### In Praise of Jewish Parody

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## Ruling on Rap Song, High Court Frees Parody From Copyright Law

### By LINDA GREENHOUSE

Special to The New York Times

WASHINGTON, March 7 — The Supreme Court, carving out a safety zone for parody within the constraints of Federal copyright law, today unanimously overturned a lower court's judgment that the rap group 2 Live Crew had infringed the copyright on the rock classic "Oh, Pretty Woman" by recording its own rap version of the Roy Orbison original.

The Justices ruled that 2 Live Crew was entitled to a trial to show that its bawdy recasting of the 1964 song was a "fair use" of the original, exempt from a copyright infringement claim.

A Federal appeals court ruled in 1992 that 2 Live Crew's "blatantly commercial purpose" in recording its version, which the group described as a parody of the original, deprived it of all protection under the copyright law.

### What Constitutes 'Fair Use'?

That broad ruling alarmed many who make a living through parody and made the case an important test of the doctrine of fair use, which is the one exception in Federal copyright law to copyright owners' exclusive right to control their works. Under the doctrine, a portion of a copyrighted work may be used without permission "for purposes such as criticism, comment, news reporting, teaching, scholarship or research."

There is no explicit mention of parody in the law, however. The Supreme Court had never addressed the issue, although lower courts have considered numerous song parodies in the context of fair use. One appeals court gave fair use protection to a parody of "When Sunny Gets Blue" called "When Sonny Sniffs Glue." Another court deemed a Mad Magazine parody of Irving Berlin's "A Pretty Girl Is Like a Melody,"

titled "Louella Schwartz Describes Her Malady," to be fair use.

Writing for the Court today, Justice David H. Souter said that "like less ostensibly humorous forms of criticism," parody "can provide social benefit by shedding light on an earlier work, and, in the process, creating a new one." As such, he said, parody was entitled to consideration as fair use on the same terms as other commentary.

While noting that "we might not assign a high rank" to the element of parody in the 2 Live Crew song, Justice Souter accepted the group's assertion that its song, "Pretty Woman," includ-

ed on a 1989 album, "As Clean as They Wanna Be," was intended as parody.

The original version, written by Roy Orbison and William Dees and copyrighted by Acuff-Rose Music Inc., was an upbeat tale of a man who sees, longs for and eventually captures the attention of a woman as she walks down the street. In the 2 Live Crew version, the pretty woman of the first verse becomes "big hairy woman," "bald headed woman" and "two timin' woman."

The Court's opinion printed both versions, with Justice Souter commenting on the rap group's: "The later words can be taken as a comment on the naïveté of the original of an earlier day, as a rejection of its sentiment that ignores the ugliness of street life and the debasement that it signifies."

"... The humor of parody, Justice Souter said, "necessarily springs from recognizable allusion to its object through distorted imitation." He said that because parody's "art lies in the tension between a known original and its parodic twin," a parody has to be able to use enough of the original to be recognizable to the audience.

'mizable to the audience.

'He said that works like parody,
which take the original and effect a
creative transformation, "lie at the
heart of the fair use doctrine's guarantee of breathing space within the confines of copyright."

Justice Souter stressed that courts must make a case-by-case determination of whether a parody, or any other form of borrowing copyrighted material, qualifies as fair use.

### **Group Asked Permission**

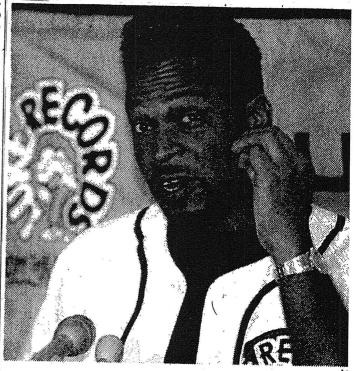
While the copyright law lists "commercial purpose" as one element in the fair use determination, the appeals court in this case mistakenly treated 2 Live Crew's profit motive as the only element, Justice Souter said. Noting that the concept of fair use comes from English common law and dates back centuries, he quoted Samuel Johnson's admonition that "no man but a blockhead ever wrote, except for money" as evidence that commercial writing should not be stripped automatically of fair use protection.

2 Live Crew had requested permission to record its version of the song, which Acuff-Rose denied. On its album, the group gave credit for "Pretty Woman" to Roy Orbison, William Dees and Acuff-Rose. After Acuff-Rose sued for copyright infringement, the Federal District Court in Nashville ruled for 2 Live Crew, a ruling that was overturned by the United States Court of Appeals for the Sixth Circuit, in Cincinnati

The opinion today, Campbell v, Acuff-Rose, No. 92-1292, was not a final victory for 2 Live Crew. Justice Souter said the group had to persuade the lower courts of two elements essential to the fair use defense: that it had not taken any more of the original than necessary to make the point of the parody, and that the parody had not harmed the market for the original song or the potential market for new versions that Acuff-Rose may license.

