for others. People share their results on social media by posting the number of yellow and green squares they got and how many tries it took them to guess the word. But they don't share the actual word or words they guessed. In our climate of cancel culture and online shaming, this collective, silent agreement is refreshing and heart-warming.

You can even go onto the Wordle archive and start at the very beginning. Brooklyn software engineer Josh Wardle created the game for his partner, who loves word puzzles. If you bought your significant other a bunch of roses for Valentine's Day, this

might be a sign to up your game. The first Wordle hit the internet on 20 June 2021.

The rules are simple: guess a five-letter word in six tries. If your guess contains a correct letter in the wrong place, that square will turn yellow. If you guess the correct letter in the correct place, that square will turn green. If the letter isn't in the word, it will turn dark grey and be eliminated from your choice of letters.

If it sounds familiar, that's because it is. Everyone who played the code-breaking game Mastermind as a kid will realise that the rules are similar. And here is where the Jewish connection comes in: Mastermind was created by Israeli Mordecai Meirovitz in 1970, who presented his idea at the 1971 Nuremberg Toy Fair, where the English firm Invicta Plastics purchased the rights.

Games like Mastermind aren't just "child's play". According to a Vice article in 2020 marking the game's 50th anniversary, the Australian military uses Mastermind to train its soldiers. Researchers from the University of Leuven in Belgium developed a genetic algorithm for playing Mastermind.

So Wordle and Mastermind are relatives, and in Jewish geography, that means Wordle is practically (Jewish) family. Furthermore, playing Wordle is about as close as most of us will get to being code-breakers.

Five-time former South African Scrabble champion, Steven Gruzd, says, "Wordle has exploded into popularity and gone viral after a limited audience initially. It's so simple and gives you a daily word workout. I thought that as a competitive Scrabble player, I'd have a distinct advantage, but that doesn't seem to be the case. It also doesn't really seem to matter which word you start with - I've failed only once in a month to guess the word. If you enjoy Wordle, you may enjoy the competitive Scrabble circuit in South Africa, especially if you enjoy word games and anagrams. We're slowly having live events again after lockdown."

Another great aspect of the game is that families and friends can play it together, giving them a chance to bond amidst their busy days. "I play it every day with my son in Durban. We love it," says Lauren Leigh Diamond in Johannesburg. As they are in different cities, it's a great way to connect.

"My hubby and I play every morning together. It's become our pre-work morning ritual," says Carli Aronowitz. "It's a hit because there's one puzzle per day. You can't spend hours playing it," says Carol Yudaken Kowalsky

"It gives me something stimulating to do in the early hours of the morning when I just cannot sleep. A welcome change to TV," says Helen Blumenfeld. Even in different time zones, families can join in on the activity.

"My husband and I play together every day, and message our daughters – one in Sydney and other in Toronto – to see who got it the quickest!" says Glenda Preskow.

WhatsApp Wordle groups have also become popular. "We have a group, mostly family, about 16 of us. We compete against each other, with lots of banter. Love it! It's addictive. Happy it's only one word a day or I'd be playing for hours," says Vivienne Cohen Mofsowitz.

"When chatting to a group of my friends,

we discovered that we were all playing Wordle," says Lauren Gruzd. "So, around a month ago, we created a WhatsApp group to compare notes and see each other's progress. After playing the daily round, we send our grids to the group. We don't know what letters and words people have used or what the final word actually was. This creates intrigue and mystery. After we've all sent our grids for the day, we can ask what words people started with, how we made mistakes, and just chat about the daily word. I wouldn't say that our group is competitive, it's just fun to see how others are doing."

And for those feeling addicted, there are many more sites to stretch their Wordle muscles. There are even Jewish (Jewdle) and Yiddish (Vertl) versions. As "people of the book", this might just be our moment

In Jewdle, players must guess a sixletter word rather than five-letter words. It has words in English, Hebrew, Yiddish, even Aramaic - ranging from popular Yiddish slang to the names of major texts or holidays, to common Jewish expressions. Another unique feature of Jewdle is that once the puzzle is solved, users can view a definition of the completed word.

