

October 14, 2021

Dear Shearith Israel family,

*October Beautiful.* A lot of us know the story about the name of the Jewish month we are now in. “Heshvan” is what the velt calls it (and texts even *predating* the Talmud call it that, too). Yet in the Talmud it is called “*Marheshvan*” (who has an exception?). The cognoscente remind us that the “mar” is not there because it is a “*mar*”, or bitter, month as a result of having no holidays. Rather, the name is “*Marheshvan*” in part because in some long-extinct language (like Akkadian) the word means “eighth month”, which is what Heshvan is when you start the count at Nissan, one of the original biblical new years. I do find it fascinating that the Torah does not refer to the months by name (can you find any exceptions?). The Torah refers to the months by their ordinal number, as in the first month (when Pesah occurs) or the seventh month (when Rosh Hashana occurs). (Fascinating because the only way we are 100% certain that we have the right months in which we observe the holidays that literally shape us as a religion is from references later in the prophets – and the oral tradition passed down since the time of the Torah.) The Talmud tells us that the names of the months we still use are from Babylonia. This by the way is another fascinating point; we never shifted to using Hebrew names for months even after we went back to Israel in the Sixth Century B.C.E. – indeed even since the advent of the State of Israel, we are still using Babylonian names. Why?

I’m telling you all of this as the reason why I’m going to use “October” for the month we are now in, not the Babylonian or Akkadian names. And I’m going to do that so that we can, even for a minute, wring any bitterness out of the month. Oh there is what to be perplexed, anxious, and even sad about – but bitter, no. The Covid-19 disease spread numbers are helping us do that; they are approaching the low points we experienced before the Delta variant started us all over again this past summer. As a result, every day, we as a congregation are getting further back on our feet. In-person services are better attended. The weather is cooperating so we are still using Paved Paradise. *Friday Night Lights* is back in full swing, *in person*. Rabbi Soloveichik’s season’s premier last Friday night was October beautiful. If you don’t come this Friday night – well, you will be the loser. Our trustee David Sable says that bringing back the choir and live FNL has brought the majesty of Shabbat back to the Upper West Side. He’s right (and a flair for catchy language – humm, maybe he should be in advertising/marketing). Another key fact about October is that New York City is beautiful. The leaves are turning – and if you do not enjoy that breathtaking spectacle now you will miss it, since we have

about three weeks to enjoy it. We have so much to be grateful for. Come, enjoy October Beautiful with us.

*Two cool Talmudic teachings in one week!* As a global community we begin this week Tractate Rosh Hashana in the Daf Yomi study cycle. In the span of a few pages covered this week, the Talmud makes two points that I just have to share with you. The first will be of greatest interest to those who love the law. The second is for all of us, for all time.

*First*, as many of us know, there is a significant difference between post-dating and back-dating a written legal instrument or check. Let's use a check to keep it simple. In post-dating a check, the date you write on the check is a date in the future from when you write the check. In back-dating a check, the date you write on the check is in the past, prior to the date you write the check. In most jurisdictions that we might care about, post-dating a check is legal and valid, whereas back-dating is not or, more precisely, *can* be fraudulent or illegal under many circumstances. The rule is easy to learn. Back-dating bad. Post-dating good. The harder part is making any sense out of it in modernity: WHY is post-dating ok but back-dating a no-no?

Page 2a of this Tractate Rosh Hashana answers that very question for circumstances that existed in antiquity. In fact it is the very first thing the Talmud discusses after the recitation of the Mishna that opens the Tractate. In Talmudic times, the rules made sense: it was the practice then that a loan document, when properly signed and attested to, created a lien or legal encumbrance on *all* the property of the debtor until the debt was repaid. The encumbrance would run with the property, so that even if the debtor sold the property the new owner could be forced to hand over the property in repayment of the debt to the original lender. The lender's right of collection applied only to those properties sold after the loan was made, meaning only future owners but not prior owners would assume the debt. In such a world, the rule makes sense. If you could back-date a document, in this case a loan document, it would expand the universe of buyers whose property could be attached to repay the loan. That unfairness led the Talmud to prohibit back-dating. The problem does not exist in post-dating (other problems might come into play, but we ignore them here) since the lender, by accepting a post-dated document, has the right to limit the universe of collectible purchasers.

The reason this is so interesting is that, today, and in general, the rule of going after good-faith buyers doesn't apply; the Uniform Commercial Code prescribes

very precisely which buyers the lender can go after and which not. If that is so, then why do we still maintain the significant difference between back-dating and post-dating? One point to the first lawyer/law student to answer cogently. Two points to the first non-lawyer/law student to answer cogently.

The *Second* and more profound discussion can be subtitled, *Give Charity Regularly – Challenge the Almighty!* What a provocative sub-title! But it's true. Tractate Rosh Hashana (page 4a) discusses the reign of King Daryarvesh, who is variously known and might in fact be the offspring of Queen Esther and King Achashveros (!!). In commenting on some of his conduct, the Talmud reminds us that doing good deeds in order to secure a reward is generally not emulable. That discussion, however, includes a huge caveat, that of giving charity. We've spoken about this before, and here again the Talmud asks about declaring a donation to charity so that children "will live in the merit of the mitzvah" or so that "children "will be rewarded with life in the World to Come". The Talmud is clear that such a practice is permissible, that such a person is still reckoned "a completely righteous person".