While joining the opinion, Justice Anthony M. Kennedy wrote a separate, concurring opinion in which he expressed doubt that 2 Live Crew's song was a "legitimate parody" as opposed to a "commercial take-off."

The Court received "friend of the court" briefs on 2 Live Crew's behalf from Mad Magazine, the Harvard Lampoon and the political satirist Mark Russell. The Capitol Steps, a musical group here that performs topical political parodies, sent the Justices a cassette tape on which the group performs a musical history of parody in America dating to the Revolution. Acuff-Rose was supported by many briefs, including those from the Songwriters' Guild, the entertainer Michael Jackson, who owns the rights to many of the Beatles' songs, and the estates of a number of renowned composers, including Leonard Bernstein and George and Ira Gershwin.



Luther Campbell, of the rap group 2 Live Crew, speaking a conference in Miami yesterday after the United States Suprestoverturned a copyright infringement ruling against the group

NYT March 8, 1994 National News הקפות רפורים מָרָה צֶדֶק הַשְּפִּיעָה נָא. נאר וֻנִבֶּר הַנְמִיאָה נָא. סַף וְסַפֶּל הַשְּׂקנוּ בִּיוֹם קַרָאנוּ :

זְּצְלוּחִית חַשְּׁלְנוּ בְּיוֹם לָרְצֵּנוּ: עָסִים וַעָּנָב הַשְּׁפִּיִעה נָא. פָּרָט כָּרֶם הַנְּמִיאָה נָא. צִּנְצָנֶת

קצין ושרחשפיעה נא. רסיםי יין הוביאה נא. שומר החביות השקנו ביום קראנו:

הומך שכורים השפי עַה נָא . הִירוש וּרְבָש הַנְמִיאָה נָא . הָמִים בְּמַעמוֹ הַשְּׁקנוּ בְּיוֹם כְּלְרָאנוּ :

קירוש לפורים

יום הפורים וַיְכוּלוּ הַמֵּים מִהְאָרֶץ וְכֶלְצְבָאָם: וַיְבֵל לוּשׁ בֵּיוֹם הַפּוּרִים בְּבּרוֹ אֲשֶׁר בְּתַר בַּדוֹ אֲשֶׁר שֶׁתָה: וַיִּשְׁתָּה בִּיוֹם הַפּוּרִים מִבָּל בַּדְיוֹ אֲשֶׁר שְּׁתָה: וַיְבָּרֶךְ לשתות:

סברי סוררים ומורים ושבורים ברוך אַתָּה מוֹכֵר פְּרִי דַּוְנָפָּן

מוכר מַהּלִים וּמַֹּאַבֹּוֹם בּּהִּלִּם : בַּרָמִם וּמַּהֹלֵוּ בַּבָּוֹם בְּמִּמִם בִּי בְּנוּ מָכַרְתַּ וְאִבְּוֹעִנוּ נִינְוֹיִתִ מִפִּרִּ לַשְׁוֹבָּה אָסוּר לְהִׁשִּׁלִוּ בַּמִּמִם כִּי לְנוּ מָכַרְתַּ וְאִנְינוּ נִינְוֹנוּ נִשְׁלֵנוּ נִינִּיתׁ מִפְּרִי זְּבְּהַבְּהַ בְּשִׁמְּוֹן . אָת יוִם עַרִּ עַפּוּרִם עַוֹּנוּ נְבִּיּ מְבַּרְתַּ נִיוֹן . זְיִהְשְׁלִנוּ נִיבְּרִ נְשִׁרְ זְּבְּעִר בְּשִׁלְּיוֹ בִּבְּשְׁלֵוֹן בִּנוּ בְּבִּעְר נִינִוּ בְּבִּעְר בְּשִׁלְּיוֹ נִיבְּר נְבִּשְׁ זְּבִּיִּים בְּעִּבְּיִנוּ בְּבִּנִים נִּמְיִנוּ בִּבְּנוּ בְּבִּעְר נִינִּין . זְנִישְׁלֵנוּ נִיבְּר נְבִּשְׁ זְּבְּוֹים וּמִלְּנִים וּמַלְּבִים : זְּמִילְם וּנִבְּיים בִּינִים בְּיִבְּיִּים בְּיִבְּיִּבְיִּים בְּשִׁלְּיוֹ נִינְּיִ נִּבְּיִּבְּיִים בְּיִבְּיִּם בְּעִּבְּיִים בְּעִבְּיִים בְּיִבְּיִּבְיּים בְּעִּבְּיִים בְּיִבְּיִים בְּעִּיִּים בִּיּבְיּים בְּעִּים בְּעִבְּיִים בְּעִבְּיִים בְּעִיבְים בְּבְּיִים בְּעִבְּיִים בְּעִבְּיִים בְּעִבְּיִים בְּעִבְּיים בְּעִבְּיִים בְּעִבְּיבְנוּ בְּבְּבְּעִבְּיבְינִים בְּעִבְּים בְּעָבְּיִים בְּעִבְּים בְּעִבְּיִים בְּעִבְּים בְּבִּים בְּעִבְּים בְּעָבְּיִים בְּנִינִים בְּבִּים בְּעִּבְּים בְּעִבְּיִים בְּעִיבְּים בְּעִבְּיבְּים בְּעִבְּיִּבְיים בְּנִינִים בְּנִינִים בְּנִים בְּבְּיִים בְּבִּים בְּעָּשׁׁוּן . אָּבְּיוֹים וּבְּעִים בְּיִּבְּים בְּעִּבְּיִים בְּיִּבְּיִים בְּיִּבְּים בְּיִים בְּיִים בְּבִּים בְּעִּבְּים בְּעִבְּיִים בּיוֹבְיּים בְּיִבְּים בְּבִּים בְּבְּיִּבְּים בְּיִבְּים בְּיבְּים בְּיִים בְּבְּיִים בְּיבְּים בְּבְּיבְּים בְּיבְּים בְּיבְּיִים בְּיִּבְּים בְּיִבְּים בְּיבְּים בְּיִּים בְּיבְּים בְּבְּים בְּיבְּים בְּיבְּים בְּיבְים בְּבְּים בְּיבּים בְּיבְּים בְּיבְּים בּּיבְּים בּיוֹים בּּבְיבְּים בְּיבְּים בּּבְּיבְים בּיוֹים בּּבְּיים בּּבְּיבְּים בּיבּים בְּיבְּיבְּים בּיוֹים וּבּיבְּיבְים בּּיוּים בּיוּבְיים בּיוּבְּיבְּים בּיבְּיבְּים בְּיבְּיבְים בּיוּבְיבְּים בּיוּבְיבְּים בּיוּבְיבְּים בְּבְּיבְּים בּיוּבְיבְּים בּיוּבְּיבְּים בְּיבְּיבְים בְּיבְּיבְּים בְּיבְּיבְּים בְּבְּיבְּיבְיבְּבְיבְים בְּיבּים בּיבְיבְּיבְּיבְיבְּיבְיבְיבְיבְּיבְיבְיבְּים בְּבְּיבְּיבְיב

בָרוּךְ אַתָּה שָהְשְׁקנוּ זְהִשְׁבִּירָנוּ וְהְנִמִיאנוּ לַזְּמַן הַוָּה בּ



added parodic spice to a taunting rhyme:7 biblical and liturgical phrases were strung together to humorous effect, Concatenation, a learned technique in which fragments of unrelated

פַמלַר מולם – ליימענער גולם! עשירה געלם – עולם פעלד. שלוים גבורה - געלט עשירה. קערש בוים – גבורה שלוים. זלמן הערש—בוים קערש. מומער הלמן – הערש ולמן. אומער מומער – הלמן מומער.

ple—clay fool!) strength—money wealth. \ Wealth money—people field. \ Field peo-Zalmen Hersh—tree cherry. / Cherry tree—strength peace. / Peace Ooter tooter—Talmen tooter. / Tooter Talmen—Hersh Zalmen. /

took turns playing the backlen:8 And every day could also be a wedding feast, at which the children

רער חתן וועט דיר שיפן אַ לעפעלע כריין, בלהשע, בלהשה, וויין-זשע,

וועסטו זיך באַסמאַרקען ביז צו די ציין.

סאיו שוין ציים צו געבן אַ שמיקעלע פֿלאָרן. מסייען אויף די לאָדן רי מויבן, די מויבן,

שמייען אויף די מישן. רי מויבן, די מויבן, סאנו שוין ציים די כלה צו באַדעקן.

שמייען אויף די בעמן.

די מויבן, די מויבן,

סיאיז שוין ציים די כלה זאָל זיך באַפּישן.

of the mock wedding, with several variants.

to your teeth. // The doves, the doves, / are perched on the shutters. / spoon full of horseradish, / then you'll cover yourself with snivel down (Bridey, bridey, how you should weep. / When your groom sends a

(1963), side 1, band 4. 7. Jewish Life: "The Old Country," ed. Ruth Rubin, Folkways Records FS 3801