An additional letter certainly adds an extra level of difficulty, but the game's creators decided to do six letters instead of five because of the phonetic differences in writing many Hebrew and Yiddish words. You often need to use a "ch" or "sch" combination or an "ah" suffix – five letters was a bit too limiting.

For some, the one-word-a-day limit of Wordle is the most frustrating, but is also the reason it has become a daily ritual. "I play every day. The worst part is the wait to play again!" says Lauren Phillips.

If there is one downside to Wordle, it's that it uses American English. When the word of the day was "humor", users weren't amused. But as long as it keeps us smiling, we'll all keep playing.

How to stop the scourge of child sexual abuse

TALI FEINBERG

hild sexual abuse is a nightmare and it's easy to think it will never happen to our kids and that it's not something we need to address with them. But one in five children experience sexual abuse before the age of 18. This statistic stretches across all communities. Furthermore, 85% to 90% of abusers are people that the abused children know well.

This is according to Shana Aaronson of Magen Israel, a registered non-profit organisation in Israel dedicated to dealing with child sexual abuse comprehensively. She was speaking at an online workshop hosted by Koleinu SA on preventing, recognising, and responding to sexual abuse.

"These statistics are from research in Israel conducted across all communities, and in other Western countries it's the same. The statistics are also prevalent in Orthodox Jewish communities," Aaronson said.

She said sexual abuse was much more about power and manipulation than sex. Sexual abuse is simply the methodology that the abuser uses to exert control. "Saying sexual abuse is about sex is like saying alcoholism is about thirst."

Sexual abuse often isn't rape. "It can be molestation which is other sexual touching, exposing children to pornography, and other sexual acts." And, abuse within families is more common than once thought.

She said they divide symptoms of abuse into yellow, orange, and red flags. Yellow flags would be bed wetting, moodiness, aggression, changes in eating or sleeping – anything that shows the child's equilibrium has been upset. But these symptoms can also arise from being bullied at school and other

emotional events. So it's important not to assume your child is being abused if they, for example, wet the bed. But do investigate if your child displays such symptoms.

An orange flag is excessive touching of genitalia. This is complicated because it's a normal part of development. However when it becomes obsessive, interferes with life, or simply inappropriate, parents should speak to a professional. In all things, Aaronson advises parents to trust their gut instincts. So if something seems "off", find out why.

Red flags are marks or injuries on the body, or drawing and acting out sexual acts. "It's a red flag because they wouldn't know about that unless someone exposed them to it"

Sometimes kids enjoy the special attention the abuser gives them. They then believe it's their fault, because they accepted a gift or wanted the attention. In Jewish homes, kids may feel that it's *loshen hora* to tell, or that their parents wouldn't understand because they are *tznius* (modest).

Aaronson said grooming doesn't just target the child – it targets everyone in the environment. It's about gaining the trust of the child's parents and community. "We call it the halo effect – the person will often appear perfect. This is by design. It's difficult to see, except in hindsight."

The first stage of grooming is when an abuser identifies their victim. They will often choose a child in a busy home, with lots

isolated physically – for example, a tutor closing the door.

After that, the perpetrator will abuse. Once the abuse is established, they will maintain it by regularly abusing and ensuring the child doesn't disclose it.

How do we identify grooming? "If they are asking for time alone on a consistent basis and isolating the child for no reason; if they're frequently offering favours that give them access to children; if they're making parents feel bad or stupid for setting limits or asking questions – these are all red flags. Physical touch like excessive tickling, gifts, and treats, allowing a child to break a rule, offering babysitting or lessons for free when it's unexpected are also signs."

Another sign is an adult who is always around kids. Aaronson said kids instinctively know that adults want to be around other adults. She tells of a case when kids kept saying a 22-year-old was "weird" for hanging out with them, and he turned out to be an abuser.

To prevent all this, parents need to minimise opportunities for perpetrators. This means knowing where your kids are and who they are with. It's about checking in when they are with friends, but also ensuring that kids have privacy in the bathroom. On the internet, parents also need to "check in" as if the child is in a room with others. Having an awareness of kids at family gatherings, and minimising one-on-one interaction with adults is needed. Relying on intuition is crucial.

"Abuse thrives when people feel too awkward to ask questions. Be respectful, but ask if your instinct tells you to," Aaronson said.

Talk to children in a calm way. Discussing theoretical scenarios is a great way to do

it. Aaronson told her kids this hypothetical story: "A boy [in Israel] was home alone with his friend and his mom gave him money to go to the shop and buy dinner. His friend suggested he buy sweets instead. The boy did so, and felt really sick. But he didn't want to tell his parents because he would get both himself and his friend in trouble. But he eventually knew he needed to tell his parents, so he did."

This story doesn't talk about anything sexual, but it addresses all the most important aspects of abuse. Children can discuss how and why the child needed to tell their parent, even if the friend (i.e. the abuser) would also get in trouble.

Parents can explain that a "good secret" has a time limit and limited people you can't tell. For example, "We're having a surprise birthday party for dad next week, so don't tell him until then." But if a child is ever told that "you can't tell this to anyone, ever", then they must come to you, and "no secret will ever make us love you less".

Aaronson suggests using opportunities to make the discussion feel natural. For example, talking about our bodies is easier when the kids are in the bath than at the dinner table. She says teaching children euphemisms for private parts isn't recommended, although some cultural words are acceptable if others would know what it means. This is to ensure that they can describe the abuse if needed.

Finally, In Jewish communities, "The mitzvah of *tznius* is a great springboard to talk about bodies and how everybody deserves respect. Rather than feeling we cannot have these conversations, we're teaching how to be *tznius* in the best way possible," Aaronson said. "Embrace it as part of the conversation."

One in five children experience sexual abuse before the age of 18.

However children often don't tell. "On average it takes 10 to 26 years to disclose abuse," said Aaronson. There are many reasons why. The abuser may threaten violence towards them or their family, or the child may feel confused because sexual abuse isn't always violent and could even feel good, and the child doesn't know what to do with that.

Often the abuser will "turn the child into the bad guy. They will say something like, 'It's your fault – I'm only doing this because you're so pretty.' Or they will allow the child to do something that the child isn't normally allowed to do so they will think that they can't tell their parents. The abuser would have also made them feel 'equal' because they both broke 'rules'."

going on. For example, the grandparents have moved in and need more care, or there's a new baby. It's not the fault of the parents, but it means the child is vulnerable.

They then "gain trust and fulfil needs". They may offer to do lifts, help with homework, etcetera. "They identify the need, and fill it." The difference between someone doing a good deed and a sexual predator is that an abuser will frequently offer favours that gives them access to children. Or, they will involve the child in the errand when it's not needed. For example, shopping for groceries and taking the child along.

After they have gained trust, they isolate the child. They regularly invite kids to be with them. This is especially a red flag if there's a pattern. The child may also be



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Another notorious swindler - why we fall for conmen

Zachary Horwitz in the 2020 film,

The Last Moment of Clarity

SAUL KAMIONSKY

merican actor Zachary Horwitz swindled at least \$650 million (R9.8 billion) from his more than 250 victims in a huge Ponzi scheme to finance his lavish lifestyle, including the purchase of his \$6 million (R90.7 million) Beverlywood residence, luxury cars, and travel by private jet.

On 14 February this year, United States District Judge Mark Scarsi sentenced the Los Angeles-based 35-year-old Jewish actor to 20 years in federal prison.

In addition, Horwitz, who played the protagonist in the 2020 film *Last Moment of Clarity,* was ordered to pay

\$230 361 884 (R3.4 billion) in restitution to his victims.

Horwitz, better known by his stage name Zach Avery, grew up in Florida and Indiana. After moving to Los Angeles in 2012, he befriended two of the Hallivis brothers, one a director and the other a producer, who helped him to break into the film industry. Together, they co-founded 1inMM Productions, which produced low-end horror and science-fiction movies.

