October 22, 2026

Dear Shearith Israel family,

Our Year of Community, Together. Our **Shabbat of Hope** was successful both at Shearith Israel and at our Touro Synagogue in Newport. I'm told that at Shearith Israel our scholars in residence were excellent. Touro was great – we had minyan throughout Shabbat, and Rabbi Soloveichik read Torah and spoke superbly.

The apartment we rented to house our resident clergy and visitors near the Touro Synagogue was put to good use, including by welcoming the Kaplan-Roitman families celebrating the recent wedding of Noam and Rebecca. (It is Brian Roitman, Rebecca's father, who poetically described the short portion of Division Street connecting the apartment and Touro Synagogue as a Colonial era movie set.)

Here are some photos of a tour of our Touro Cemetery Friday afternoon and the bat mitzvah of Abigail Roiter at Touro on Sunday:





On Shabbat, Rabbi Soloveichik described the unique beauty of both Shearith Israel's current home on West 70th Street and of Touro Synagogue in Newport. Great thanks to Joanne Ben-Avi and separately to Trustee Ariel Bengio for sending **this link**, with a reminder that along with ours there are other beautiful Jewish houses of worship in the world that deserve our admiration.

More of us need to go to Touro Synagogue more often. It's a treat, and, while every season there has its charms, the foliage up and back this time of year is gorgeous.

Parashat Songs for the Unsung. This coming Shabbat, we will read **Parashat Lekh Lekha**. So much happens in the parasha, it's hard to call anything less-than-central. Still, I wonder about the hapless Lot and suggest a song with a lot of lots:

- *Let's Hang On*, here by Frankie Valley and the Four Seasons:

Let's hang on, to what we've got
*Don't let go girl, we've got **a lot***
*Got **a lot** of love between us*

(I wonder if this is the song-suggestion-equivalent of a Dad Joke - sorry)

I do have one other. Malchizedek, King of Salem, appears in this parasha. One of my favorite folk songs that I'm not supposed to like is:

- *Captain Woodstock's Courtship*, here by Ian and Sylvia, with the line:

Melchizedek is a priest unmourned, who'll join us one and all.

Three on a Match. Finding that Chapters 2, 3, and 4 of Tractate Bechorot each did it, I gave up on finding another example of three consecutive Chapters of the Talmud starting with the same first word. *I* gave up, but the indefatigable Claude Nadaf didn't. Kudos x3 to Claude for sending in the example of Chapters 6,7,8 of Tractate Bava Metzia (מסכת בבא מציעא), where each begins with the same Hebrew word: **השוכר** (*HaSocher*, meaning "He who hires/rents"). Claude teaches that the three consecutive chapters open as follows:

- **Chapter 6:** *HaSocher et HaUmanin* (השוכר את האומנין – "He who hires craftsmen...")
- **Chapter 7:** *HaSocher et HaPoalim* (השוכר את הפועלים – "He who hires laborers...")
- **Chapter 8:** *HaSocher et HaPara* (השוכר את הפרה – "He who hires a cow...")

Intentionality in Tractate Bechorot. The global Daf Yomi learning cycle is this week studying pages 30-36 of Tractate Bechorot. Chapter 5 of the Tractate begins on page 31a and runs through the remaining pages we are studying this week. The Chapter discusses blemishes on first-borns and whether and how the Priesthood can sell an animal that is blemished. Remember that, after the destruction of the Temple, the existence of a blemish is one of the only things that might salvage the value of a first-born; with a blemish that is not disqualifying in terms of kashrut, the animal can be sold for food. So it makes sense that blemishes would be an important topic in the Talmud, and several pages are spent delineating the rules.

Inevitably, the discussion turns to whether and under what circumstances something may be done to the animal that will or may cause a blemish. Discussions like this appear many places in the Talmudic corpus, especially in Tractate Shabbat. The general topic is called ***davar she'eino mitkaven*,** or דבר שאינו מתכוון, meaning to what extent does doing something not with an ill-intent but that might result in a bad outcome render the original action impermissible. The issue animates a foundation of Jewish legal jurisprudence – and is not far from the center of common law doctrines concerning torts or crimes requiring intent.

We know that one cannot deliberately cause a blemish to a *bechor* to render it unfit for giving to a Priest or not being sellable by a Priest. But what happens if you need to, for example, let blood from a *bechor* in order to heal it. Says a Mishna on page 33b:

מַתְנִי׳ בְּכוֹר שֶׁאֲחָזוֹ דָּם, אֲפִילּוּ מֵת — אֵין מַקִּיזִין לוֹ דָּם, דִּבְרֵי רַבִּי יְהוּדָה. וַחֲכָמִים אוֹמְרִים: יַקִּיז, וּבִלְבַד שֶׁלֹּא יַעֲשֶׂה בּוֹ מוּם, וְאִם עָשָׂה בּוֹ מוּם — הֲרֵי זֶה לֹא יִשְׁחַט עָלָיו. רַבִּי שִׁמְעוֹן אוֹמֵר: יַקִּיז, אַף עַל פִּי שֶׁהוּא עוֹשֶׂה בּוֹ מוּם

MISHNA: With regard to a firstborn animal that was congested with excess blood, even if the animal will die if one does not let the excess blood, one may not let its blood, as this might cause a blemish, and it is prohibited to cause a blemish on consecrated animals. This is the statement of Rabbi Yehuda. And the Rabbis say: One may let the blood provided that he will not cause a blemish while doing so, and if he caused a blemish, the animal may not be slaughtered on account of that blemish. Since he was the cause of the blemish, he may not slaughter the animal until it develops a different, unrelated blemish. Rabbi Shimon says: One may let the blood even if he thereby causes a blemish in the animal.

This Mishna succinctly captures the three general positions concerning ***davar she'eino mitkaven***.

- R' Yehuda says that you cannot take an action that *might* have a prohibited effect.
- The Sages (majority?) say that you can take the chance, but if the prohibited result occurs – that is, if in fact a blemish occurs because of the bloodletting – then the animal is prohibited from use.
- Finally, R' Shimon says that you can take the chance and, since causing the blemish was not intended, then even if a blemish occurs the animal may still be sold (this is not crystal clear from the Mishna). For R' Shimon, ***davar she'eino mitkaven*** is not impermissible (it is *patur*).

One can see why this is such an important set of legal principles. I'm sure you are asking, well, what do the Sages or later Rabbis actually decide about this issue? Well, it depends, ….

Shabbat Lunch (Oct. 31) With Professor Shaina Trapedo. For Book Club II members and all others who are interested, Professor Trapedo, of Yeshiva University's Stern College, will be joining us for lunch on Shabbat, October 31. **Here is a link** with a list of the books and a sign-up for the luncheon. This will be fun. Please join us. Reservations close soon.

Revisiting Bread Givers. In the best tradition of our book club (all book clubs?), Rima Raynes heard my views, and those of SM Rosenberg, about *Bread Givers*, by Anzia Yezierska, which neither SMR nor I loved. Rima is "enjoying it a lot!!" *and* is told that at least some in The Frisch School senior class are reading it too. So how poor can it be?

In other book skipping news, you heard me right. I think *Returning*, by Professor Nicholas Lemann, is skippable. I give the author credit for writing it, but I found it repetitively repetitious and not of great value, to me at least. I am happy to assume that this reaction is my own fault. But does someone who doesn't believe (or doesn't know if he does) and claims to have no real access to 2,000 years of insights and learning really feel he has a lot to teach us about the meaning of Torah portions? I don't mind the

effort, but an insight that Abraham wasn't fully honest about his relationship with Sarah? We hear about that repeated multiple times in the book, but Jewish commentary has been deeply discussing the issue for millennia. Nor did I get much out of whether Jews were or should have been invited to Mardi Gras balls, how long the steps were to a school office, or stories about Justice Frankfurter as told by someone two or three times removed (well, ok, some of them were diverting).

Yet. Yet. Michael Schulder disagrees and is over the top (likely because I was unenthusiastic):

a masterful, readable, thoroughly enjoyable work in which the author weaves together his fascinating family history, Jewish history, American Jewish history, the history of slavery in the U.S. and the civil rights movement, and his own incomplete but nonetheless moving journey towards a meaningful Jewish life.

Warren Stern also liked it, though in a more balanced way. Warren agrees that "the editing leaves something to be desired — a bit too long, too repetitive, sometimes excessively detailed, and too cursory in its discussion of recent events." Warren praises the book thusly:

In the main I enjoyed reading a memoir by a Jewish-American author who grew up in a social context remote from The World of Our Fathers. I was particularly interested in his account of his grandfather's time at Harvard Law School and relationship with Frankfurter, as well as Lemann's depiction of the legal culture of New Orleans during the civil rights era. Also interesting, I thought, was his account of his family's connection to the slave and sharecropping economy. I thought it struck the right note of regret without excessive moralizing or breast-beating. His description of his embrace of Judaism struck me as honest and perhaps even brave given our times and Lemann's professional ties.

So there you have it. Ayes outweigh the nays 2-to-1. I know that others are reading it now, too, and we hope to hear from them. Decide for yourself.

Or, just as good, read another of the other 4,000,000 million books to be published in America this year. Tell us about a really great one to read or a less-than-great one to skip.

In this, our ***Year of Community,*** we ***together*** pray that the Almighty
עֲנֵנוּ בְּיוֹם קָרְאֵנוּ, or ***Answers us on the day we call****.*

Louis Solomon, Parnas