8. Lehman, "Di kindervelt," 125, no. 68, includes the music and description

trajectory—dynamic and dialectical—from medieval to modern times. and elusive trend for last. Unlike Miron, I am also attempting to map a Sanctified Parody. Like Miron, I am reserving the best, most complex, Parody," which I am calling Sanctioned Parody, Militant Parody, and I shall mimic my teacher by distinguishing three "Major Trends in Yiddish Reader; in other words, Miron himself. In the spirit of my topic, therefore, highest level of interpretation was the privileged domain of the Ideal were apprehensible by average readers and professional critics, the last and

and the improvisational art of the backbn were performed in Yiddish.<sup>5</sup> advance, then switched abruptly to satire and mime. Both the Purim-obpil and their mortality, described the latest pogrom, fire, or technological sembled to tears by reminding them of their child-bearing responsibilities vised rhymes about the bride, groom, in-laws, and guests, moved the asmaster of ceremonies called a badkhn or márshalik chanted or sang improat large. At weddings, at the meal that honored the bride and groom, a burghers and eventually spread to the rest of the day and the community poetry, song, and spoofs at the festive meal in the homes of well-to-do Ashkenazic genre of the Purin-obpil originated as the performance of ody: the se'udat mitsoah and the children's realm. On Purim, the uniquely Within traditional Ashkenaz, there were two sanctioned domains for par-

by Jewish children as a counting-out rhyme to determine who was "it":6 uel of Rome in the last decade of the thirteenth century—was reemployed exegetical parody—introduced, according to Israel Davidson, by Immanthe various subgenres of classical Hebrew parody for everyday use. Thus, Jewish children celebrated Purim every day of the year. Heder lore adapted The most radically democratic class of Ashkenazic Jews was children.

לוי – האָט נעפֿירט אַ װאָגן מיט ציבעלעס. אנונו – נהר פיעקעיק משה – רער האָן ויקרא – האָט געקרייט

(.anoino do bsol rooster / Arn (Aaron)-the back-of-the-oven / Levi) — led a wagon-(Vayikro (the LORD called)—and he crowed / Moyshe (Moses)—the

1999), chap. 6. Peacock: The Art of Song," The Jewish Scarch for a Voable Past (Bloomington, In., (Jerusalem, 2002). On the art of the backbn, see David G. Roskies, "The Golden 5. See Ahuva Belkin, Ha-purun shpil: 'Iyyunim ba-te'atron ha-yebudi ha'amami

yion: Zambukb far folklor un filologye, ed. M. Vanvild (Warsaw, 1923), 116, no. 23. Shmuel Lehman, "Di kindervelt (gramen, lidlekh, hamtsoes un shpiln)," Bay undz 6. Israel Davidson, Parody in Jewish Literature (New York, 1907), 18-19;

### The Philosopher

This humorous song (originally titled *Dos gute Kepl*) by Velvl Zbarzher (1826(?)-1883) is a satire upon the alleged miracles performed by the Hassidic rabbis. The song was first heard during the Haskalah period in Eastern Europe, when satirizing fanatic beliefs was in vogue. Many singers today erroneously interpret this song literally, as one that expresses the wonders of the rabbis. The song was later parodied during the 1905 revolutionary period to "go to the working man and learn wisdom from him"

Kum aher, du filosof, Mit dayn ketsishn moykhl, Oy, kum aher tṣum rebns tish Un lern zikh do seykhl.

**REFRAIN:** 

Bim-ba-bam. . .

A damfshif hostu oysgetrakht Un nemst dermit zikh iber; Der rebe shpreyt zayn tikhl oys Un shpant dem yam ariber.

An ayznban hostu oysgeklert, Un meynst du bist a khorets; Der rebe shpet, der rebe lakht, Er darf dos oyf kapores.

Tsi veystu den, vos der rebe tut Beys er zitst bekhides? — In eyn minut in himl flit Un pravet dort shalesh sudes. קום שהער, דו פֿילאָסאָף, מים דיַין קעצישן מוחל, קום שהער צום רבינם מיש און לערן זיך דא שכל.

רעפֿריין: בים־באַ־באַם ...

א דאמפֿשיף האָסמו אויסגעטראַכט און נעמסט דערמיט זיך איבער; דער רבי שפרייט זיַין טיכל אויס דער רבי שפרייט זיַין מיכל אויס און שפּאַנט דעם ים אַריבער.

אן אייזגכאן האסמו אויסגעקלערמ, און מיינסט דו ביסט א חרוץ; דער רבי שפעט, דער רבי לאכט, ער דארף דאס אויף כפרות.

צי ווייסמו דען, וואס דער רבי מוט בעת ער זיצט ביחידות? — אין איין מינוט אין הימל פֿליט, און פראוועט דאָרט שלוש סעודות.

Come here, my philosopher, with your cat's brains; come to the rabbis' table and learn real wisdom. You invented a steamboat and take pride in that; but the rabbi spreads his kerchief and crosses the water. You dreamed up a dirigible and think you're so clever? but the rabbi laughs and sneers at you, for he has no need of it. In one minute he can fly up to heaven and eat his Sabbath meal there.