During the five years leading up to his arrest in April 2021, Horwitz raised millions of dollars from investors, many of whom were personal friends, by convincing them with what the United States justice department described as "bogus claims" about using investor money to acquire licensing rights to films which online streaming platforms like Netflix and Home Box Office had allegedly agreed to distribute abroad.

"Defendant Zachary Horwitz portrayed himself as a Hollywood success story," prosecutors argued in a sentencing memorandum. "As his victims came to learn, he wasn't a successful businessman or Hollywood insider. He just played one in real life."

Clinical psychologist Dr Hanan Bushkin, the owner of the Anxiety and Trauma Clinic, says successful swindlers such as Horwitz elicit an immense amount of trust in others, and people fall for those they trust. "Swindlers' modus operandi is to drop somebody's guard, make them feel vulnerable and emotionally connected, enabling them to take pretty much everything they can from that person," he says.

The SA Jewish
Report asked Michael
Treherne, portfolio
manager at Vestact
Asset Management,
how people can avoid
being deceived and
manipulated by swindlers.

"Some schemes are sophisticated and hard to spot until after the fact," says Treherne, who previously spok

until after the fact," says Treherne, who previously spoke on Bruce Whitfield's *The Money Show* about the lessons South Africans can learn from the late American financier, Bernie Madoff, who orchestrated the largest Ponzi scheme in history.

"In the Zachary Horwitz case, some of his close friends were duped too, showing how hard these things are to spot. If it's too good to be true, it probably is. For context, Buffett is one of the greatest investors around and he 'only' managed an average return of just more than 20% a year."

Generally, swindlers prey on individuals who have a particular need, says Bushkin. "The women in *Tinder Swindler* had a need for connection, love, and attention. In the case of Horwitz, his victims were attracted to or needed money. They saw the carrot at the end of the journey, that being a lot of money and maybe a higher return than the bank would give them. The longer the carrot is dangled in front of them, the more emotionally connected they are going to be to you."

Bushkin uses the analogy of food to illustrate this. "If I have just had a seven-course meal and I'm not hungry, I'm satiated. When you come and offer me food, I don't need food. My connection to you is not going to be based

on that need being fulfilled.

"If, on the other hand, I'm hungry, I haven't eaten for a week, and you dangle a piece of bread in front of me, I'm immediately emotionally drawn to you. The bread becomes my focus, and now you can pretty much get whatever you want from me."

If you realise you have been or are being swindled, you should speak to the Financial Sector Conduct Authority (FSCA), says Treherne. "Also, probably try to get your money back before everyone else in the fraud realises the same thing. Once a fraud crashes, the money is normally stuck until all the court cases have been completed. Even those who get money out near the end normally have to give some of it back."

A big red flag for Treherne is when someone gives guaranteed returns that are significantly higher than bank interest rates. "Having very consistent, high, and stable returns would be another red flag," he says. "Normally, high-return investments come with higher risk, which normally means some level of return volatility."

Additionally, investors should check if the firm they are investing in is registered with the FSCA. "This doesn't guarantee it's legitimate though," he says, "It just shows the firm is happy to be on the regulator's radar, which will reduce your risk."

Treherne says the amount of money people recover

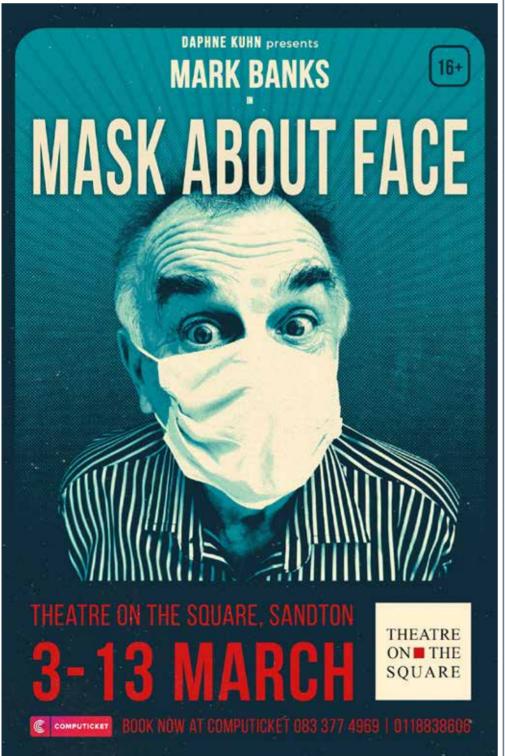
in Ponzi schemes depends on how much of the original money has already been spent. "Also, where does the money sit?" he asks. "In some schemes, the money sits offshore, out of touch of the regulator, making it difficult to retrieve it. In the case of Madoff, most people got only their original investment back. That includes people who had been investing for years. That was a big hit because on paper, thanks to 'growth', they thought they had substantially more money."

The moment the person discovers they have been tricked, that it has all been a lie, "there's an incredible sense of betrayal", says Bushkin. "It's traumatic, not only because the relationship is suddenly revealed to be false. What they thought was real is no longer reality. They have to go through a phase in which they have to accept that the person who swindled them isn't the person they thought they knew, but a conman."

The person then goes through a grieving process, which Bushkin describes as "learning to accept that your reality wasn't true and eventually coming to terms with your current reality. Then there is a secondary process, learning to trust again. Once bitten, twice shy. What we see in a lot of these so-called victims is they don't allow themselves to open up to new relationships, trusting other people, and becoming vulnerable. They put up a wall preventing them from connecting with others. That's an incredible travesty. They miss out on real opportunities to connect to genuine people in their world."

Bushkin uses the example of someone being badly bitten by a Rottweiler. "They aren't just going to fear that Rottweiler, they're going to fear all dogs," he says.

He believes Ponzi schemes are as prevalent in South Africa as they are in the rest of the world. "The need for money, a sense of belonging, and love is no different wherever you are," he says. "Human beings are human beings. The only difference between a first-world country and a third-world country is perhaps the *modus operandi*. But we all have access to cell phones and apps, so we're nearing the technological methods you would find in a first-world country."



Unfloored by challenges -

JULIE LEIBOWITZ

ost people don't think about floors, assuming that we walk on firm ground. But this wasn't the case at Greenside Shul, where the timbers of the community hall had been rotting away for years and had become a safety hazard, requiring the shul to lock the room and leave it empty.

But, thanks to the grit and determination of the community, ingenious engineering, generous donations, and skilled artisans, the hall is back to its former glory and is being used for the simchas for which it was intended.

"We had been able to use only half the room for years," said architect Nina Cohen, a director of the shul board, who masterminded the rescue from start to finish. "We knew parts were unstable, but things really came to a head at a Barmitzvah last year, when the floor finally konked in. We had

to lock the doors."

The problem was water. Built in 1947, the shul is close to the Braamfontein Spruit in what's known as "the Parks". According to Cohen, it was built too low for the water table, and this is particularly problematic after heavy rains.

After years of budget constraints and then COVID-19, the hall remained locked. A sense of helplessness had crept in along with the damp.

"At the end of last year, I got a bee in my bonnet. I was determined to do something about it," Cohen said. She got two quotes, both much too expensive.

"I decided to do it myself with my tiler from Zimbabwe, Lennon Dawa."

with concrete. The water was sitting there with nowhere to go." That wasn't all. They found



Family faribles are so pre-COVID-19

ome years ago, we were making a guest list for a function. It went rather swimmingly until I innocently mentioned the name of someone whom I thought was a family friend. I realised I had blundered when the room went silent.

Not only was an invitation out of the question, it was clear that I had stepped into something unpleasant. For a few minutes, no one said a word, but after a short while I was relieved that the list-making process continued. It was then that I heard another family member whisper something to my wife, "I'm not stupid. I know we would never invite her. I just can't remember why."

A farible had successfully crossed the generational divide. What was important was that it was held on to, not why it was borne in the first instance.

Faribles are very South African. Not just because we hold onto things longer than others might do, but because the word seems to have mainly taken root in this country. The word is a Yiddish one, and means to be upset and hold a grudge. But like so many words of this origin, it's so much more expressive than its English counterpart. Especially as it can be used in so many contexts, as a noun, adjective, and adverb.

