

April 20, 2023

Dear Shearith Israel family,

Covid-19 Update:

I haven't received any new translations of "business as usual." I thought this would be a particularly fun communal exercise. Is there no concept of "business as usual" in languages other than Portuguese, Spanish, and Russian?

Negócios Como Sempre
Negocios Como Siempre
БИЗНЕС КАК НОРМАЛЬНО, read (phonetically) as 'beezness kak normal'no'



Last week, President Biden agreed with a rare bipartisan determination that the state of national emergency caused by Covid-19 is behind us. Let's hope so. In our Sanctuary, we will be retaining the smaller mask-only area in the men's and women's sections, and we will slowly be retiring the filters that have adorned rows of our Sanctuary for nearly three years now.

Remembrances. The very notion of a J-Chain or J-Continuum reflects an active, visceral remembrance of the past as a vehicle for shaping our communal lives today. Within the seven-day period occurring this time every year, the theme of remembrance becomes so pronounced that we actually count the days to keep them in mind. Counting the Omer, however, is only the tip of the remembrance iceberg this time of year.

This same week every year, the Jewish world remembers not just the Counting of the Omer but the Holocaust, or Shoah. (Thank you to Barbara Reiss, for the photos of how Israel observes the day, at the end of this email.) We remember as well the penetrating teachings of Pirke Avot, which we traditionally learn a chapter of each week between Pesah and Shavuot. More, at our synagogue, in this same seven-day period, we also remember our Mill Street Synagogue, literally our origin edifice. This year, on the Seventh Day of Pesah, we celebrated the 293rd anniversary of the consecration of our Congregation's first synagogue building. The Mill Street Synagogue was our first place of public worship; prior to that we prayed in people's homes, by an equivalent edict that even free Jews in Holland had to observe after their expulsions from Spain and Portugal. Mill Street was not only *our* first synagogue; 1730 marked the first time Jews had a public place of worship in North America.

Reverend Edinger put together a beautiful and informative (if too-small-fonted) booklet containing not only a brief history of the Mill Street Synagogue but pages of well-wishes from

people and institutions in many lands who had ancestors or relations who prayed there. It's a wonderful pamphlet. [Here is a link.](#)

As we officially open our Spring 2023 fundraising period, look especially at pages 2-3 of the pamphlet. It lists 80+ people and institutions whose generosity made the Mill Street Synagogue possible. Putting aside the 300 florin raised from Surinam (for which we say a special prayer of thanksgiving to this day), the 575 British pounds raised for the 1730 building is the equivalent of about \$153,000 today. We need about three times that amount this year to continue to operate. Please give as generously as your means permit, and while you're at it, enjoy Rabbi Soloveichik's unique lectures marking Israel's 75th anniversary. [Here is a link.](#)

Sotah: Glory or Ignominy. The worldwide Daf Yomi cycle is now learning Tractate *Sotah*. The Tractate addresses the case of the wife who, having been witnessed disobeying a request by her husband to avoid compromising solitude with another man, is given an opportunity to rehabilitate her marriage and dowry by drinking a potion that includes an erased name of the Almighty. My prior emails give more details, and the Talmudic text is accessible, so please study it directly (there are marvelous aids available to help with the learning – email me for a bunch of the ones that I find most useful to me).

In recently offering my untutored view that Biblical and Talmudic treatment of the *Sotah* manifested Divine benevolence in trying to save a marriage involving troubled spouses, I hoped that we as a community could have an open and intelligent dialogue about the subject. Blessedly, we have succeeded, in the greatest tradition of our religion.

Several commenters find support in the texts for the benevolence hypothesis. Shana Lev sees this as a "positive", and I agree. On the other hand, Claude Nadaf is not only suspicious of the husband's motive but also of my entire interpretation. He says I'm exaggerating when I say that a *Sotah*'s punishment, if she drinks the potion and is guilty, is that her stomach blows up. "Metaphor", says Claude. Respectfully, I don't see anything in the text that says I'm exaggerating. And not only does her stomach blow up; the stomach of her adulterous male companion meets the same fate, wherever in the world he is (more exaggeration, says Claude). Some think of the *Sotah* institution as metaphor, since we don't have it, as such, today. Or do we? Judge Alvin Hellerstein is an illustrious member of the illustrious federal bench sitting in the Southern District of New York. Known affectionately by many practitioners as the Mother Court, the SDNY predates the United States Supreme Court and is the oldest in our land – the first to sit under the U.S. Constitution. Judge Hellerstein has been a friend of our Congregation for many years. He and I not only share an appreciation for Beth's legal acumen; Judge Hellerstein also presided at the mock retrial of Baruch Spinoza, which we re-enacted some years ago, finding the defendant not guilty (the not-so-honorable Lou Solomon dissenting). (I wonder if anyone taped Mark Aaron in the starring role as Spinoza defending himself pro se against the Grand Inquisitor, Rabbi Soloveichik. Dr. Ronnie Perelis was the other Judge, who, like me, wants a rematch. It was a classic.)

The Judge's view on the *Sotah* issue is animated by a real-life drama of a husband possibly wanting to deprive his wife of her divorce dowry. This raises the *Sotah* issue in a contemporary context. With slight editing, I quote Judge Hellerstein's thoughts:

[The] husband [in the case he was referring to] was irascible and paranoid. Finally, [the wife] took him to their Rabbi, who heard out both of them, and found that [the wife] was innocent. He instructed her husband not again to make the accusation. The instruction was observed, but divorce had become the only solution. The Rabbi's court was the modern equivalent of the Biblical Sotah's trial by ordeal. Divorce (by agreement) enabled her to end the marriage and retain her self-respect and joy of life.

...

Why, then, does the husband prefer charges [to just divorcing]? Money, of course! Divorcing an unfaithful wife allows the husband to keep her dowry, and condemns her to destitution or prostitution. Trial by ordeal — drinking the doctored water — gives her an out. . . . She clears herself and keeps her dowry. Her husband's love already had been lost.

There is much to agree with in the Judge's sympathetic analysis. As I have said, the institution of Sotah is a protection for the wife, in part, as it is for the husband, in part. Since the rule of law can't assume who is right or wrong in advance, I see a balance being struck in favor of saving the marriage if it can be saved. No doubt there are wife-protecting aspects to the practice, as there are in many other areas of Talmudic law.

This analysis also answers the insights of Dr. James Herstoff from Newport, Rhode Island, one of our Touro Affiliates. Jim asks why there is no male equivalent to Sotah "*or even a discussion anywhere about what a wife does when she thinks that her husband has been unfaithful*". Under Biblical/Talmudic law, a man can have more than one wife. So the definition of "unfaithful" needs to be understood differently when it comes to a husband. The asymmetry created by this rule makes for many a legal discussion in various parts of the Talmud. It is generally believed that it was not until about 400 years after the closing of the Talmud that the Jewish people, through the universal adoption of a stricture of Rabbenu Gershom, that husbands, too, could have only one wife at a time. But by then the institution of Sotah wasn't used as such, though as Judge Hellerstein's story makes clear the reasons for Judaism's protections of the wife are at times just as important even today. Judge Hellerstein explains:

In the time of the Sotah, a man could shun his wife for any or no reason (although the Talmud commands him otherwise). If he suspected her of infidelity, he could take a different wife or otherwise ignore the unfavored wife. The wife's dowry gave her legal protection against economic punishment or neglect.

A final note on this, which provides another answer to Jim Herstoff's insightful question. It is true that the Talmud in general tolerated (didn't love, but tolerated) a husband's having multiple wives at the same time. Yet, as it relates to the institution of Sotah, the asymmetry (husband can have more than one wife at a time; wife can have only one husband at a time) was not as pronounced as it might have been. The Sages added several protections to level the playing field somewhat. For example, Talmudic law dictates that, once Husband accuses Wife sufficient to trigger the Sotah ordeal, if Husband has marital relations with Wife, the Wife is freed from having to drink the Sotah water and keeps her dowry on divorce. Additionally, if

Husband has not been “pure of sin” (28a), Wife is similarly absolved and keeps her divorce dowry.

Enormous thanks to those who have dialogued on this sensitive subject. We are all enriched by being able to think about these issues with calm intelligence.

Built Back Better.

Quote/Unquote. I didn’t get any right answers to who among Yogi Berra, Charles Darwin, Thomas Mann, and Rabbi Joseph B. Soloveichik said:

“the universe is not the result of chance”

Try again, or in any case I’ll tell you next week.

Faith Fogelman, long one of the principal contributors of answers to the riddles and challenges in these emails and a huge force of glue keeping us together as a community, offers two other quote/unquote challenges.

First, Faith quotes:

It takes a long time to become a person. Longer than they tell you.

Choose among:

- a. Candice Bergen
- b. Marilyn Monroe
- c. Carl Rogers
- d. Benjamin Spock

Second, Faith quotes:

Life can only be understood backward, but it must be lived forward.

Choose among:

- a. Aristotle
- b. Niels Bohr
- c. Carl Jung
- d. Jacqueline Kennedy

These are perfect challenges. Who has the answers?

Thank you all. Bless us all. Shabbat shalom. Here! *Kaminando kon Buenos.*

Louis Solomon, Parnas