Bontshe Shuayg Were men as rare as horses, someone would surely have wondered

. 147 .

### BONTSHE SHVAYG

 ${f H}$ ere on earth the death of Bontshe Shvayg made no impression. Try asking who Bontshe was, how he lived, what he died of (Did his heart give out? Did he drop from exhaustion? Did he break his back beneath too heavy a load?), and no one can give you an answer. For all you know, he might have starved to death.

The death of a tram horse would have caused more excitement. It would have been written up in the papers; hundreds of people would have flocked to see the carcass, or even the place where it lay. But that's only because horses are scarcer than people. Billions of people!

Bontshe lived and died in silence. Like a shadow he passed through this world.

No wine was drunk at Bontshe's circumcision, no glasses clinked in a toast; no speech to show off his knowledge was given at his bar mitzva. He lived like a grain of gray sand at the edge of the sea, beside millions of other grains. No one noticed when the wind whirled him off and carried him to the far shore.

While Bontshe lived, his feet left no tracks in the mud; when he died, the wind blew away the wooden sign marking his grave. The gravedigger's wife found it some distance away and used it to boil potatoes. Do you think that three days after Bontshe was dead anyone knew where he lay? There was not even a gravestone for a future antiquarian to unearth and mouth the name of Bontshe Shvayg one last time.

A shadow! No mind, no heart, preserved his image. Nothing remained of him at all. Not a trace. Alone he lived and alone he died.

Were not humanity so noisy, someone might have heard Bontshe's bones as they cracked beneath their burden. Were the world in less of a hurry, someone might have noticed that Bontshe, a fellow member of the human race, had in his lifetime two lifeless eyes, a pair of sinkholes for cheeks, and, even when no weight bent his back, a head bowed to the ground as if searching for his own grave.

where he disappeared to. When Bontshe was brought to the hospital, the corner of the cellar he had called his home did not remain vacant, because ten men bid for it at once; when he was taken from the hospital ward

to the morgue, twenty sick paupers were candidates for his bed; when he was carried out of the morgue, forty men killed in the fall of a building were carried in. Think of how many others are waiting to share his plot of earth with him and well may you wonder how long he will rest there in peace.

He was born in silence. He lived in silence. He died in silence. And he was buried in a silence greater yet.

But that's not how it was in the other world. There Bontshe's death was an occasion.

A blast of the Messiah's horn sounded in all seven heavens: "Bontshe Shvayg has passed away! Bontshe has been summoned to his Maker!" the most exalted angels with the brightest wings informed each other in midflight. A joyous din broke out in paradise: "Bontshe Shvayg-it doesn't happen every day!"

Young, silver-booted cherubs with diamond-bright eyes and goldfiligreed wings ran gaily to greet Bontshe when he came. The flapping of their wings, the patter of their boots, and the merry ripple of laughter from their fresh, rosy mouths echoed through the heavens as far as the mercy seat, where God Himself soon knew that Bontshe Shvayg was on his way.

At the gates of heaven stood Father Abraham, his right hand outstretched in cordial welcome and the most radiant of smiles on his old face.

But what was that sound?

It was two angels wheeling a golden chair into paradise for Bontshe to sit on.

And what was that flash?

It was a gold crown set with gleaming jewels. All for Bontshe!

"What, before the Heavenly Tribunal has even handed down its verdict?" marveled the saints, not without envy.

"Ah!" answered the angels. "Everyone knows that's only a formality. The prosecution doesn't have a leg to stand on. The whole business will be over in five minutes. You're not dealing with just anyone, you know!"

per while ten ear les owls later dromad section me all use securic chang grown addresses this wh MERCAL PLACE SALARCIA STANSALLE SEGULOS SILLE RESOL איינם ווער וויים ? איינם וויים איך: איון מענשהיים איו רא איים דער וועלט. צוויל ווער וויום בי צאיה ווים איף: אייף צוויה שרינרען איו די מענש עם שנון ביו באון די באין המשאע של של של ארעם יאוף הייך בייני יואן דריו ווער וויים זי דריו וויים איר: כריםטליכע דריי איניגקייט היירפיירמיירט די נועלמ פוער ווער וויים ? פיער וויים איך: די פיער יסודות בעהערשט די פינף ווער וויים י פונף וויים אין האללעה פינף וועלם מהיילען ון פאין בין ניין דון קאנטראלערט דאם קאפוטאלים ייין זעקם ווער וויים ז' זעקם וויים איך: זעקם טעג אין וואך ווערט א אולים ביי אוני אין ארבויסער פערשווארצטוכן ביי אוני אין ארבויסער

יווער וויים אירן זיבען אור אול און ארן און ארן

אבש ווער וויום ו שאכש וויים ארד מפון אכש טעג א אינגעלע אריורש שוין פון רעלוגיאון בי כי נארובי ק

נוין וופד חיים דיניין מוראט אום צו ארבייר טען דרוי מאנאט ביון טוירט.