In other parts of the Jewish world, the word isn't common, and they prefer the use of the term "broiyges" which is angrier and more aggressive. It's unsurprising that here in South Africa we're much more comfortable with the more passive-aggressive approach. After all, locally, we don't get angry. We just get disappointed.

The past few years have made it particularly difficult to hold on to faribles. Not only is there a reasonable chance that the person you are faribled with is now dead, but there was a lot less reason and opportunity to create new ones.



Function sizes were curtailed, people couldn't invite others over to their home, and chances are that just as much as Becky Horowitz didn't make a single call to you to see if you were alive, you probably didn't check up on her either. In fact, at this very moment, she's likely to be chatting to the other Becky [the one with the chins], saying that the phone rings both ways, you know. And

Functions have always been a great and magnificent source of faribles. Either they didn't invite you, or they left the children off the invitation, or they seated you under the speakers with the band. The opportunities are endless, and no amount of "we were so limited" or "it was COVID-19 regulations" or "we thought you were musical" is likely to have an impact. When a farible is conceived it's nearly almost born.

Which is why it's time to let them all go. Faribles are stupid. They're a waste of time. They destroy friendships, and they cause unexplained pain for years to come. If someone doesn't invite you, it might be because they simply couldn't or because they didn't want to. To decide that you deserved to be invited is also arrogant. And ironically worthy of a farible in of itself. It's time not only to leave old ones behind, but not to accumulate new ones.

As we emerge from the social hibernation of COVID-19, it's worth considering what to take with us and what to leave behind. I submit that shedding the family farible, difficult as it might be, will allow for much lighter travel.

······ A column of the SA Jewish Board of Deputies

Sticking to our guns and fighting for our rights

or the South African Jewish Board of Deputies (SAJBD), the handing down last week of the Constitutional Court judgment in the matter of Bongani Masuku marked the successful culmination of a process that began nearly 13 years ago, when the Board lodged a complaint against Masuku with the South African Human Rights Commission

In a unanimous judgment, the court upheld the SAHRC finding in which Masuku, then international relations secretary of the Congress of South African Trade Unions (Cosatu), was adjudged to have been guilty of hate speech and was directed to apologise to the Jewish community. Until then, Masuku had rejected the SAHRC's finding, and refused to apologise, but with this ruling by the country's apex court, he has finally run out of options. He has 30 days from the time of the handing down of the judgment to do so, and we look forward to receiving it.

From the outset, Cosatu, South Africa's largest tradeunion federation and a member of the ruling tripartite alliance, backed Masuku every step of the way as the process worked its way through the courts. Instead of acknowledging that its spokesperson might have gone too far in his incendiary rhetoric against the mainstream Jewish community for its support of Israel, it never deviated from the view that he had done nothing wrong. Not only that, it persisted in accusing the SAJBD, the community's representative spokesbody and civil-rights lobby, of making "frivolous" complaints of antisemitism in order to silence Israel's critics, a charge that itself borders on the antisemitic.

Given Cosatu's unyielding obduracy, the Board considered that it had no option but to escalate the matter and follow it through, regardless of what it might entail and how long it took. In this we were fortunate that the SAHRC, a body established under the Constitution to protect South African citizens from precisely this kind of abuse, likewise took the

ABOVE BOARD

Karen Milner

view that its considered findings couldn't be ignored with impunity and that it must approach the courts if necessary to ensure that they are enforced. The Concourt judgment has vindicated the commission's decision to stand firm throughout the prolonged and arduous process, and the outcome has much enhanced the credibility of this vital Chapter 9 institution.

In sticking to our guns, we again demonstrated that if we believe the civil rights of the Jewish community to have been infringed, we will fight the case right up to the highest court in the land to obtain redress. For us, however, going to court is never a first resort. Our first approach is always to engage with those concerned to arrive, if possible, at an amicable resolution. In this case, however, all our approaches to Cosatu were simply ignored. Cosatu might have avoided the whole embarrassing (and costly) process. Instead, it suffered defeat after defeat, first before the SAHRC, then in the Equality Court, and now in the Constitutional Court. It briefly appeared to have prevailed when the Supreme Court of Appeal ruled in its favour, but as it transpired, that court made a spectacular botch job of applying the relevant law, something confirmed in unusually scathing terms by the Concourt.

