

Dear Shearith Israel family,

Covid-19 Update. We had strong attendance at services on both days of Shavuot. What a pleasure to celebrate the holiday on Friday and on Shabbat, in addition to commemorating our 1834 Crosby Street Synagogue on the first day of Yom Tov, and, on Shabbat, to observing our young women’s reading of the Book of Ruth. And, just when you thought our sacred Sanctuary just couldn’t look more beautiful by the return of so many congregants and guests, the Sisterhood’s array of greenery and flowers was spectacular.

You will recall that I have been whining about wanting a graphic pastiche or screen background or some such thing to display our final list of “business as usual” in other languages. See the brilliant handiwork of our nextgen editor, SM Rosenberg:



The final list, by the way, will add a new usage, due to a fun suggestion from Jed Sunden, who translates a quip by former Russian Prime Minister Viktor Chernomyrdin as, “We wanted the best, but it turned out as usual” (*Хотели как лучше, а получилось как всегда*).

Gittin Dafim 11-18: Doing Our Best, Given. Along with the rest of the worldwide Daf Yomi community (which you can join at the click of a mouse), over the past couple weeks we have been studying Tractate *Gittin*. We are trying to prove or disprove a thesis articulated at the outset:

The Jewish approach to divorce is about as enlightened and fair-minded a system as any operating within the constraints of dealing with fallible human beings could be.

Claude Nadaf, who seems to be something of a savant when it comes to our sacred sources, took up the challenge with the question:

How is it fair-minded for only the husband [to be able to] give the get?

For someone as learned as Claude, the simple question seems, well, a little too simple: *Of course* that's a question. The challenge is to see if we can come up with an answer any different from Claude's, which is that we need to appoint a new Sanhedrin (or governing judicial body that will be recognized by Jewish communities worldwide) and remake some of our laws.

I respectfully wonder whether there might be some teachings from the Talmudic texts that will shore up the "fair-minded" thesis. These observations come from the pages of Tractate Gittin that Daf Yomi learners are studying this week (pages 11-19).

The Talmud takes the world as it is. It takes exquisitely fallible human beings as we are, definitely *not* as the world might be once a new Sanhedrin is appointed. We need to consider that the institution of divorce is a part, a crucially important part but only a part, of larger institutions in our religion. These larger institutions forthrightly *support* different roles for men and women in certain *ritual* matters and, in addition, *recognize* different roles between the sexes prevalent at the time, including *social, economic, and even intellectual/educational* roles. From the vantage point 2,000 on, I am neither justifying nor criticizing. The Talmud, in short, is both exhortatory and practical.

It would not have been very helpful for the Talmud to ignore the differing roles between the sexes. Indeed, when Talmudic debates were occurring, make-pretending that the sexes were equal would have caused grave harm, and certainly severe *inequality*, to women. Wives were not in great evidence in the work-force outside the home. Wives did not own property in the same quantity and abundance as Husbands. Wives did not participate in the judicial system with the same frequency or in the same role as Husbands.

The Talmud could not and did not ignore these differences (or "inequities", as they might be referred to in contemporary parlance). Our Sages created rules for divorce that unmistakably try to take these differences into account but still try to ameliorate harm to Wives from a blind carrying-over into the realm of divorce the sex-differentiated roles that are so evident in other areas of life. This is seen over and over in the Talmud pages under scrutiny this week. So for example,

- The Sages made it easier for a Husband to effectuate the giving of a *get* by permitting the Husband to direct the writing and delivery of a *get* in shorthand (e.g., "go write" (13a/b)). This benefited the wife, who might otherwise have been stranded as an *aguna*.
- Another example is that the Sages permitted the easiest and most general form of legal consideration (the *kinyan chalipin*, 14a) rather than a more complicated and cumbersome form of legal consideration to support a *get*.
- A third example is that the Sages insisted that a *get* be dated, for two reasons: First, Husband, wanting Wife to get her dowry *even if* she were unfaithful to him, could backdate the *get* to make it appear that the

couple was already divorced at the time of her unfaithfulness. Second, the date served prevented Husband from claiming an entitlement to Wife's property after the time of the actual divorce.

- A final example is that the Sages were prepared to treat divorce as effective at earlier moments in the divorce ritual. This is a complex issue that will be elaborated as we get further into the Tractate. On balance, though, it seems more to level than to tilt the playing field.

Reading this, you might think, well, this is just a cop-out, an ex-post means of "purplewashing" or trying to ameliorate the inequality that is at the heart of the system. I disagree. To me it seems reasonable for the Sages to want to avoid destroying the entire system given the undeniable good that arises from so much of it. Given the societal structures referred to above, the Sages permitted divorce in the first place, a huge plus. They insisted that in most circumstances the wife get her dowry, another huge plus. They made micro-rules that tried to equalize the leverage of the respective parties still more. They even tackled the hardest and most nettlesome of issues – the Husband who from spite refuses to give his wife a *get*. This is one we need to discuss in future weeks. For now, and in the absence of a new and courageous Sanhedrin, our Sages did all this without undermining the institution of Jewish marriage, with its deep and abiding benefits.

Built Back Better.

Our Spring Songbook. The list as of last Thursday was:

- [Younger than Springtime](#) from *South Pacific* by Rodgers and Hammerstein
- [April in Paris](#) by Count Basie
- [April Showers](#) by Frank Sinatra
- [June is Bustin' Out All Over](#) by Rodgers & Hammerstein from *Carousel*
- [Spring is Here](#) by Ella Fitzgerald
- [Spring Can Really Hang You Up The Most](#) by Ella Fitzgerald
- [It Might As Well Be Spring](#) by Rodgers & Hammerstein from *State Fair*
- [Appalachian Spring](#) by NY Philharmonic, conducted by Leonard Bernstein
- [Can't Stop the Spring](#) by the Flaming Lips
- [Some Other Spring](#) by Billie Holiday
- [Waters of March](#) by Art Garfunkel
- [It's A Beautiful Day For A Ballgame](#)
- [Did You See Jackie Robinson Hit That Ball](#)
- [April Come She Will](#) by Simon & Garfunkel
- [Veronika It's Springtime](#), by André Rieu & The Berlin Comedian Harmonists
- [The Waters of March](#) by Susannah McCorkle
- [You Can Never Hold Back Spring](#), by Tom Waits
- [Will You Remember \(Sweetheart\)](#), from the movie *Maytime* (1937), by Sigmund Romberg and Rida Johnson Young, with the song sung by Nelson Eddy & Jeanette MacDonald
- [Chapel of Love](#), by *The Dixie Cups*
- [Green Grass](#), by Gary Lewis and the Playboys
- [The Ninth Man](#), by Abie Rotenberg
- [Ninth Man II](#), by Abie Rotenberg

Since last week, we've had several great additions:

Robert Starkand, leading the pack in week 1, suggests

- [Remember How We Suffered](#), from Rachel Bloom's *Crazy Ex-girlfriend*

Robert admits and then asserts: "It doesn't have Spring in it, but it is so much fun and so funny, that it feels Springy. Besides, with Patti LuPone and Tovah Feldshuh you cannot go wrong." He has a point. Crazy song. On the list it goes.

Lena Haber suggests:

- [April Love](#), Pat Boone's rendition

Ruth Moser Riemer so enjoys John Denver's

- [Sunshine on My Shoulders](#)

that the Judges didn't have the heart to omit it, even though there is scant if any reference to Spring. It is a great song.

Allan Cohen suggest another Ella Fitzgerald hit:

- [Spring Will Be a Little Late This Year](#), by Frank Loesser

Yet team, there are still SO many more. Doesn't anyone listen to Rock N' Roll any more?

Memorial Day at Shearith Israel. Many people, communities, and institutions observe Memorial Day. Shearith Israel's annual ceremony at our historic Chatham Square cemetery downtown need not be qualitatively different from those of other institutions to be noteworthy. We, like others, have someone who guides the program. Reverend Edinger gave a beautiful talk and then short summaries of each of the heroes whose graves we decorated with American flags. We, like others, had a speech or two (we are grateful both to Ambassador John Loeb and Lieutenant Colonel (ret.) Thad Ritch de Herrera for talking to us). We, like others, observed a memorial benediction both for those buried in Chatham Square and for those who fell during battle or war and are buried elsewhere.

What struck me this year, and what I hope is not unique to Shearith Israel, is that for those buried at the cemetery, who served in and survived the Revolutionary War, each went on to do public service for the Shearith Israel or the broader Jewish or non-Jewish community. *That* is remarkable, something we should be proud of. Not all of us are called upon to serve our country through military service. But every one of us can serve our communities in endless other ways. We can, and we must.



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

Louis Solomon, Parnas