צעהן ווער וויים זי צעהן וויים איך: פון צעהן געבאט איז געווארען א תרי"ג.

עלה ווער וויים ? עלף וויים איד: עלף ברידער הענדרער קאנען נור רבנים און בטלנים פערגלייכען מיט עלף

צוועלף ווער וויים צוועלף וויים אוך: צוועלף לעכעה איו אין א טוץ בייגעל, און דאס אין בנגד הייצוועלף

הארו מואחא בעלן ואבל לעיברוא מום שבעים בסטרא בחרונות דרייצעהן ווער וויים ? דרייצעהן וויים איך אויק דרייצעהן פוזעהן יבין אביי ארפלות, שויג די קאפישאליםשישע פיקסעם ויבין אביי שמליםשישע פיקסעם ו

יוססלאנדער סאציאלדעמאקראטישע ארבייטער פארטיי. And And Anderson and the same control and the same הערויםגעגעכען פון דעם. מיינעם אירישען ארבייטער־בונר אין רוסלאנר און פוילען. אפריל 1900 יאחת.

על שם

וכוחזים

ארנות .

עונרי . חרס

בתני אין בין עתיריקא. למעליותא שלשה חלקי ישוב : והיה לנום שמה. קמיירי: אלא שעבוד מלכיות. שהחלק הרגיעי לא כברא אלא לארן מהלט: עמא

דנית בעמיריקה:

וחכמים אומריי.

דשענוד מלכות

בעתיריקה כתי

אוכחי דכל

שעצודה דשופטיי

ושוטרים לחכמיי

ריקה. רקיס 🧺 פרק ראשון אושחר או שבחו בה : עלו בראשונה לאפוקי העולין עכשו דלאו כלן יוחסין:

כותני אין בין עמיריקא לשאר

שענוד מלכיות ארצות אלא שעבוד כוס: מלכות בלבד דברי רבי ירקא, וחכמים אומרים עמיריקא כשאר ארצות לכל דבר: גמי תניא לא נבראה עמיריקא

היינו חרם דרבננ גרשון: שהיח גמי שלשת חלקי ממרקי עונותיהן: על ידי שנעשו דקודם שנגלתה עשירים עמיריקה לה היו וממילא עוכותיהן בעולם ללח אלא לארץ מקלמ, שבשעה

שנלה קלומבום את עמיריקא באו שלשה חלקי הישוב לפני הקרוש ברוך הוא ואמרו לפניו רבונו של עולם כתבת בתורתך (דיברים י"ם) ושלשת את גכול ארצף, אמר להם הקרוש ברוך הוא והיה לנום שמה כל רוצח. אמר רב ספרא צפה קלומבום באצמנגינות שלו שעתידה עטיריקא שתיעשה ארץ טקלט לרקין ופוחזין של כל העולם כלו ובקש רחמים שלא תקרא על שמו, קראוה עמא ריקה. איני והא תנן כל הארצות עיסה לעמיריקא שעמיריקא בחזקת יוחסין עומדת. אמר רב מבינא מאינותםין פכולין של שאר ארצות כרתנן עשרה יוחסין עלו עם עורא מבבל וקחשיב ממזרים ונתינים וכו' תניא נמי הכי עשרה אחסיו עלו בראשונה לעסיריקא. ואלו הן רוצחים, גנבים, מוסרים, מדליקי בתים, מזייפי שמרות, מוכרי נפשות, עדים זוממין, פושמי הנל, עוברי חרם, וכנים סוררים ומורים, ויש אומרים אף נערות שנתפתתו, ולמה נקראין יוחסין לפי שכל הפסולין של שאר ארצות כיון שבאין לעמיריקא נעשין בה יוחסין. במתניתא תנא מתנימה היא נקראת עמיריקא, משום שהיא ממרקת עונותיהן של

# おわりつり

עם פרוש קצר ומספיק.

מחבר ומסדר מאת

## גרשון ראוענצווייג

ניו יארק.

1909.