Perhaps the most important lesson that South Africans as a whole can take from this case is that as equal citizens of a free society, we need to engage with one another in a spirit of tolerance and above all, respect, especially when we disagree.

• Listen to Charisse Zeifert on Jewish Board Talk, 101.9 ChaiFM, every Friday from 12:00 to 13:00.

This column is paid for by the SA Jewish Board of Deputies

Greenside Shul saves its hall

"This Shabbat.

we celebrated our

year with a renewed

sense of purpose.

Our shul hall was

once again in use.

numerous electrical wires running through the

"It was a bit shocking. I could see that our budget wasn't going to hack it," Cohen said. So, she reached out to her network. "I called in my friend, [architect] Mark Schaerer, whose

father is a contractor. "He said,

'Oy vey!"

The more they cleared, the more water they found. So, they built a network of French drains Third Barmil 2 Van This between the beams, running the length of the room. Then, Cohen called her plumber, Nelson Mlalazi, who suggested that instead of draining the water to a sump outside, they build an internal sump under

the floor to pump it out. Steelworker Aaron Matsobane Mojela built a steel cover to make it

The wiring was sorted by another electrician known as "Sam", who worked through the night until 02:00, rationalising cables and rechannelling the rest against the shul wall, where they could be accessed. Then, Snail Bandawa set to work to re-electrify the existing pump.

Then, they had the challenge of filling in the cavern they had dug half a metre below the floor. Importing filler would be too expensive in a budget-constrained project. So, Cohen brought in civil engineer and Greenside community member Ronnie Scheurenberg, who suggested using rubble mixed with soil from around the area, mixed with a bit of filling material G5. It required a series of layering and compacting. Cohen shlepped the compacter backward and forward in the back of her Subaru to minimise the costs of renting it.

Finally, they had to consider which bricks to use for the floor. But the cost of bricks had jumped 50% between December 2021 and January 2022. Cohen called Corobrik, which she had dealt with over the years as a key sponsor of university architectural competitions.

"Corobrik was helpful, top to bottom. It sponsored the best bricks [for the floor's surface] we could possibly use," she said, pointing out that the small, even pavers they

> used actually cost about five times the price paid by the shul.

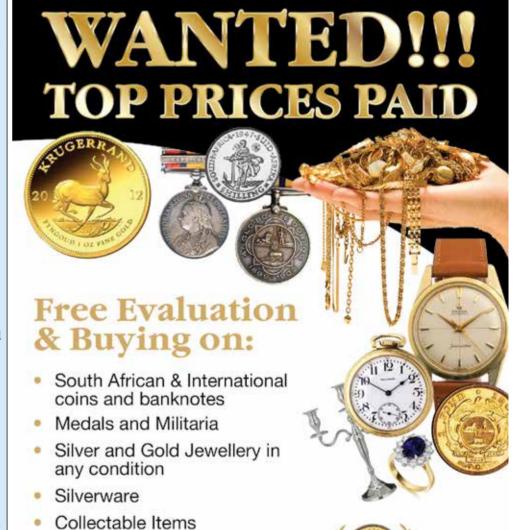
In total, the project took about seven weeks.

"We've all heard the proverbial phrase that nothing lasts forever," said the shul's Rabbi Mendel Rabinowitz. "The downstairs hall at Greenside Shul served our community for more than 65 years. Countless events such as our weekly shiur and

brocha on Shabbat and chaggim were all enjoyed in this hall. In addition, many Barmitzvahs and other events took place here. With the passage of time, however, the wooden floor could no longer be used as its timber supports were damaged beyond repair. For a long time, we were forced to snuggle up in the foyer of the shul, and when the weather was favourable, we used the sukkah area adjacent to the shul.

