

July 6, 2023

Dear Shearith Israel family,

New Contest!: Name that Subhead!! Most NYC health care facilities are no longer tracking Covid-19 positivity rates. It is therefore getting harder to say very much about the former pandemic in our geographic area. Accordingly, we are moving our weekly *Covid-19 Update* to the foot of this message. That will make a few of you happy – our Segan Michael Lustig would like to move it even further.

The move frees up this space for other Synagogue news or other musings. More fun for sure is that we need a brand new Subheading for whatever we want to put here. The tricky part is that what normally goes in this space is not consistently anything – except that it’s my hope that you will benefit from reading it – or that at least it will be short enough to skip over it.

We are opening a challenge for a new subhead title *along with* a proposal for what we might take up in this sub-space. Maybe we should focus on the best of the best of the best – think of the Traveling Wilburys (actually I *am* thinking of the Traveling Wilburys, and I link to two of their songs below). Three inflation-adjusted points await the winner naming the Subhead and the topics that we should cover!

Moving, Yet Getting Nowhere.

*Been beat up and battered around
Been sent up, and I’ve been shot down
You’re the best thing I’ve ever found
Handle me with care*

You will understand why these lyrics of this great Traveling Wilburys song, [Handle With Care](#), come to mind when I think of my efforts to move the ball, even a little, on the snarly, nettlesome subject of *agunot*. In the worldwide Daf Yomi learning cycle, we are holding on pages toward the beginning of the Fifth Chapter of Tractate Gittin. In prior weeks, we learned that our Sages were smarter than smart and wiser than wise and laid out a means of legislating in the face of unexpectedly negative results. We learned that our Sages employed several different legal principles, including most recently the concept of *tikum olam*. This week’s learning cycle presents yet another approach, at page 45b. Here it is an authoritative Mishna that says:

מתני' המוציא את אשתו משום שם רע – לא יחזיר. משום נדר – לא יחזיר. רבי יהודה אומר: קל נדר שידעו בו רבים – לא יחזיר, ונשלא ידעו בו רבים – יחזיר.

MISHNA: A man who divorces his wife due to her bad reputation, i.e., he heard that she had committed adultery, may not remarry her, even if it becomes clear that she did not in fact commit adultery. Similarly, if one divorces his wife due to a vow that she took, and he could not live with her under the conditions of her vow, he may not remarry her. Rabbi Yehuda says: If he divorces her due to any vow that the public was aware of, he may not remarry her, but if he divorces her due to a vow that the public was not aware of, he may remarry her.

The Mishna is addressing a number of different scenarios when legislating one way or another might ameliorate the risk that a husband would “game” the system to the detriment of his wife. In the underscored portion, what the Mishna is saying is that in certain circumstances the law will enforce a prenuptial promise or

vow that the husband makes. This is yet another means of ameliorating the problem – or at least part of the problem – and is reminiscent of ante-nuptial agreements.

Yet with all of these clever approaches, many smart people feel that Jewish law cannot do enough in our present state of fracturedness. Last week, we quoted our congregant Salomon Vaz Dias, urging a stronger community thumbprint in the effort to ameliorate the problems of *agunot*. Not law alone but community pressure – and giving more authority to the *maamad* or governing body of trustees subject ultimately to Rabbinic oversight. Or, as Claude Nadaf nicely phrases it:

Ministers and rabbis are the conscience of the deciders. At this point in history, that's the best that we, even a Jewish court, can do.

David Sable agrees in general with this approach, and he is a powerful ally for nearly anything I can think of. Bentsi Cohen, on the other hand, does not like this approach. Taking his unerring aim, he blasted me with bromides such as “You seem to enjoy walking in minefields,” “Your solutions are problematic,” and “You are barking up the wrong tree.” All that in addition to his astute reactions including the following:

We already have experience with decisions of אנשי המעמד [or the governing Jewish authority]. In the early fifties, Ben Gurion and many scholars attempted to reverse an erroneous חרם [or excommunication] of Spinoza. The rabbinate refused to deal with the issue, for they claimed that the Rabbis did not issue the חרם but the very same people who Vaz Dias wishes to appoint as marital arbitrators [i.e., the Maamad]. So get it from them, the Rabbinate suggested. To annul, cancel or issue divorces might need state or federal licensing, but do you honestly believe that אנשי המעמד could do better where a marital בית דין or court failed.