הוצאת בית מסחר הספרים של דרוקערמאן, 50 האנעל סטרים, ניו יארק. [מקשה העגל] הצובאים על הר-ציון רחל מבכה על בניה [יציאת מצרים] בדמיך ח" העשירים הנוגשים את העם

[יציאת מצרים]

[אללי הבעל]

[יתרו אל משה]

קונת עולמו בשעה אחת

הרי ישראל השוממים

[רבקה לפני אליעזר]

[קריקת ים-סוף]

אין קול ענות נמלטים מתוך השרפה ואין קול ענות הנסים מפני לסטים מזוינים - קול ענות יהודים, הצובאים על בית נתיבות־הברזל בכסלון. נשמע ברמה. אחינו בני ישראל שם רצים דחופים ומבוהלים. צרורות קטנים וגדולים בידיהם ועל שכמם, וביניהם נשים מתבוססות בכרים וכסתות, גם עוללים ויונקי־שדים בוכים, וכלם דוחקים זה את זה והודפים בצד. ובכתף ומטפסים ועולים במסירת־נפש על ידיהם ועל רגליהם בספלמה של העגלה ממדרגה שלישית. בשביל לכבוש שם מקומות לישיבתם ביד חזקה וזרוע נטויה. ואני, מגדלי מוכר־ ספרים, מכובל במטלטלין וכלים מכלים שונים. הנני אוזר כגבר חלצי ומטפס, כורע וקורס בצבור כאחד מהם. ובאותה שעה, שאנחנו היהודים זריזים ונחפזים לעלות ברגזה ובדאגה, שמא יקדמנו אחר, חס ושלום. ומביטים בפני הממונים על העגלות בבקשה ובתחנונים, כאלו נסיעתנו שם היא חסד חנם ומדת הרהמים מצדם. – כאר הנוסעים מאומות־העולם מטיילים בעזרה לפני בית־הנתיבות וממתינים עד שיצלצל הפעמון בשנית או בשלישית ויכנסו לתוך העגלות במתינות וכל איש על מקומו יבוא בשלום. אחרי המהומה והמבוסה והמבוכה בשעת העליה מבחוץ גברה הטרדה מבפנים בכבוש המקומות. יש קנו מקומם לאלתר ברגע אהד. ויש שלא באו עוד אל\_ המנוחה כחפצם ומתנודדים כה וכה. יהודיה כרסנית. הטמנית ודברנית נדהפת ובאה והכבודה לפניה. וכאשר באה כרעה נפלה על צרורותיה, ופניה וכל תנועותיה כברבור זה. שנקנה בשוק קודם הפסח, משהובא הביתה והותרה הרצועה מעל רגליו הוא משתטח על הרצפה, זנבו וכנפיו פרושות וצופה ומביט בשמות ושאוף לכל רוח. ואהריה עוד אשה אחת באה בפתח, מתרפקת על מצעותיה וסמרטוטיה וקוראת לילדיה: גושו, עושו, חושוו בהמת רוח ובקול רעש גדול. היא האטה. אשר הוכיח ה' לי לשבת אתה במחיצתה בדוחק גדול עם בעלה ורוב בניה. וחבילות־חבילות מסלטליה וכסתותיה לי חומה מימיני ומשמאלי.

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### Shem and Japheth on the Train

SHOLEM YANKEV ABRAMOVITSH

Exod. 32:18: the Golden calf.

Jer. 31:15: Rachel weeping for her children.

Ezek. 34:21.

Deut. 4:34.

It is not the voice of them that flee from a fire, neither is it the voice of them that run from armed bandits-it is the noise of Jews° who congregate upon the train station of Ksalon [Foolstown] that is heard on high.° There, in haste and confusion, our brethren press on, with bundles of every size and shape in their hands and on their shoulders; women, too, encumbered with pillows and bolsters and wailing infants; all jostling one another with side and with shoulder° as they perilously hoist themselves up the ladder to the third-class compartments, where a fresh battle will be fought with a mighty and outstretched armo for places in the congested train. And I, Mendele the Bookseller, burdened with my goods and chattels, join manfully in the fray: I climb, stoop, and jostle my way through as one of the crowd. Yet, while we Jews hustle and work ourselves into a state of frenzied irritability, lest, Heaven forbid, someone should get ahead of us in the crush, and while we gaze beseechingly upon the railway employees, as if the fact that we are traveling at all indicates an unrequited act of grace on their part-all this while, the gentile passengers are strolling up and down the hallway in front of the station with their luggage and waiting until the bell rings for a second or even a third time, when they will mount the train at leisure, and each proceed to his appointed place.

After the hubbub outside, there is a renewed scramble for seats. Some lucky ones find places straightaway; others trail up and down in a fruitless quest. A stout, loquacious female is thrust forward, pushing baskets and bags ahead of her. She trips over them and falls headlong. Lying there, she looks for all the world like a goose bought in the market before Passover, after it has been taken home and the strap untied from its legs. It collapses on the floor with its tail and wings outspread, gazing up in terror, and gasping for air. Now, another woman appears in the doorway, clutching her bedding and bits of old clothes, shrilly urging her children to bustle along behind. This is the woman it has pleased the Lord to designate° as my traveling companion, together with her husband and her numerous offspring: it is in their compartment that I shall sit, wedged in with the maximum of discomfort between bundles of household goods and bedding that mount up on my right and on my left.°

Gen. 24:43.

Exod. 14:22.