"This Shabbat, we celebrated our third Barmitzvah this year with a renewed sense of purpose. Our shul hall was once again in use. We have a beautiful newly painted hall and most importantly, a brand new, modern brick-paved floor. Thanks to all who contributed towards this project. A big thank you to Nina, who not only found a cost effective solution, but projectmanaged the entire process.

"We've had a great response from the community," Cohen said. "Everyone is so excited. We have gone from a depressed, COVID-19 stasis to a new floor. We have to infuse new energy into things - and this also relates to infrastructure - not live in a state of decay. As the Torah tells us, a flame lights so many other flames."



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Mina Lopato teachers go back to school - and succeed

ina Lopato's staff recently put themselves in their children's shoes to learn how to succeed. While brainstorming the theory of success - the nursery school's theme for 2022 - they concluded that it was all about building the quality of relationships.

They also realised it was no different for children. And, unless they actually put themselves in the shoes of a child, it would be hard to understand what it was like from a child's point of view. So, Grade 0 teacher Marissa prepared a variety of school type activities for them.



Robyn Weiss with Mina Lopato staff putting our minds to tasks and being 'learners' again

It was a long time since they had been given activities to do in a classroom, at desks, that challenged their creative thinking, problem solving, visual perception, fine motor, artistic, and mathematical skills - the very same tasks children are presented with every day.

Some found the tasks difficult. They didn't like what they were being asked to do, and some just wanted to get

They complained, they looked for reassurance, they asked each other for help, and "copied" whomever was next to them. They were competitive and insecure, and there was even a "tattletaler" among them.

And so, they saw what it's like to be a child at school

They were them - just bigger and with a better ability to identify what they were feeling.

They didn't have to cry, have a tantrum, be defiant, or say they were bored. They could say, "I feel unsure of my ability or I don't like that this task highlights my weaknesses."

They trusted that nobody would be judged for their outcomes; and they knew how to ask for help when

The exercise built relationships and improved thinking because they could communicate needs and try different strategies. The results were fantastic.

This was success at its best.

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Grandparents back to Torah KDVP plants seeds of food security

ing David Victory Park (KDVP) has its first food garden thanks to pupil Jessica Blem and head gardener Frank Ralapelle and his skilled team.

Blem, who manages the SRC's environmental portfolio, wanted to create a project that wasn't just meaningful, but sustainable.

She points out that in South Africa, "food insecurity" isn't just a term that world leaders toss around, it's a reality brought on by rising food prices, lack of access to proper nutrition, and elevated poverty rates.

"Tikkun olam (healing the world) is ingrained in the ethos of KDVP and is very important to me," Blem says. "This vegetable garden demonstrates the idea of making the world a better place."

What's special about the garden is that its produce - which includes cabbage, beetroot, carrots, butternut, cucumbers, tomatoes, spinach, and a selection of herbs - goes exclusively to the high school ground staff. Not only are they able to feed their families

with fresh produce, but as Thabiso Williams, one of the gardeners, says, "I'm even saving a bit of money because I'm no longer buying vegetables."

The garden also promotes skills development. Nikki Richard, the head of music at KDVP High School, used her experience at Siyakhana Food Garden to compile

> a training course for the ground staff. Once a week, gardeners and cleaners gather in the music room for training on general health promotion, which includes lessons in nutrition, healthy food preparation, and organic food systems. Richard also

em and Frank Ralapelle harvests produce from the garden and incorporates it into tasty treats that the ground staff can enjoy and replicate.

The project epitomises KDVP's values of community and neshama (soul). "It leaves a legacy that will continue to help the ground staff and their families for many years to come," Blem says.

Academy Nursery School

he energy at Torah Academy Nursery School was palpable last Thursday, 17 February, as the school welcomed grandparents and other visitors after two years of absence due to the COVID-19 pandemic. The socialising, connections, and sense of nachas was overwhelming. Grandparents were welcomed to take part in crafts with the children, while



a long hard winter!" Yakira Furman, Liya Moore, Morah Mish Berkowitz, and Matan Michal accompany visitors at Torah **Academy Nursery**

School



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