Rashi, who commented on this Talmudic passage many centuries later, gives one gloss on the teaching. In three simple words in Hebrew, he says, yes, you may ask for and expect a reward for charitable giving and be considered "a completely righteous person" *if* you give regularly. And there you have it – straight from the Talmud's mouth, attested to by one of the greatest exegetes in Jewish history: GIVE REGULARLY, and you may challenge the Almighty. Now, having said all that, and even with all this backing, I'm not sure I would try this one at home. Nonetheless, the teaching bears particular poignancy now, when we are seeking needed funds to maintain and preserve Paved Paradise. Giving is continuing, but we are still short of our \$150,000 Phase 2 goal. If you gave a year ago, give again now; maybe that's regularly (and hey, you never know).

*Half-Full Report.*

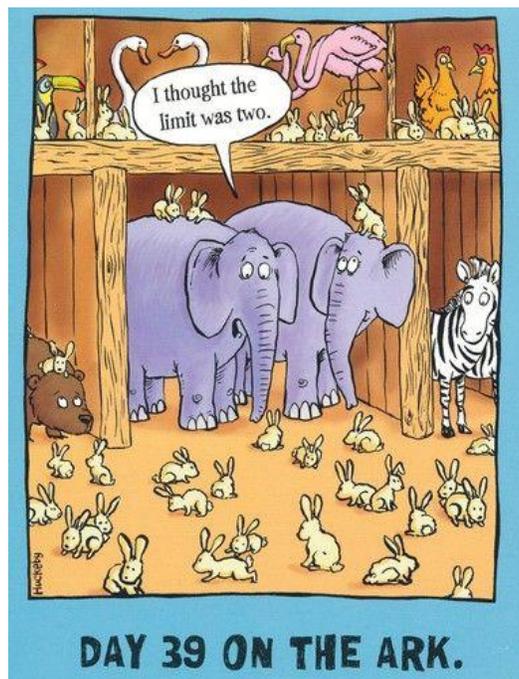
*Preserving Paved Paradise.* Speaking of our Paved Paradise fundraiser, we will not burden you with donning notices for much longer. However, the need is real. I can't guarantee a life of merit in the mitzvah or a share in the World to Come. Nor can we guarantee that you will be a completely righteous person. We can guarantee to try our best to maintain this beautiful space for so many of the uses that are already taking place there: not just services and the Rabbi's classes but funerals, shivahs, bar and bat mitzvahs, fun parties, and really a bunch of other

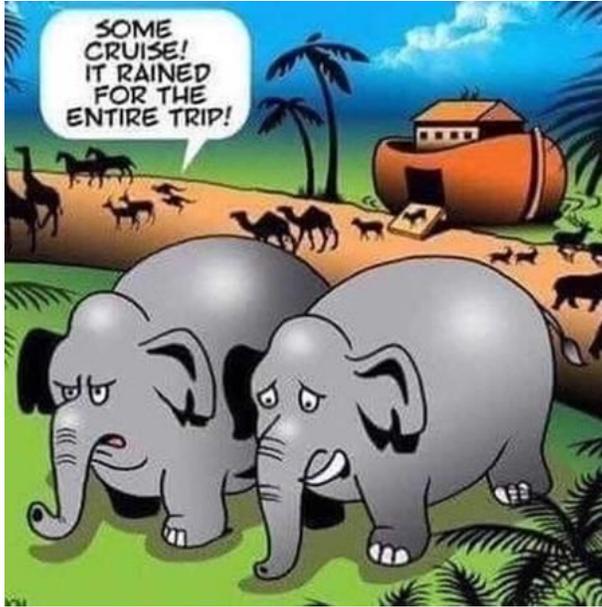
worthy communal activities. Please, click [here](#) and make as generous a donation as your circumstances permit.

*Greatest "New Start" Songs.* Last week, I gave everyone a chance to enjoy Joni Mitchell's and Bobby Sherman's hits. Responding to my complaint that even two of my most learned R&R friends abandoned me in refusing to like the Sherman, [Easy Come, Easy Go](#), one of them remained silent, while the other, David Sable, doubled down, saying "Joni [Mitchell] I'm in on.... Bobby Sherman and you wonder? LOL!!" I am deeply wounded by these slights, but I will not press the point until the world is better ready for this timeless masterpiece.

*Still no answer!* Alas, no one, not even my Rabbi readers, helped explain why a basic tenet of our faith, that we act as guarantors for each other (and thank you to our elder Kohen Bentsi Cohen for pointing out that I quoted the phrase in Hebrew once correctly and once incorrectly), does not find a clear citation in our Torah. Nor did anyone give me solid examples of other profound truths that do not show up in the Torah? Is everyone too busy getting back to work after the holidays to help others learn some Torah? Please, Rabbis and learned friends and congregants, I don't whine a lot (ok, maybe I do). But help if you can.

*Reimagining Paved Paradise.* In the spirit of *Parashat Noah*, again thanks to Ruth Lazar:





Thank you all. Bless us all. Shabbat shalom. Have a beautiful, and not at all a *mar*, October.

Louis Solomon, Parnas