## Books of The Times

By Michiko Kakutani

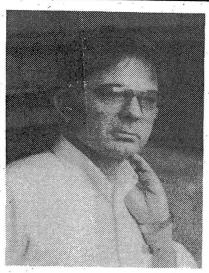
\*A NIGHT AT THE MOVIES. Or, You Must Remember This. By Robert Coover. 187 pages. Linden Press/Simon & Schuster. \$16.95.

all the post-modernist writers, Robert Coover is probably the funniest and most malicious, mixing up broad social and political satire with vaudeville turns, lewd pratfalls and clever word plays that make us rethink both the mechanics of the world and our relationship to it. The targets of his manic imagination are large including religion ("The Origin of the Brunists"), baseball ("The Universal Baseball Association, J. Henry Waugh, Prop."), the Presidency and anti-Communist fervor ("The Public Burning") - and the methods he employs are often equally subversive of literary and philosophical conventions. In "Pricksongs and Descants," he rewrote the stories of Joseph and Mary, Little Red Riding Hood, and Hansel and Gretel. In "Gerald's Party," he refashioned the old-fashioned mystery story, turning its orderly narrative process into a mirror of mayhem and fear.

Now, in "A Night at the Movies," Mr. Coover does a similar number on old-time Hollywood films—a perfect subject, when you think about it, for his, malevolent magic. Not only do such movies rely upon conventional (and easily parodied) forms, but in

doing so, they also tend to reinforce traditional values - a faith that good will triumph over evil, order over chaos, as well as a more basic belief in cause and effect, sense and sensibility. Thus, by inverting such conventions, Mr. Coover is able to make us question our most fundamental social and cultural preconceptions. As he once wrote: "The novelist uses familiar mythic or historical forms to combat the content of those forms and to conduct the reader ... to the real, away from mystification to clarification, away from magic to maturity, away from mystery to revelation. And it is above all to the need for new modes of perception and fictional forms able to encompass them that I. barber's basin on my head, address these stories "

Certainly the three full-length "features" in this volume (billed ironically enough as "Adventure!" "Comedy!" and "Romance!") do a thorough job of destroying all our fondest expectations, while serving, at the same time, as wittily observant exercises in mimicry. In "Shootout at Gentry's Junction," the Sheriff - "a tough honest man with clear speech and powerful hands, fast hands, fair hands and sure" - sets out to rid his town of the notorious Mexican bandit Don Pedo. Though the Sheriff's a tidy - and often very funny - compilation of every good guy-western cliché ("there was no sun in his eyes, here in his office, but still he squinted as he



Jack Spratt :

### Robert Coover

stared toward the old screen door"), he fails miserably in his showdown with Don Pedo, who winds up killing all the good guys and making off with their women.

In "Charlie in the House of Rue," the rules of comedy are similarly subverted. In this case, Chaplin's Little Tramp — meticulously described in terms of gestures and idiosyncratic mannerisms — is placed in a booby-trapped house of horrors. Things begin normally enough — Charlie looks about, does a lot of busi-

ness with his hat and cane — but they quickly escalate into chaos: not only do objects defy him (as they do in the original movies), but people also begin to act very strangely. By the end of Mr. Coover's little drama, a woman has hanged herself, another woman has sexually assaulted Charlie and Charlie himself is left stranded in this surreal world, in which the reassuring conventions of slapstick humor no longer apply.

"Charlie, dabbing still at the old man's eyes as though unable to stop himself, knocks one of the eyeballs loose," writes Mr. Coover. "Slowly it oozes out of its socket, squirts free, and slides down his withered cheek, hanging there by a slippery thread. Desperately, Charlie tries to push the eyeball back in place, but it is difficult even to hang on to it: it keeps popping and slithering out of his grasp."

In the final story, "You Must Remember This," violence and sex are again used to shatter whatever sentimental notions of innocence and idealism the reader might still possess. In this rewriting of "Casablanca," Mr. Coover turns the reunion scene between Rick and Ilsa (the one in which she threatens to shoot him, and they end up embracing) into a dirty adulterous tumble in which every shred of romance, nostalgia and honor is lost in the sulphurous atmosphere of sex.

Although each of these segments of "A Night at the Movies" is unnecessarily repetitious, although each is somewhat predictable in its willful perversity, they all manage to engage the reader's attention, thanks largely

to Mr. Coover's wonderful ear for language and his eye for cinematic detail. His impersonations of famous screen personalities are initially so convincing that we're lulled into believing the characters we're reading about are the same ones we've come to know and love on the screen. Consequently, we're shocked and dismayed when they fail, in Mr. Coover's hands, to continue to fulfill their designated roles.

The technique of setting up a familiar scenario and then destroying it is also used in other portions of this vol-

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ume. motif with while of the all pl tweer The is Wood Cairc subv Mr. stor whistor