

January 11, 2024

Dear Shearith Israel family,

Our Year of Hope. We have been waiting over three months to commence our capital fundraising. We have wanted to avoid focusing on our financial needs in the wake of the October 7 disasters in Israel. But friends, we are running out of time to raise the funds we need for essentials at the Synagogue. We will be scheduling the balance of the ten lectures that Rabbi Soloveichik will be giving as part of ***Our Year of Hope*** programming to support this small but vital capital raise.

We will be as quick about the fundraising as we can be, hoping to complete it before Pesach. Please, we have roofs that leak, a massive carpet that is tattered and in dire need of replacing, and a couple of other, smaller, but necessary projects that we need to get done. When we approach you, please be as generous as your circumstances permit.

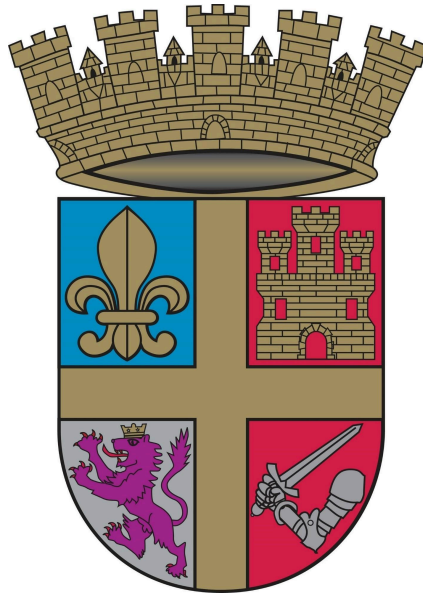
Magevet Glorious But Gone – Till Next Year. As scheduled, *Magevet*, Yale's Hebrew a Capella group, sang for us after services and at our community dinner last Friday night. The performances were triumphant. The singing was pitch perfect (literally – did you hear the “pitch” before each song perfectly get not only the key but the note for each of the four voices?). The unity and camaraderie of these amazing young people was infectious. The audience was in thrall. And at a time when we are assaulted with so much distressing news about discord on our campuses, what could be more uplifting than the harmony we experienced first-hand. If you missed it, I'm sorry – for you. It was indeed an incredible pick-me-up. You can still enjoy their new album on Spotify [here](#).

We've already started discussing with *Magevet* returning next year, perhaps during Shabbat Shira. For anyone wanting to get a reminder into their calendar, Shabbat Shira next year is February 7-8, 2025. When we get details worked out, we will advise.

Seals and logos. As a Congregation, we are justly proud of our seal/logo, which I included in last week's email with a challenge to find earlier ones in America that are still in use. The first question one needs to ask about this is, well, when was our logo/seal first used? We are assuming it's 1654, which is almost surely wrong. Let's assume the original version dates from some time in the Seventeenth Century – though I'd be willing to part with two more points for the roughly exact right answer (there *is* an answer).

In any case, Joel Maxman had three interesting suggestions:

- First, New York City's seal. The problem there, as Joel points out, is that the NYC seal *says* 1625 on it, “but then I remembered that it wasn't called *New York* in 1625” – **AWKWARD!**;
- Second, Joel offers Harvard College, “the only school older than 1654”. Harvard did have a logo in 1636, but it was literally forgotten and certainly not widely used until about 1836, and it was (slightly) changed when pressed into use then, too; and
- Third, Joel suggests the city of St. Augustine, Florida. Great guess. That city's crest is a mere 300 years old, however, but it's a nice one, so here it is:



Claude Nadaf offers two suggestions:

- First, Benjamin Franklin's "Don't tread on me" flag. This flag, I think, is also called the Gadsden flag and was created in 1775. It appears that Franklin used the rattlesnake about 20 years earlier, as here, but apparently without the slogan:



- Second, Claude suggests the confederate flag. That was adopted by the Confederate assembly and apparently fashioned in 1861.

Any more guesses?

The Third "Party" in Jewish Law. A couple weeks ago, we showed that the Talmud makes the Almighty, if you will, a third participant in dispensing justice (along with the parties to a dispute and a human court). To that Claude Nadaf comments so nicely:

The Ten [Commandments'] prohibition of coveting the possessions of another is unique. In this legal system, inappropriate desire is a sin in itself, rather than merely a safeguard against some greater evil. R

S R Hirsch pointed to this commandment as evidence of the divine origin of the Torah. No human court could enforce such a prohibition, whereas the all-knowing G-d can.

Baba Kama 66-72: A Two-Fer of Deep Insight. Last week, I invited discussion on why the Talmud draws the radical distinction in liabilities and remedies between a thief (stealthy behavior) and a robber (open and notorious but with thuggery or actual or threatened violence). Isn't it counterintuitive that the thief is required to pay twice and in some cases 4-5 times the worth of the stolen object, while the robber is not?

Bob Rifkind, my mentor who has *not* forgotten more than I will ever know, asks whether:

surreptitious theft was likely more prevalent than robbery and, hence, called for a greater deterrence.

Barbara Reiss adds that perhaps Jewish society (rightly) frowns more on deceptive conduct than even more threatening but public conduct.

I don't have better answers. I think these are both insightful. Still, one might expect the more open, notorious, *and dangerous* tort or crime to be met with harsher penalties. While we are at it, what do we make of the story in last week's parasha, *Shemot*, concerning Moshe and his *stealthy* murder of the Egyptian who was attacking an Israelite? What was Moshe's punishment? Are the issues of stealthy theft and concealed killing possibly related?

Last week, I did offer two points to anyone figuring out my poor attempt to capture "Car 54 Where Are You" as the answer to a challenge question. It was a great TV show from the 1960s. Faith Fogelman tried to spare me the embarrassment of my question by suggesting that maybe I was thinking of *That's Academic*. That is more clever than I was – and as usual Faith is forgiving of my missteps. Thank you, Faith.

This week, the worldwide Daf Yomi learning cycle is studying pages 66-72 of Tractate Baba Kama. These pages of the Seventh Chapter of the Tractate are jam-packed with topics having application to many areas of the Jewish law, as the brilliant R' Shalom Rosner says. I want to consider two of the topics addressed this week:

In Name Only. On page 66b, the Tractate discusses how to disincentivize theft and robbery by addressing scenarios where the thief steals something and then changes it. In the case of a change, the thief need return only the value of the item stolen, not the item itself.

The Talmud considers the case of a cross-beam, stolen and then used as an integral piece in the building of a house. It would act as a major disincentive to theft in the first place to force the thief not just to make good the value of the stolen cross-beam but to have to return of the actual cross-beam stolen. At the same time, the Talmud is concerned that too draconian a punishment will deter thieves from repenting. A special rule is created for this type of case, where at least one authoritative decisor holds that only the value need be returned, not the actual piece of property, lest it be too hard for the thief to repent.

There is a dissenting view, however. And that dissenting view focuses on whether the stolen property is given a different name once it is used in another way after being stolen. If the name of the item remains the same, the argument for making the thief actually return the stolen object (and not just its value) is stronger. The moral of this story is that a change in name only is not a change sufficient to alter the substance of the object or the legal result. Look through the superficial to see if there is truly a fundamental change.

And Do Not Despair, Ever. The pages following this discussion address additional ways to absolve the thief of obligations to return the actual stolen object. One scenario relates to whether the owner has given up hope that the object will ever be returned. The word used in the Talmud is *ye'ush*, or despair or hopelessness. The Talmud goes through a long series of scenarios concerning when *ye'ush* leads to the thief's being considered to have fully acquired the object (whereupon the thief only has to return the value of the object and not the object itself).

We spoke about the despair of despair in an email about two years ago ([2/4/21](#)), when there was both more and less to despair over. We met the issue of despair again on [3/30/23](#), when we discussed the disturbing increase in "deaths of despair" among certain segments of the American population.

Here, in the Talmud, some 1,600 to 2,000 years ago, our Sages had it both figured out and figured out correctly. The moral is that one should not despair, never ever ever.

How To Address Despair: The Boyaner Rebbe. Enormous gratitude to Professor Bella Weinberg for sending in the following description, which speaks for itself about not despairing even in the face unspeakable evil:

Scroll of Auschwitz

Some Auschwitz sonderkommandos [concentration camp prisoners forced to aid the Nazi murderers] wrote down eyewitness reports and buried them, where they were later discovered by historians. The prisoner Rabbi Leib Langfus of Makov, Poland reported this account:

R. Moshe Friedman, the Boyaner Rebbe of Cracow was sent to the gas chamber on the 3d of Elul, 5703, which would have been Sept 3, 1943. He was in the ante-chamber, where the Jews were being forced to undress before entering the showers, which of course were not showers. When a Nazi officer entered. R. Moshe went up to him and said, in German: "You, the most despicable murderers of the world, do not imagine that you will destroy Am Israel. The Jewish people will live forever. But you, worthless murderers, will pay a terrible price for every innocent Jew. You will be erased and disappear..."

The narrator relates: He spoke with a deep and strong voice. Then he put on his kippah and recited with great fervor, *Shema Yisra'el*, and all those present recited with him. The narrator adds: This was a moment of incomparable spiritual exaltation. There is nothing like this in human experience. A moment that testifies to the stiff-neckedness of Jews."

Built Back Better.

Irish Aphorisms. Can no one beat or even meet David Sable's quote from Oscar Wilde:

Be yourself, everyone else is busy

I can, or at least I can try. James Joyce is surely a card-carrying Irish writer. His books are incomparable. The wit and humor reflected in them similarly knows no equal. His aphorisms are urbane, maybe not lyrical, but certainly quotable. Here are two:

- ***Christopher Columbus, as everyone knows, is honored by posterity because he was the last to discover America.***
- ***[Of his own work Joyce said]:
I've put in so many enigmas and puzzles that it will keep the professors busy for centuries arguing over what I meant, and that's the only way of ensuring one's immortality.***

There are dozens of fabulous Irish authors in English and hundreds of great quotes for each. Think hard, and send in a few.

Thank you all. Bless us all. Shabbat shalom. *B'yachad* (united together). יהיה טוב *Yihiyeh tov* (things will be good).

Louis Solomon, Parnas