

January 25, 2024

Dear Shearith Israel family,

Our Year of Hope. To remind us briefly how we came to be here, the events of October 7 and the ongoing war put our prior announced **Year of Hope** capital campaign on pause. Given the needs of the Synagogue, however, we can't wait any longer. We have redesigned the campaign to remove the roofing expenditures and focus on the carpet replacement and a few other essential items. This makes the campaign simpler, less costly, but no less urgently compelling.

In case you had any doubt of the urgency of the need for the expenditures, take a look at these photos. Look and weep – or at least whimper. This is our Sanctuary. It needs to be as resplendent as the prayer, song, Torah, and ornaments in it. We need to fix it now.



As promised, *next* Shabbat, Rabbi Soloveichik will be giving his third installment of his lecture series, *Judaica and Us: The Story of the Jewish People in Ten Objects*, celebrating our **Year of Hope**. His topic next week will be *Truman's Torah, the Army's Talmud, and the American Jewish Future*. Don't miss it.

The pledging polls are open. We need your help now. We want 100% participation from our entire Congregation – and even from those who may not be members but enjoy or at least struggle through these emails. Please give as generously as your circumstances permit. [Here is a link.](#)

Judges Judging In Righteousness. The dialogue over the past couple of weeks initiated by Judge Hellerstein (his birthday milestone was 90, by the way!) focused on the role of a Judge living by Jewish values in judging. (You can see the emails [here](#) and [here](#).) Claude Nadaf picks up on the Judge's theme with another penetrating insight:

Biblical "wisdom" does not refer exclusively to having a high IQ or superior problem-solving abilities. It also includes the skill to judge fairly and live righteously in accordance w Torah wisdom. Just as all people stand as equals before the true King; so too a human king's divine wisdom means that all people

would receive a fair hearing before him. It appears that a primary message of the Cut the Baby in Half narrative is that ANYONE including the lowest members of society (the two harlots) could gain an audience before Solomon. He thus exemplified divine wisdom.

Claude reminds us of Isaiah's visions of redemption, which appears to model the ideal approach to judging after King Solomon, ending the thought with:

Thus he shall judge the poor with equity and decide with justice for the lowly of the land (Isaiah 11:3-4).

Judaism taught the world equality under law. It is Judge Hellerstein's and Claude Nadaf's approach that, to me, animates an important discussion in this week's daf yomi learning cycle, which include pages 80 to 86 of Tractate Baba Kama. We begin Chapter 8 of the Tractate on page 83b. Chapter 7 and then again Chapters 9 and 10 include discussions of thieves vs. robbers. We have one final thought on Chapter 7, found in the section to follow.

Chapter 8 focuses on the types of compensation due to an injured person. We learn the familiar point that, in trying to make an injured party whole, the Talmud divides compensation structures into five categories: payment for actual damage, for pain, for healing costs, for loss of employment, and for embarrassment or humiliation. These are radically modern constructs; the most sensible and sensitive compensation systems of our common law mirror these approaches.

The even more fundamental point, and the issue that the Gemarra begins with right after the Mishna that starts Chapter 8, is why the Jewish system of justice compensates for these items, rather than actually extracting the same in kind from the perpetrator. The Talmud here addresses the fundamental discussion of "an eye for an eye".

There are two points that the Talmud makes. Each is worthy of our careful attention:

First, it is clear that the Torah itself was never interpreted as actually calling for an eye for an eye. The Talmudic discussion was not an apologia some 1,500 years later for embarrassing Biblical edicts. One can't read the many Biblical passages that the Talmud discusses and believe that.

Second, the extended discussion in these pages finds that one of the chief reasons why the Bible never required an actual eye for an eye is that such treatment would be impossible to achieve in practice. The Sages ask, for example, what if the victim's eye is larger than the perpetrator's eye; how can you extract corporal punishment if there is a requirement to be exact. That argument from practical limitation, however, is not the only one the Talmud uses. The Rabbis go on to state that a literal "eye for an eye" would be inconsistent with an even more fundamental tenet taught by the Torah:

'One law shall be for you' [Vayikra 24:22], which teaches that there shall be the same law for all of you [the quote is on the last two lines of 83b].

The Talmud shows, with a bunch of examples (how many? two points for getting it right) that monetary compensation schemes are the only ones that can stay true to the tenet that we are all subject to the same rules and law. One law for rich and poor, native and stranger. We haven't learned this profound lesson even today; at best we pay lip service to it and transgress its dictates routinely. It

is that equality before the law that Judge Hellerstein and Claude Nadaf are referring to. And it's right here in this week's worldwide daf yomi learning.

More on Thieves vs Robbers. Our final entry on this, from Chapter 7 of Tractate Baba Kama, takes us full circle. Alan Zwiebel remembers:

Isn't there also a robber/thief distinction of one fearing man more (night) and the other fearing neither man nor G-d (daytime)

Alan is right. Indeed, the Talmud itself, right before the beginning of this week's learning (page 79b) again asks why Jewish law is more stringent on the thief than on the robber. This time it gives an answer that perhaps might have been given when the issue first arose many pages earlier. The answer is in the form of a parable, said in the name of Rabban Gamliel. It describes how much worse it is for someone to have a feast, invite the town, but not invite the Prince than it is not to invite anyone (other than the close associates). The robber fears the Almighty – and invites the Prince. The thief fears neither human beings nor the Almighty – he is fine not inviting the Prince. The point is made, even if it's somewhat counterintuitive, given that robbers come with threats of physical violence.

Help Wanted. I need your help. Since October 7 it has been hard to find fitting songs for our various discussions. We've landed on saying Psalms twice daily as well as singing our National Anthem and Hatikvah in the Sanctuary to show our collective solidarity and loyalty. And from time to time people have sent in, and we have linked to, contemporary anthems that people are composing or singing in Israel. Here is [another one](#), sent in by Dr. Michael Gelman, by David Broza.

As Israel faces its worst week of deaths since October 7, I know it is hard. Yet music and song are indispensable to these emails and to our Congregation's soul. What I need help on are suggestions for what kind of songs we should be sharing with each other in the current circumstances.

For starters, let's create a playlist of songs about "help." There are so many great Beatles' songs about help that they might command the list. Think of just two:

- [Help!](#)
- [With a Little Help from My Friends](#)

Here are my two requests. First, help fill out a "help" playlist. And, second, help with suggestions of what other themes we can be collecting now without being churlish or insensitive.

DOESN'T ANYONE READ IN THE WINTER? Send in a blurb on a good, or bad, book recently read.

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

Louis Solomon, Parnas