Actually my point was that the community should not get into the halachik issues at all. I was more hoping for an effective communal shunning of a husband acting out of spite. But I have no real answers to some of Bentsi’s criticisms, which are based on the practical reality that, to date, the approach just hasn’t worked. What can I say: Handle me with care.

Bensti made another point, that marrying under Jewish law, done by means of a *shtar kinyan*, or acquisition contract, made the wife “[the husband’s] property”, and “where is the equity in this relationship”? That seems like a different point to answer, and I will attempt to address it next week, unless some courageous soul steps up before then.

Half-Full Report.

Paris Visited and Revisited. Last week, I asked for photos of the Great Synagogue in Paris. Minyan stalwart Gustave Rieu not only sent in a bunch, of which a couple are here:



But get a load of this! Gustave's grandparents were married in the Great Synagogue! What a wonderful, intergenerational moment. Francine Alfandary reports that the Great Synagogue, also known as *La Victoire*, "was intended to be a home for both the Ashkenazi and Sephardic communities" and "was a failure". Beth and I (and Tess and Lia) ate Friday night dinner there, with well over 100 other people of very mixed ancestry in joyful (and at times boisterous) attendance. The Rabbi there said Kiddush, half-Sephard and half-Ashkenaz. This didn't seem like a failure to me. (That in recent days the protests in France have in places turned against French Jews— now *that's* a sad, abject failure.)

Thank you as well to Alan Zwiebel, who photographed the nearby and other stunning Synagogue in Paris, this one the Sephardic synagogue called the *Buffault*:



In my request last week, I didn't limit photographs to Parisian synagogues. So why have you not sent in pics of gorgeous Synagogues in other places? Have you not seen them? Is your picture-taking ability as challenged as mine? Frankly, I would be happy to leave Paris and France to the French – it beats being corrected (by Howard Schranz and Arthur Tenenholtz) for suggesting (in jest) that we might re-spell *tikoun* as *tikun* in the name of a fun kosher restaurant we ate at. Henry Wollman, by the way, was gentle in his French correction. Thank you all – and now send in more photos!

And the Walls Came Down. We today observe the fast of 17 Tammuz. It's a day worth being cognizant of. The *Mishna* in Tractate *Taanit* identifies five calamities that befell our people on that day, including Moshe's breaking of the first set of Ten Commandment tablets and the final breaching of the walls of Jerusalem, leading to the final destruction and burning of the Temple on Tisha B'Ab. It's our longest day-time fast of the year, made harder because it is too early for most of us to get up and eat before dawn and because too many of us work and travel to and fro in the hot summer day. As we enter the Three-Week period, between 17 Tammuz and 9 Ab, when we customarily refrain from listening to music, we can hum to ourselves the refrain from a second great Traveling Wilburys song, [*Tweeter and the Monkey Man*](#):

*And the walls came down
All the way to hell
Never saw them when they're standing
Never saw them when they fell*

(Two points to anyone who knows the super-great musician about whom *Tweeter* was written. It's a good story.)

Books in Multitudes. Dr. Susan Vorhand highly recommends Ed Yong's, *I Contain Multitudes*. (For two points, and without looking, who first used, "I contain multitudes"?) Of *Multitudes* and of another book by Yong Susan says:

Reading An Immense World [another book by Yong] and I Contain Multitudes enabled me to perceive myself and the world in an entirely new way, opening up so much. And once you see something you can no longer unsee it, so I was humbled and changed by it, appreciating life and G-d even more. These are strong statements, I know.

Strong statements indeed. I really liked *Multitudes* when I read it last year. We are particularly grateful to Susan for sharing her thoughts.

Please send in more book reviews. Everyone benefits from them.

Covid-19 Update. Hi, we are down here now, as explained above. Covid-19 compliance and precautions are, indeed, *business as usual*:

