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**Rabbi Yisroel Reisman – Parshas Shoftim 5774**

1. This week I would like to share with you first a thought on the Parsha and then a thought on the month of Elul which as you know has just begun. The thought of the Parsha has to do with the fact that I am a Levi and as I have mentioned often, the Torah very often speaks highly about the Leviim but when it comes to the actual Mitzvos that are related to the Leviim, individually there seems to be very little respect for what Leviim have to do relative to the Mitzvos that apply to the Kohen.

One of the Mitzvos D'oraissa with which the Leviim are charged is the Mitzvah of Shira, the Mitzvah of singing in the Bais Hamikdash. As is found in 18:7 right after Revii (וְרָרְ אֶלְרִי) the Posuk says the Levi will come (וְשָׂרָת) and he will serve HKB"H (בְּשֵׁם יְרֹרְ אֶלְרִי) with the name of HKB"H. Chazal Darshun from here in Maseches Arachin 11a (2<sup>nd</sup> wide line), (איזהו שירות שבשם), what service of HKB"H takes place using Hashem's name? (הוי אומר זה שירה) that is the Mitzvah of singing in the Bais Hamikdash. This Mitzvah that the Leviim have to sing at the Korban is even M'akeiv in the Korban. As a matter of fact, that is learned from a Posuk in Parshas Behaloscha 8:19. In Parshas Behaloscha it says that the Leviim are given to the Kohanim (לְעִבְדֵי יִשְׂרָאֵל, מִתּוֹד בְּנֵי יִשְׂרָאֵל, לְעִבְדֵי יִשְׂרָאֵל). Chazal Darshun (Arachin 11a 25 lines from the top) that (מה כפרה מעכבת אף שירה מעכבת). So it is a Mitzvah to sing with the Korbanos and that is a Mitzvah which is M'akeiv, which must take place.

There is a dispute in the Gemara (Maseches Arachin 11a starting on the 8<sup>th</sup> line) as to if (עיקר שירה בפה) Ikkur Shirah is B'peh or if (עיקר שירה בכלי) Ikkur Shirah B'kli. The main part of the singing in the Bais Hamikdash was the vocal singing or the use of instruments and we Pasken Ikkur Shirah is B'peh. (Ed. Note: this is found in the Rambam (Sefer Avodah), Hilchos Kli Hamikdash, Perek Gimmel Halacha Gimmel).

What is strange about this Mitzvah is once again we have a Levi Mitzvah which seems if I may say it this way, it seems to get little respect in the sense

that it is not expressed B'feirush in the Torah. The Torah doesn't say anywhere that there has to be singing in the Bais Hamikdash. As a matter of fact you can learn all of Chumash and go through the whole Chumash with Rashi and not even bump into the idea that the Leviim have this Mitzvah of singing in the Bais Hamikdash. Why is it this way? Why is it that this Mitzvah is sort of a hidden Mitzvah?

Rav Schwab in his Sefer Mayan Bais Hashoeva on Parshas Behaloscha (page # 313) addresses this briefly and he says rather cryptically Ikkur Shirah B'peh, the main point of singing is with one's mouth and therefore, it is part of Torah Sheba'al Peh. Of course that needs an explanation as it seems to be just a play on words of Peh and Peh. Shirah B'peh and it is part of Torah Sheba'al Peh but still it needs an explanation.

The Nikuda would seem to be that music (singing) is what you make of it. There is a certain power. One of the seven Chochmos, there are seven sciences that the Torah recognizes as wisdom, and one of them is the Chochma of music, singing. There is a certain Koach Hashira. It could be that for some people singing is a fun thing, a sport and it is not much more than that. For other people, the singing is something that brings them closer to HKB"H.

In the introduction to Pa'as Hashulchan, the author (Rav Yisroel Ben Shmuel Ashkenazi of Shklov 1770 – 1839) writes about his Rebbi the GRA and how the Vilna Gaon when he made a Siyum on his learning of Shir Hashirim and the Sefer on Shir Hashirim, he said that in the power of song there is the Koach Shel Techias Hamaisim. The power to be able to bring people back to life. Sometimes when I hear the wild music coming from cars at red lights I wonder if somehow that is symbolic of the loud music of Techias Hamaisim. Of course the GRA is not referring to that type of music but the melodious music which brings a person's Neshama closer to HKB"H.

Therefore, the idea of music is not expressed in Torah She'bichsav. That has to come down as Toras Baal Peh. You can't write a song, you have to hear a song Baal Peh. It is something that has to come to the person with the feeling, with the Hergish that is attached with it. It is not just that a person can't write a song, while I guess musical notes you can, but it is the idea. That the power of music is something you have to learn from a Rebbi, you have to learn from someone who has a connection to music.

In the early days of Chassidus there was a Machlokes between Chabad and Breslov as to whether the Ikkur power of song involves the melody itself or the words that are attached to the melody. Different people apparently have a different nature. It seems to me that the words that are connected are most meaningful. That is to say that a person can be singing and enjoying it and it can be meaningless. Or a person can be singing and being Mekayeim a Mitzvah D'oraissa.

There is a Mitzvah D'oraissa of Davening, (וּלְעִבְדוֹ, בְּכֵל-לְבָבָם). To speak to HKB"H with your heart. Now of course we have a Nussach of Davening but the Mitzvah D'oraissa doesn't involve a specific Nussach. If you are singing words and thinking of their meaning, then you are Mekayeim the Mitzvah of (וּלְעִבְדוֹ, בְּכֵל-לְבָבָם). The singing is something that is elevated. And so, (וְשָׂרָת), the Mitzvah of the singing of the Leviim is not expressed clearly, overtly. Not because it is not Chashuv, not because it is not to be respected but on the contrary because it is so respected, because it is so important. The Avodah of Shirah is what you make of it. You can't just learn the words, you have to understand that Shirah is something that can bring a person closer to HKB"H. That is a thought on the Parsha.

2. Now let's move to a thought on the month of Elul. It is interesting that the idea that the word Elul stands for (אָנִי לְדוּדֵי יְדוּדֵי לִי) Ani L'dodi V'dodi Li. The third Posuk in the 6<sup>th</sup> Perek in Shir Hashirim. I am to my beloved and my beloved is to me. The idea that the word Elul is connected to that originates in the Avudraham and it is brought in virtually every one of the Poskim in the later generations and is something very well known. Elul is a time to draw close to HKB"H. However, Tzorech Iyun, because Tosafos in Maseches Rosh Hashono 7a (מדברי קבלה למדני) quotes the Yerushalmi who

says that the names of the months that we have, Tishrei, Cheshvan, Teves... are not Jewish names at all. (אמר בירושלמי שמות החדשים עלו בידם מבל) That these are Babylonian names and these are not Jewish names. They may be Aramaic names. You don't find in Chumash or in Navi any of these names. It is called Chodesh Harishon, Chodesh Hasheini. There is an expression of Chodesh Ziv which is a totally different name. These names appear only in Megillas Esther as well as in the Navi Zecharyah. It appears only later when the Jews returned from Bavel. Tosafos says they are not Jewish names at all. Therefore, it seems very strange that the word Elul stands for (אָנִי לְדוּדֵי וְדוּדֵי) (לי). But Elul is not a Jewish name?

We would understand this better if we knew about Shir Hashirim. Shir Hashirim to most people's mind is a song of love between a young couple about to be married. It is not so. Certainly not so about the 6<sup>th</sup> Perek of Shir Hashirim. There we are talking about a couple that became estranged and are drawing together again. All of Shir Hashirim is really about the love of a couple that had a dispute and became distant from each other and are now drawing closer. In 6:1 the Posuk says (אָנִי הִלֵּךְ דוֹדֵךְ, הִיפָּה בְנֵשִׁימִי) where have you beloved gone, beautiful among the women. (אָנִי פָּנָה דוֹדֵךְ, וַיִּבְקֶשְׁנוּ עִמָּךְ) let's go search for your husband. Rashi says what does this refer to? It refers to a time that HKB"H said you may build the second Bais Hamikdash and they began to build. They said, where is Hashem, is he coming back? Are Klal Yisrael and the Ribbono Shel Olam going to make peace one with the other? And so, (אָנִי לְדוּדֵי וְדוּדֵי לִי) is talking specifically about the time of Binyan Bayis Sheini. It is talking about a time that a person feels distant from HKB"H and then is able to come closer to HKB"H again. Therefore, it is not a Kasha that it is the Babylonian name that came back in the Binyan Bayis Sheini. Because indeed the name Elul is a name for coming back after the Churban and after the Galus and trying to return to HKB"H. It is true for Klal Yisrael and it is true for every individual. Every individual who feels distant from HKB"H has the opportunity to draw close to HKB"H again. It is a little painful that many people look at Shir Hashirim as Pesukim which seem to be repetitious. Which say the same thing again and again but they really don't appreciate the great depth of beauty of Shir Hashirim. I advise you to learn the first Pesukim in Perek 5. Tears can come to your eyes. It is talking about a couple that has been estranged and now the husband is coming and knocking on the door. He wants to draw close. 5:1 (בָּאתִי לְבָנִי, ) my beloved I am returning. 5:2 (אָנִי יֹשְׁנָה, וְלִבִּי עֵר) the woman says I am tired even though my heart is awake. (קוֹל דוּדֵי דוֹפֵק) and my beloved is knocking on the door and he is saying (פָּתְחֵה-לִי אֶחָתִי רַעֲיָתִי יוֹנָתִי תַמְתִּי) please open the door for me my beloved, with many names of love. The woman inside says 5:3 (פָּשְׁטִי, אֶת-בְּגָדַי-אֵי-בִּכְבָּהּ, אֶלְבָּשְׁנָה) I am already dressed to go to sleep and I have taken off my clothing I am too tired to put them back on again. (רַחֲצֵתִי אֶת-רַגְלֵי, אֵיכָבֶה אֶטְבָּפָם) I have washed my feet and I don't want to put them on the floor and get them dirty again. 5:4 (שָׁלַח נְדוּ מִן-הַחֹר) the beloved, the woman says, I hear the husband who is knocking has stopped (וַיִּמְעַ, הֵמוּ עָלָיו) and suddenly I think is he running away? 5:5 (לִפְתָּח ) my beloved then she jumps up to open up the door for her beloved. ( וְדוּדֵי נִטְפוּ-מִמּוֹ, ) ( וְדוּדֵי נִטְפוּ מִמּוֹר עִבְרִי, עַל כַּפּוֹת הַמְּנַעֲנֵל) my hands dripping with some perfume and now I am ready to open the door. 5:6 (פָּתַחְתִּי אָנִי לְדוּדֵי) I open the door for my beloved (וְדוּדֵי הִמְק עָבַר) and he left. When he knocked she was too tired, she was in bed and now when the door is open he is not there. (נִפְשִׁי, רָצָה) my soul feels like leaving me. (I look for him but I could not find him, I called to him but he doesn't answer me. This idea that HKB"H knocks and we have opportunities and when we lose them our soul mourns. We mourn where we are. They are opportunities. That is what (אָנִי לְדוּדֵי וְדוּדֵי לִי) is all about. If you don't say the whole Shir Hashirim on Friday and I think that most people are too busy to do it at least learn the first six Pesukim of the 5<sup>th</sup> Perek. Learn them and take them to heart. HKB"H is knocking. There are opportunities. Opportunities come your way. The summer is closing to an end and we all have opportunities around us. Opportunities to draw close to HKB"H. We are Bnei Torah. We have to connect to the Torah more and take more opportunities.

I personally can offer you three new opportunities in the coming week. First of all the Mishmar is beginning again this coming Thursday night. It is beautiful that over the summer when the Mishmar was so to speak officially not in session, there were at least 30 people every Thursday night that I was here sitting and learning until 11:30 or 11:45 at night. It was beautiful. And now B'ezras Hashem we are going to start again next week. We are looking to fill up the Bais Medrash. We need you. How beautiful would it be to have a Bais Medrash full of people learning. Please join us. IY"H there is a Maariv at 10 and a Maariv at 11:45. In between from 10:15 until 11:30 or a part thereof join us for the learning. Be part of it. From 11:30 – 11:45 I give a 15 minute Shiur. Whether you stay for my 15 minute Shiur or not is not the point. Be part of the Mishmar. There will be three Mishmar nights over Elul. Three times you got to pick yourself up. Don't say (אֵיכָבֶה, אֶת-רַגְלֵי, אֶטְבָּפָם). Don't say I am in bed already how can I get up. Get to the door. Get there while HKB"H is knocking.

The second opportunity presents itself on Sunday mornings. If you don't already have a Seder, after the 8 pm Shacharis from about 8:50 until 9:50 I learn Yore Dai'a. We learn Yore Dai'a inside for an hour. It is a long running Shiur, well over 20 years. We are now learning Hilchos Tzedaka inside. If you own a Yore Dai'a and haven't used it adequately, bring it along. There is place that you can store it from Sunday to Sunday. If you don't, we make Photostats and you will be able to learn from the Photostat. Become part of the Seder as we learn Yore Dai'a.

There is a third opportunity. On every secular holiday we have Shiurim in our Shul. The Shiurim go from after the 8 AM Shacharis roughly 9 AM until well afternoon. People come for one Shiur or another. I speak from 9 AM until 10 AM. There are Shiurim which follow. Sometime two one hour Shiurim and sometimes three more one hour Shiurim. There are actually people who come for the Daf Yomi and then Daven and then stay for 3 or 4 hours of Shiurim. What a beautiful morning. Come for at least part of it. These are three opportunities in the coming week. The opportunity to start. (פָּתְחֵה-לִי אֶחָתִי רַעֲיָתִי יוֹנָתִי תַמְתִּי). Your friend is knocking. Open the door. Let the Torah back in. Be part of it. Undertake to be part of it in the coming week and the weeks to come. Let it be the first step of growth towards Rosh Hashono and Yom Kippur. Towards a life of Avodas Hashem with great Simcha. With that I wish one and all a wonderful, musical, Eluldik Shabbos to one and all. Looking forward to seeing once, twice, or three times in the coming week. A Gutten Shabbos to all!

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from: Rabbi Yissocher Frand <ryfrand@torah.org> reply-to: do-not-reply@torah.org to: ravfrand@torah.org date: Thu, Aug 20, 2015 at 9:05 PM subject: Rabbi Yissocher Frand - Parshas Shoftim

**Rabbi Yissocher Frand**

**Parshas Shoftim**

Will The Gentiles Be Able To Understand Why We Deserve Moshiach? / The Difference Between Sodom and Giveah Yad Yechiel Never Miss Subscription

These divrei Torah were adapted from the hashkafa portion of Rabbi Yissocher Frand's Commuter Chavrusah Tapes on the weekly portion: CD #997 – Finding Out The Future: Mutar or Asur? Good Shabbos!

Will The Gentiles Be Able To Understand Why We Deserve Moshiach?

The pasuk in Parshas Shoftim says, "Righteousness righteousness you shall pursue in order that you will live and inherit the Land that the L-rd your G-d gives you." [Devarim 16:20]. Rashi comments: "Make a point of going to a high-quality court. The merit of appointing decent judges is worthy to keep Israel alive and to settle them upon their land."

The Maharal points out (in Gur Aryeh on the Torah) that the establishment of a just and honest court system is a "segulah" (practice that helps invoke Divine aid) for the preservation of the Jewish people. This follows from the fact that Falsehood has no continued existence (Sheker ayn lah kiyum) whereas Truth has feet (Emes yesh lah raglayim). Truth lasts but falsehood does not.

Rav Yehoshua Hartman (in a footnote to Gur Aryeh) elaborates: Each of the letters of the word Emes – Aleph, Mem, Saf has a base on which to balance and "stand" whereas the letters of the word Sheker – Shin, Kuf, Reish have no base on which to balance and stand. This is not just coincidental. The Hebrew language and the Hebrew letters contain within them great mystical secrets (Sod).

The Maharal emphasizes that the Torah is making a prediction here: When society has judges and a court system based on Truth and morality, it has a Segulah for longevity. Therefore, when judges and police officers are appointed and when righteousness prevails within a society, the people will have a Segulah for having a solid future on their Land.

Rav Matisyahu Solomon, in a recent visit to Baltimore, mentioned a teaching of the Sefer Mitzvos Gedolos (Semag). The Semag writes that when the Almighty will bring Moshiach, the Gentiles will say "Ah! We see the Ribono shel Olam is right because look what kind of people he took as His Nation – honest and forthright individuals!" However, the Semag writes, if Klal Yisrael does not act in an honest fashion, then when the Moshiach will come and take us back to Eretz Yisrael, the Gentiles will comment in astonishment: "Look, is this the kind of people G-d chose for himself – a bunch of crooks?"

I say everyday "I believe in complete faith in the coming of Moshiach, and even if he tarries I wait for him every day." However, we really need to wonder when all too frequently Jewish criminals appear on the front pages of the New York Times as the result of financial scandals and the like, what kind of reaction can we expect from the Gentiles if Moshaich's arrival is as imminent as we hope? This is a very sobering thought.

The Difference Between Sodom and Giveah

There is another point to be made from the Rashi cited above. Rashi writes (quoting the Sifrei) on the words "So that you will live and take possession of the Land:" the following: "The appointment of righteous judges is itself worthy (k'dai hu) to keep Israel alive and to settle them upon their Land."

The Shev Shmaita, in his introduction, focuses on the expression "k'dai hu". He comments that this expression is ambiguous. "K'dai" [it is worthy] is really an understatement. It is equivalent to saying "it is a matter which will not go to waste". "Certainly it is "K'dai!", the Shev Shmaita writes. It is "K'dai" many times over! It is more than just "worthwhile." It is essential to appoint honest Judges. What kind of teaching is the Sifrei conveying by the use of this word?

Rabbi Yehudah Jacobowitz of Lakewood, NJ, in his Sefer "Yismach Yehudah," cites an interesting idea from the Akeida [Yitzchak ben Moshe Arama 1420-1494; Spain, Italy]. The Akeida compares two Biblical stories with similar plots but somewhat different endings: The story of the Concubine in Giveah has striking parallels to the story in Parshas Vayera regarding Lot and the people of Sodom.

In Bereshis Chapter 19, the Angels came to Lot and asked him to take them in as guests. Lot accepted them but then the people of Sodom came banging on his door, demanding that Lot send out the guests so that they could "Sodomize" them. Lot was ready to give up his daughters to the crowd rather than compromise the welfare of his guests. We know the rest of the story. The city of Sodom was destroyed because of the terrible wickedness of their inhabitants.

Almost the same kind of incident happened in Sefer Shoftim Chapter 19. There was a fellow travelling with his concubine. He came to a city within the territory of the Tribe of Binyamin but could not find a place to sleep. He began sleeping in the street. An old man approached him and invited him into his house. The people of the place came to the old man's house. They started banging down the door demanding that he give the traveler to them so that they could sodomize him. The old man tried to appease them by offering his daughter. The mob did not want the daughter. Finally, to appease them, the old man gave them the concubine to do with her as they pleased. They violated her the entire night. In the morning, she crawled back to the doorstep of the house from which she had been thrown out and she

died on the doorstep. The old man was outraged by the travesty that had taken place. He cut up the body of the concubine into 12 pieces and sent them to every one of the tribes with an explanation of what happened in Binyamin. The story continues that Klal Yisrael did battle with the tribe of Binyamin, almost wiping them out, with only a remnant remaining from which the tribe was eventually rebuilt.

The Akeida asks – Why was favoritism shown here? Why with the people of Sodom was their fate that the entire population – men, women, and children – were wiped out whereas with the people of Giveah, although they paid a heavy price, we do not find that the Almighty punished them in the same way.

The Akeida explains that in Sodom, their amoral behavior was institutionalized and codified. Sodom legislated lack of Chessed [Kindness] into their civil code. They enacted laws that were mean, cruel, and immoral. The people of Giveah, on the other hand, had laws on the books that called for a just and moral society. Unfortunately, however, the people did not live up to the laws society had set up for itself. They succumbed to their animalistic urges and did not act lawfully, but at least they knew they were violating the norms of their society that were officially on the books.

Sodom had amoral anti-social laws. At least in Giveah, proper laws were codified. True, "people are people" and they were not "law-abiding citizens" – so they had to pay a price, but it was not the same price as Sodom.

Rav Jacobowitz says this is the answer to the question that puzzled the Shev Shmaita (Why does the Sifrei quoted by Rashi use the modest expression "K'dai hu meenui haDayanim haKasherim" – the appointment of decent judges is WORTHY?): The appointment of judges (i.e. – the fact that the laws are on the books) is itself worthy enough a factor to allow Israel to enter (and remain) on their Land. Even if Israel does not always keep the laws, the existence of a legislative and judicial system to make laws and enforce punishment for violation of the laws is itself a source of merit, which will ultimately save society from destruction. This is far better than the situation in Sodom where the laws themselves were amoral and unjust.

When moral abominations become institutionalized as the "law of the land" that is a very bad omen for the future of society. It highlights a society which is not only sinful, but which legalizes and codifies immorality as a pillar of its future existence – which thereby becomes dramatically undermined.

In light of the ruling of the United States Supreme Court this past June, we really need to wonder about the long term viability of American, and indeed Western society.

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This week's write-up is adapted from the hashkafa portion of Rabbi Yissochar Frand's Commuter Chavrusah Series on the weekly Torah portion. A listing of the halachic portions for Parshas Shoftim is provided below: Call (410) 358-0416 or e-mail tapes@yadyechiel.org or visit <http://www.yadyechiel.org/> for further information. To Support Project Genesis- Torah.org  
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**Shoftim: Food for Thought**

Gifts of Meat

One of the lesser-known ways that the Torah provides for the support of the kohanim in their holy activities is through gifts of certain cuts of meat:

“This shall be the kohen’s due from the people: when an ox or sheep is slaughtered for food, they shall give the kohen the foreleg, the jaw, and the maw [the last of a cow’s four stomachs].” (Deut. 18:3) Rav Hisda’s Offer

While this gift belongs to the kohanim, they do not have to eat it themselves. The Talmud (Shabbat 10b) recounts that Rabbi Hisda, fourth-century Babylonian scholar and a kohen, found an original use for his gifts of meat. Rabbi Hisda held up two portions of priestly gifts and announced, “I will give this beef to whoever will come and teach me a new dictum of Rav.” (The great Talmudic scholar and leader of Babylonian Jewry, Abba Aricha (160-248 CE) was known simply as ‘Rav’ (‘the Master’) due to his stature as the preeminent scholar of his generation.)

The scholar who won the prize was Rava bar Mahsia, who quoted Rav’s statement that one should inform his neighbor when giving him a gift.

Why does the Torah reward the kohanim with gifts of meat? And is there some connection between the prize offered by Rabbi Hisda and the dictum quoted by Rava bar Mahsia?

Permission to Eat Meat

To answer these questions, we need to examine the moral dilemma regarding the slaughter of animals for food. The Torah expresses a certain reservation in the matter; its acquiescence to allow eating meat appears to be a concession to the baser side of human nature. Thus, the Torah adds the otherwise superfluous phrase, “When you desire to eat meat” (Deut. 12:20), implying that when you have a strong craving for animal flesh, you need not suppress this desire. Were it not for this craving, however, it would be preferable to refrain from eating meat.

Why then are we allowed to kill animals for food? The Torah recognizes that, given our current state of weakness, both moral and physical, we would be unable to perfect ourselves if we were to deny ourselves those foods that give us strength. Merely for the sake of our physical welfare, we would not be justified in taking the life of an animal. In time, however, the spiritual advance of humanity will bring about the overall elevation of the entire universe, including the animals. Therefore, it is reasonable that the animals should also make their contribution during this interim struggle, until the world attains its desired goal.

Meat and Wisdom

Given this understanding of the Torah’s attitude towards eating meat, it is clear that this consent is linked to mankind’s intellectual and moral progress. This is particularly true regarding the development of new knowledge in Torah and wisdom, which has a direct impact on advancing the world.

For this reason, we find the Sages counseled, “An ignoramus should not eat meat” (Pesachim 49b). Since an ignoramus does not contribute to the world’s spiritual advance, he is not justified in taking an animal’s life for his food.

This also explains the purpose of the gifts of meat that the Torah decreed be given to the kohanim. The major source of income for the kohanim are tithes, which (by Torah law) are only taken from basic staples — grain, oil, and wine. Why did the Torah also give these cuts of meat, a nonessential food of indulgence, to the kohanim? This confirms the premise that the Torah permitted meat in order to promote the activities of scholars and holy teachers, so that they may expand their wisdom and help advance the world’s spiritual growth.

For this reason, Rabbi Hisda used his portions of beef as a reward for a new teaching. Particularly regarding beef, the Talmud (Baba Kama 72a) ascribes properties of increased intellectual powers. Rabbi Hisda wanted to use his gift of meat for its true purpose, to gain wisdom and new Torah knowledge, so he announced, “I will give this beef to whoever will come and teach me a new dictum of Rav.”

But why did Rabbi Hisda hold up two portions of beef?

Rabbi Hisda realized his efforts to amass the sayings and wisdom of Rav would be rewarded doubly. First comes the benefit gained by learning any new word of wisdom. The second benefit is the result of collecting together all of the statements of an eminent scholar. By bringing together all of the

sparks of light that illuminate his teachings, we can uncover a complete picture of the great individual’s unique approach, enabling us to follow in his spiritual path.

Private versus Public Good

Our last question was why did Rava bar Mahsia relate to Rabbi Hisda this particular dictum, that one should inform his neighbor when giving him a gift?

Rav’s statement deals with an interesting moral dilemma. On the one hand, a person who truly loves doing chesed and helping others prefers that his actions go unnoticed. In this way, the beneficiary will not express his appreciation, and the kindness is performed in a completely sincere and altruistic manner.

On the other hand, it is important for the moral development of the world that people develop and deepen their powers of appreciation. The trait of hakarat ha-tov brings genuine good to the world, uplifting our lives. So, which value should prevail: the ethical benefit of the individual, or the moral need of the world?

Rav taught that the overall benefit of the world takes precedence over that of an individual. Thus, when giving a gift, the recipient should be informed.

This teaching neatly corresponds to the moral dilemma regarding eating meat. A sensitive individual will feel some moral aversion to the slaughter of animals, even for food. The Talmud (Baba Metzia 85a) relates that Rabbi Yehudah HaNasi was punished when he failed to show proper sensitivity towards a calf about to be slaughtered, telling it, “Go! For this purpose you were formed.” Such a spiritual giant should have been appreciative of all ethical sensitivities. Even though the world may not yet be ready for vegetarianism, these aspirations should nevertheless be given their due place.

But in the end, as with the case of giving a gift, the spiritual needs of society come first. The need to permit meat in order to promote humanity’s intellectual and spiritual progress takes precedence over any private moral considerations.

(Gold from the Land of Israel. Adapted from Ein Eyah vol. III, pp.14-15)

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from: Rabbi Berel Wein <info@jewishdestiny.com> reply-to: info@jewishdestiny.com to: internetparshasheet@gmail.com date: Wed, Aug 19, 2015 at 12:04 AM subject: Parshat Shoftim 5775- Rabbi Berel Wein

**In My Opinion**

**Rabbi Berel Wein’s Weekly Blog**

**JEWISH SOLIDARITY**

One of the hallmarks of the story of the Jewish people over the millennia of our existence has been the fact that Jews, no matter what their political persuasion or level of religious belief and observance, always seem to care for one another. Though there always were divergent interests and different agendas present in the Jewish world, nevertheless when Jews were in mortal danger the Jewish world somehow rose to attempt to help and defend our brethren who were so threatened. Many times our efforts were too little and too late. That certainly was the case regarding European Jewry during World War II. Till today, there is much controversy and bitterness, academic dispute and political debate regarding what was done and what more could have been done to rescue Jews from the jaws of the Holocaust. It is a topic that gives us no rest and provides no proper solution. I remember how my own family personally anguished over the destruction of my uncles, aunts and cousins. They always asked themselves if more could have been done to somehow extricate them from Lithuania before 1940. Yet such feelings are purely hypothetical and incapable of being proven correct. Both American and Israeli Jewry are still conscience stricken regarding their rather tepid successes and ineffectiveness in ameliorating the destruction of European Jewry in the last century. So we proclaimed “Never Again” and promised ourselves that if, God forbid, such a situation ever arose once more, we would not allow it to have the same ending. When the cause of the freedom of Soviet Jewry to emigrate from Russia arose in the 1960s and thereafter, it provided an opportunity for Jewish solidarity to express itself. In its early years, many Jewish leaders in Israel and the United States refused to help and sanctioned the acts of those actively fighting for Soviet Jewry’s freedom. By the middle of the 1970s, Jewish solidarity asserted itself in strength and numbers and eventually prevailed over the internally rotting Evil Empire of the Soviet Union. The Jews of the Western world actively cared about and campaigned for the rights and lives of their fellow Jews who were locked behind the Iron Curtain. Rallies throughout the

Jewish world illustrated the wide variety of Jews who were united in this cause and who truly felt the pain and anguish of their brothers in the Soviet Union. It was a heartwarming display of Jewish solidarity that somehow began to ameliorate the feeling of inadequacy caused by the poor response to the impending Holocaust in World War II. It proved somehow, that in spite of all of our superficial differences in Jewish society, Jews still cared deeply about the fate of other Jews and were willing to take action. Sometimes this action was unpopular and against stated policies of the governments of the countries that they were citizens of - in order to protect and aid their fellow Jews. Now the emergence and success of the State of Israel has greatly complicated the issue of Jewish solidarity. Not every policy or decision of the various governments of the state of Israel over the past sixty-seven years has been worthy of the support of all of the Jewish people throughout the world. However, in times of deep crisis such as the 1967 Six Day War and the subsequent 1973 Yom Kippur War, the Jewish world once again united in solidarity with the preservation of the Jewish state against armed aggression and threats of annihilation. When pushed to the brink, Jewish solidarity emerged, strong, vocal and ultimately with influence and enormous assistance.. The test model for Jewish solidarity now is the nuclear deal with Iran. It is not the State of Israel as an entity that is being affected and threatened openly by the mullahs of Teheran, rather it is that once again six and a half million Jews are being marked for annihilation. And, painfully, the Western world led by the United States is apparently willing to let this threat slide. The world prefers to whistle while walking past the graveyard. So now the question arises, what about Jewish solidarity? Do the Jews who live outside of the State of Israel feel a responsibility to preserve the lives of their brethren who live in the ancient homeland of the Jewish people? This difficult choice has provoked much debate and angst in the Jewish world. Much of the Jewish world just wishes that Israel would leave it alone. But the Lord does not allow for that option and therefore the moment of decision and testing is present. A show of solidarity will go a long way in helping us meet the challenges that are clearly before us. Shabbat shalom Berel Wein

### **Rabbi Berel Wein's Weekly Parsha** **SHOFTIM**

Unlike other faiths, Judaism does not foresee this world to be one of perfection of the entire human condition. Thus in this week's Torah reading we are told to create a system of legal justice and means of enforcement of law and order. Society cannot simply rely on the good will and innate good nature of people; this leads to anarchy and chaos. To this end, judges and police are part of the matrix of any civilized society. Since the Torah is speaking to a seemingly observant religious society, it may seem incongruous, at first glance, to understand the emphasis that the Torah places on law, order and enforcement. The realism and practicality of Torah dictates that there is bound to be disputes between people, that money is a strong temptation no matter how pious one may be and that many times people fear police in a manner and intensity greater than their supposed fear of God. One of the seven basic Noachide commandments is that all societies must create a legitimate system of legal justice and to provide for its enforcement. Naturally, the Torah demands of us just laws, honest judges and fair treatment before the legal bar. We read in Psalms that it is possible, if not even likely, to create evil, bias and unfairness by legal means. The history of civilization is strewn with unfair laws that discriminate, exploit and oppress others. The Torah, upon ordering us to have a society of law and order immediately commands us to pursue righteousness and fairness through virtuous and moral means. Since all judges, no matter how great and pious they may be, are still essentially only human beings, as such, there can never be a guaranteed correct and fair judgment of every case in dispute. The practice in rabbinic Jewish courts of law is to attempt to achieve a compromise that will somehow and somewhat satisfy both parties in the dispute. In many cases, if not in most, the Jewish judge acts as an arbitrator. Ultimate justice is a very difficult thing to achieve. There are always ramifications of a judicial decision that create unforeseen circumstances and potential difficulties. The same is true for judicial enforcement. We are taught that the ultimate judgment belongs to the Creator. Only Heaven sees and judges the collateral effects of events and of human decisions. The Talmud, in realizing the human condition, states that a judge can only decide on the basis of what his eyes see. He can only decide the case that is known before him and not the unintended consequences. This is not only meant to

be an exoneration of judicial liability but it is even, more importantly, a clear recognition of human limitations. The perfect judge and the perfect court do not exist in our time. This undoubted lack of perfection does not free us from the obligation to create the best and fairest legal system. This is a never ending task but one that always requires our efforts and energies. Shabbat shalom Rabbi Berel Wein

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From: Shabbat Shalom <shabbatshalom@ounetwork.org> reply-to: shabbatshalom@ounetwork.org date: Thu, Aug 20, 2015 at 4:48 PM **Environmental Responsibility**

### **Rabbi Lord Jonathan Sacks**

Some commands in the Torah were understood so narrowly by the sages that they were rendered almost inapplicable. One example is the ir ha-nidachat, the city led astray into idolatry, about which the Torah states that "you must kill all the inhabitants of the city by the sword" (Deut. 13: 16). Another is the ben sorer umoreh, the stubborn and rebellious child, brought by his parents to the court and if found guilty, put to death. (Deut. 21: 18-21).

In both these cases, some sages interpreted the law so restrictively that they said "there never was and never will" be a case in which the law was applied.[1] As for the condemned city, Rabbi Eliezer said that if it contained a single mezuzah, the law was not enforced.[2] In the case of the rebellious child, R. Judah taught that if the mother and father did not sound or look alike, the law did not apply.[3] According to these interpretations, the two laws were never meant to be put into practice, but were written solely "so that we should expound them and receive reward." [4] They had only an educational, not a legal function.

In the opposite direction, some laws were held to be far more extensive than they seemed at first sight. One striking example occurs in this week's parsha. It refers to the conduct of a siege in the course of war. The Torah states:

When you lay siege to a city for a long time, fighting against it to capture it, do not destroy its trees by putting an axe to them, because you can eat their fruit. Do not cut them down. Are the trees people, that you should besiege them? However, you may cut down trees that you know are not fruit trees and use them to build siege works until the city at war with you falls. (Deut. 20: 19-20)

This prohibition against destroying fruit-bearing trees was known as the rule of bal tashchit, "Do not destroy." On the face of it, it is highly limited in scope. It does no more than forbid a "scorched earth" policy in the conduct of war. It seems to have no peacetime application. However, the sages understood it very broadly, to include any act of needless destruction. Maimonides states the law thus: "Not only does this apply to trees, but also whoever breaks vessels or tears garments, destroys a building, blocks a wellspring of water or destructively wastes food transgresses the command of bal tashchit." [5] This is the halakhic basis of an ethic of environmental responsibility.

Why did the Oral tradition, or at least some of its exponents, narrow the scope of the law in some cases, and broaden it in others? The short answer is: we do not know. The rabbinic literature does not tell us. But we can speculate. A posek, seeking to interpret Divine law in specific cases, will seek to do so in a way consistent with the total structure of biblical teaching. If a text seems to conflict with a basic principle of Jewish law, it will be understood restrictively, at least by some. If it exemplifies such a principle, it will be understood broadly.

The law of the condemned city, where all the inhabitants were sentenced to death, seems to conflict with the principle of individual justice. When Sodom was threatened with such a fate, Abraham argued that if there were only ten innocent people, the destruction of the entire population would be manifestly unfair: "Shall the judge of all the earth not do justice?"

The law of the stubborn and rebellious son was explained in the Talmud by R. Jose the Galilean on the grounds that: "The Torah foresaw his ultimate destiny." He had begun with theft. The likelihood was that he would go on to violence and then to murder. "Therefore the Torah ordained: Let him die innocent rather than die guilty." [6] This is pre-emptive punishment. The child is punished less for what he has done than for what he may go on to do. Rabbi Shimon bar Yohai, who said the law never was or would be applied, may have believed that in Judaism there is a contrary principle, that people are only judged for what they have done, not for what they will do. Retributive punishment is justice; pre-emptive punishment is not.

To repeat: this is speculative. There may have been other reasons at work. But it makes sense to suppose that the sages sought as far as possible to make their individual rulings consistent with the value-structure of Jewish law as they understood it. On this view, the law of the condemned city exists to teach us that idolatry, once accepted in public, is contagious, as we see from the history of Israel's kings. The law of the stubborn and rebellious child is there to teach us how steep is the downward slope from juvenile delinquency to adult crime. Law exists not just to regulate but also to educate.

In the case of bal tashchit, however, there is an obvious fit with much else in Jewish law and thought. The Torah is concerned with what we would nowadays call 'sustainability.' This is particularly true of the three commands ordaining periodic rest: the Sabbath, the sabbatical year and the jubilee year. On the Sabbath all agricultural work is forbidden, 'so that your ox and your donkey may rest' (Exodus 23: 12). It sets a limit to our intervention in nature and the pursuit of economic growth. We become conscious that we are creations, not just creators. The earth is not ours but God's. For six days it is handed over to us, but on the seventh we symbolically abdicate that power. We may perform no 'work,' which is to say, an act that alters the state of something for human purposes. The Sabbath is a weekly reminder of the integrity of nature and the boundaries of human striving.

What the Sabbath does for humans and animals, the sabbatical and jubilee years do for the land. The earth too is entitled to its periodic rest. The Torah warns that if the Israelites do not respect this, they will suffer exile: 'Then shall the land make up for its sabbatical years throughout the time that it is desolate and you are in the land of your enemies; then shall the land rest and make up for its sabbath years' (Leviticus 26:34). Behind this are two concerns. One is environmental. As Maimonides points out, land which is overexploited eventually erodes and loses its fertility. The Israelites were therefore commanded to conserve the soil by giving it periodic fallow years, not pursuing short-term gain at the cost of long-term desolation.[7] The second, no less significant, is theological: 'The land,' says God, 'is Mine; you are but strangers resident with Me' (Lev. 25:23). We are guests on earth.

Another group of commands is directed against over-interference with nature. The Torah forbids crossbreeding livestock, planting a field with mixed seeds, and wearing a garment of mixed wool and linen. These rules are called chukkim or 'statutes.' Nahmanides understood this term to mean laws that respect the integrity of nature. To mix different species, he argued, was to presume to be able to improve on creation, and is thus an affront to the Creator. Each species has its own internal laws of development and reproduction, and these must not be tampered with: 'One who combines two different species thereby changes and defies the work of creation, as if he believes that the Holy One, blessed be He, has not completely perfected the world and he now wishes to improve it by adding new kinds of creatures.' [8] Deuteronomy also contains a law forbidding taking a young bird together with its mother. Nahmanides sees this as having the same underlying concern, namely of protecting species. Though the Bible permits us to use some animals for food, we must not cull them to extinction.

Samson Raphael Hirsch in the nineteenth century gave the most forcible interpretation of biblical law. The statutes relating to environmental protection, he said, represent the principle that 'the same regard which you show to man you must also demonstrate to every lower creature, to the earth which bears and sustains all, and to the world of plants and animals.' They are a kind of social justice applied to the natural world: 'They ask you to regard all living things as God's property. Destroy none; abuse none; waste nothing; employ all things wisely ... Look upon all creatures as servants in the household of creation.' [9]

Hirsch also gave a novel interpretation to the phrase in Genesis 1, 'Let us make man in our image after our own likeness.' The passage is puzzling, for at that stage, prior to the creation of man, God was alone. The 'us,' says Hirsch, refers to the rest of creation. Because man alone would develop the capacity to change and possibly endanger the natural world, nature itself was consulted as to whether it approved of such a being. The implied condition is that man may use nature only in such a way as to enhance it, not put it at risk. Anything else is ultra vires, outside the remit of our stewardship of the planet.

In this context, a phrase in Genesis 2 is decisive. Man was set in the Garden of Eden 'to work it and take care of it' (Gen. 2: 15). The two Hebrew verbs are significant. The first – le'ovdah – literally means 'to serve it.' Man is not just a master but also a servant of nature. The second – leshomrah – means 'to guard it.' This is the verb used in later Torah legislation to describe the responsibilities of a guardian of property that does not belong to him. He must exercise vigilance in its protection and is liable for loss through negligence. This is perhaps the best short definition of man's responsibility for nature as the Bible conceives it.

Man's dominion over nature is thus limited by the requirement to serve and conserve. The famous story of Genesis 2-3 – eating the forbidden fruit and the subsequent exile from Eden – makes just this point. Not everything we can do, may we do. Transgress the limits, and disaster follows. All of this is summed up by a simple midrash: "When God made man, he showed him the panoply of creation and said to him: 'See all my works, how beautiful they are. All I have made, I have made for you. Take care, therefore, that you do not destroy my world, for if you do, there will be no one left to mend what you have destroyed.'"[10]

We know much more than we once did about the dangers to the earth's ecology of the ceaseless pursuit of economic gain. The guidance of the Oral tradition in interpreting "do not destroy" expansively, not restrictively, should inspire us now. We should

expand our horizons of environmental responsibility for the sake of generations not yet born, and for the sake of God whose guests on earth we are.

[1] Sanhedrin 71a. [2] Ibid. [3] Mishnah Sanhedrin 8: 4. [4] Tosefta Sanhedrin 11: 6, 14: 1. [5] Hilkhot Melakhim 6:10 [6] Mishnah Sanhedrin 8:5 [7] The Guide for the Perplexed, III: 39.+ [8] Ramban, Commentary to Lev. 19: 19 [9] S. H. Hirsch, The Nineteen Letters, Letter 11 [10] Kohelet Rabbah 7: 13

from: Shema Yisrael Torah Network <shemalist@shemayisrael.com> to: peninim@shemayisrael.com date: Thu, Aug 20, 2015 at 8:50 PM subject: **Peninim on the Torah by Rabbi A. Leib Scheinbaum - Parshas Shoftim**

You shall not deviate from the word that they will tell you, right or left. (17:11)

Some individuals find it hard to follow the direction set forth by the Torah sages of each generation. They feel that the guidance of the gedolim, giants of Torah, must be consistent with their personal line of thinking. Accepting the sage advice of a Torah leader is a bit too much for them to handle. The ben Torah who conforms to the direction of the chachmei haTorah, wise men of Torah, lives a life of peace and calm, serene in the knowledge that he is following the path that Hashem has established for him. He realizes that, after all is said and done, the gedolim have a perspective unlike that of the average person. The wisdom which they have accumulated through the Torah, in addition to their righteous adherence to the word of Hashem, grants them Divine favor and insight - which they share with us.

Horav Chaim HaKohen, zl, m'Gerbah, offers the following meaningful analogy. A young man, not proficient in any specific trade, sought a vocation in order to earn a living. He went to the market to investigate his choices. He spoke with the wagon drivers to inquire whether they needed an apprentice. After all, why not? He would earn an honest living, save his pennies, and one day - he would own a wagon and horse. Then he would be in the big time. He was given an offer for a job, but he decided to check out another vocation before settling on becoming a livery driver.

The young man walked over to the wharf where he met a ship's captain and asked him about employment as a sailor. The captain said that it was hard--but satisfying--work. He could work his way up the ladder to one day becoming the captain of his own ship. During the conversation, he began to think out loud, "If I become a wagon driver, my life will be predictable. The road straight before me. I know my destination and how long it should take me to reach my goal. What more does one need? The ship's captain and sailors travel in wide, open, unchartered waters. The sea is imposing, without markings to indicate where one is. A person can get into a boat with a plan to reach a certain destination and, within a few days travel, he can become completely lost! He could conceivably be traveling in circles and never reach his destination. Why would I want such a vocation? While it is true that I would get to see the world, visit exciting places, meet people from all over, but it would be true only if I reach these places. If I travel in circles, I will meet no one and see nothing!"

The captain looked at him with knowing eyes, as if to say, "My dear young man, you are truly clueless about the ways of the world." "Come with me," the captain said, as he drew the young man into the captain's office. On the large desk were spread a number of maps. "Let me explain to you. These are maritime maps which show the various ports of call where the ship stops. We draw a line from point A to point B and follow our navigational chart. We have no obstacles, no hills or valleys, no rained-out roads, or construction which we must divert. Our path is straight in accordance with the map. The only one who must worry about reaching his destination is the wagon driver who must contend with the poor roads that he must travel."

This is to what Shlomo Hamelech alludes when he says in Mishlei 31:14, hoysa k'anios sochein, "One who follows the path of Torah has before him a straight journey, just like the one who travels the sea by ship. He has no obstacles, since he follows the Heavenly map which charts his trip."

He shall say to them, "Hear, O Yisrael, today you are coming near to the battle against your enemies; let your heart not be faint; do not be afraid; do not panic and do not be broken before them. (20:3)

Chazal (Talmud Sotah 44) teach that, during a war, it is absolutely prohibited to run from the enemy. While today, outside of Eretz Yisrael, we cannot really say that the Jewish People are involved in a physical war, we are certainly embattled in a spiritual battle against an anti-Semitic world that does not want to see us observing Torah and mitzvos. What a sad commentary it is that anti-Semitic gentiles have a greater perception of the value of Torah and mitzvos to the Jew than do our secular brethren. They have long ago relegated our People's treasure, Hashem's Divinely authored guide to Jewish life, to the dung heap of history: it is antiquated; it is not in tune with the times; its demands are not sufficiently liberal to satisfy their base desires and disjointed code of morality. Thus, the Torah and mitzvos are outdated and are not relevant to today's progressive society - which would compete favorably with the pagan, Roman and Greek cultures.

The anti-Semites of the early twentieth century, under the leadership of Joseph Stalin-- self-styled dictator, a human fiend who found his equal in the Nazi chancellor-- made life very difficult and almost impossible for people of any religious affiliation. He reserved a special place in his ignoble heart for the Jews under his rule. Public study of Torah and mitzvah observance were punishable with imprisonment, often in the wasteland of Siberia from which very few returned alive. Yet, there were those who fought valiantly - and succeeded. When Stalin came to power following the Bolshevik Revolution, he focused on obliterating the religious affiliation maintained by the younger Jewish generation. Once the youth were his, the nation no longer had a future. They systematically picked on observant Jews - especially those affiliated with a chassidic movement, of which Lubavitch was the largest and most outspoken. Arrest, persecution, torture, exile and even death were the usual punishments for anyone caught participating in such mitzvos as Bris Milah, Shabbos and kashrus. The majority of Jews deferred to the enormous pressure on their lives. Others served Hashem clandestinely, at great risk to their lives and the lives of their families.

The man who was singly most responsible for rallying the troops was the Lubavitcher Rebbe, sixth in line of succession from the Baal HaTanya, Horav Yosef Yitzchak Schneerson, zl. He once told the Czarist police, "Schneersons do not run away!" As such, he remained the primary Jewish leader to guide the remnant Jews who survived the many purges and continued to live in the Soviet Union.

The Rebbe created a widespread network of underground institutions throughout the length and breadth of the Soviet Union. Whatever religious life still pumps in the veins of descendants of that generation may directly be attributed to his leadership and the efforts of his students and emissaries.

One night in 1924, the Rebbe met in Moscow with a group of young men. They made a pact, a covenant, to devote their lives to the preservation of Torah Judaism in the Soviet Union. They were blessed with incredible *siyata di'Shmaya*, Divine assistance, establishing schools, shuls, building mikvaos, anything that maintained the spark of Judaism in the hearts and minds of the Jews living there. Some were caught and sent to the firing squad. As soon as one was taken, another immediately stepped in and shouldered his responsibilities. Indeed, throughout the years of the accursed communism, hundreds of Lubavitcher Chassidim sacrificed their lives for the sake of preserving our Torah.

Our story begins one night as a group of activists convened with the Rebbe. Among the Lubavitcher devotees were also a number of Yevsekas, apostate Jewish police, who would do anything to slander their brethren. These people were biologically Jewish, but every fibre of their souls was aligned with Amalek. The Rebbe was acutely aware of the incursion of these vile insurgents, but he did not care. His mission transcended the work of Eisav and his minions. It was an emotional evening, with the Rebbe exhorting his emissaries to continue their work despite the danger of exposure. "Every time they close a school - we will immediately open another one" was their

attitude. The Rebbe explained why he was so driven to achieve success at all costs: "When the first salvo of the war against our religion was thrown out by the Bolshevicks, the Rebbe asked his father, the Rashag (Horav Sholom Dov Ber, zl), 'Like Nicolai?' the Rashag replied, 'Yes, like Nicolai.'"

The Chassidim were noticeably taken aback by this dialogue between their holy mentors. One of those who were present explained the interchange, "I hail from a chassidic family, and Chabad Lubavitch was our sole source of spiritual nourishment. When the government closed down a school, it was they who placed their lives in danger and opened up another school. Until Czar Nicolai rose to power, the country was always at war. When Nicolai became Czar, things changed. The reason is that, prior to Nicolai, whenever a battle took the life of one of the soldiers, the remaining soldiers left the corpse and ran for their lives.

"When Nicolai entered the fray, the rules changed. Now, when a soldier fell, his gun and ammunition were retrieved, and the battle continued. Regardless of how many soldiers fell, no one left the battle. When a soldier fell, another one immediately took his place. 'When we are at war, we fight until the end': This was Czar Nicolai's rule.

"This is what the Rebbe asked his father: 'Is our attitude in the battle for Yiddishkeit to be fought in the same manner, with a like strategy as that employed by the Czar's Army? When a soldier falls, he is immediately replaced. The Rebbe's emissaries throughout the Soviet Union knew only too well the risks of reaching out to Jews, but this was a war against a godless regime, a government bent on destroying the Jewish soul. The only way to triumph over such an evil was to fight relentlessly, never giving an inch, never waning in one's commitment and, certainly, never giving up.'"

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<http://text.rcarabbis.org/women-in-communal-leadership-positions-shul-presidents-by-aryeh-frimer/>

### **Women in Communal Leadership Positions: Shul Presidents by Aryeh Frimer**

*Below is the edited text of a lecture delivered by Rabbi Aryeh Frimer to congregants of the Tiferet Moshe Synagogue – Rabbi Jacob Berman Community Center, Rehovot, Israel on Tevet 24, 5767 – January 14, 2007. These comments are based in part on Aryeh A. Frimer, "Nashim beTafkidim Tsiburiyim beldan haModerni," In "Afikei Yehudah – Rabbi Yehuda Gershuni zt"l Memorial Volume," R. Itamar Warhaftig, ed., Ariel Press: Jerusalem, 5765 (2005), pp. 330-354 (In Hebrew). Only leading references are cited in the present manuscript. This linked [Hebrew source sheet](#) was used for the shiur.*

#### **Introduction**

Our shul has had women serving on the board for decades. The question of electing women to the position of Shul President is now on the agenda of the upcoming annual shul meeting. My mandate from the Shul Board is to discuss with the community the halakhic parameters of this decision. In doing so, I will present a spectrum of opinions, including those of *poskim* with whom I have consulted first-hand – namely, Rav Aharon Lichtenstein and Rav Nahum Rabinovitch Shlit"a. I was not authorized to ask them to offer a *pesak*. Rather, these are *gedolim* whose opinions I greatly value, and who understand and appreciate modernity. I asked them for their suggestion of how we should proceed on this contentious issue – and I shall report in course on their insights. The more general issue of women's involvement in communal leadership happens to be absolutely fascinating from both a halakhic and historical perspective. It has risen up in fury several times in the Halakhic literature of the modern period, but, as we shall see, has not been firmly resolved.

It should be made very clear that throughout Jewish history, and in fact general history, we don't really find women in long term leadership roles until the modern period. One outstanding exception in Jewish tradition is the prophetess Devora, about whom it said: "Devorah was a prophetess, the wife of Lapidot; she judged (*shofetet*) Israel at that time" (Judges 4:4). The word *shofetet* is generally translated as judge. But the role of the *shofetim* was not necessarily that of a judge. *Shofet* actually refers to leadership, from the word *shfatim*, which means one who deals out punishment, or retribution, or protection. The word *shofet* has many, many implications to it. In the case of Devora, the role of *shofetet* was a combination of judge – and Devora clearly served as a judge – and a leader. This presented somewhat of a problem for the *poskim*, as we shall see, and





Every other exclusion (demi-Jew, convert, woman etc.), however, is a *drasha*. On that statement, that a non-Jew cannot be a king, the *Sifrei* goes ahead and says that he also can't be *aparnas* – appointed to any leadership position. But the Rambam seems to learn from that case that everyone else excluded from kingship – which is a convert, and a woman, and someone who's had an ignoble job – that they also can't be appointed to any leadership positions in Israel. The *poskim* search for a reason, a source for this extension, because it's not in our reading of the *Sifrei*.

Now, I want you to look at source 3b. It turns out that there are other editions of the *Sifrei*. There is an edition of the *Sifrei* which is called *Mahdurat Finkelshtein*, and also there is a similar quote in the Aptowitz edition of the *Pesikta* which starts off like ours: "שום תשים עליך מלך, מלך ולא מלכה". However, it then continues – "אין ממנים האשה – שום תשים עליך מלך, מלך ולא מלכה". So clearly the Aptowitz *Pesikta* and The Finkelstein *Sifrei* and other cognate texts, like the *Midrash HaGadol*, actually have a reading similar to that of the Rambam.

Now, there's a big debate about these alternate readings, whether they were put in because of the Rambam, or that this is the source of the Rambam. We're very careful about our manuscripts nowadays, but it's not clear that they were careful about it all the time. The well-known 'חרם דרבינו גרשום' was instituted because people were making changes in the texts of their Gemaras all the time. They didn't put in alternate readings on the margin; rather, they erased the text they had in front of them and fixed it to their liking, and that got passed on to their children. Rabbeinu Gershom forbade this procedure, and later Rabbeinu Tam saw need to forbid it again, because the practice was still so widespread. So it's not clear whether people changed their reading of the *Sifrei* so it would jibe with the Rambam, or that that reading was the Rambam's source. It seems that it's probably the latter – the Rambam may have had an alternate reading. We'll come back to this point a little bit later as well.

#### Trying to Define Serara

Now, one of the fundamental questions that we have to ask is: what is this *serara* we're talking about? It's not only kingship, at least the way the Rambam understands it.

Remember that the Rambam is one of the major pillars of codification – he's not the only pillar, but he is a force to contend with. How do we understand what this *serara* is? How do we define it? That it includes kings and *Kohanim Gedolim*, the head of the army – that we all can understand. They had the power over life and death. But one who's in charge of the distribution of water that went to the fields – why is that *serara*? I don't think that life and death was the issue that concerned them with this job. Also, a different Gemara talks about the person who goes around checking the weights and measures, to make sure the measures are right. That's also *serara*.

I think the way we can describe *serara* is one who has discretionary power. That is, a person for whom 'the buck stops here'. He makes the ultimate decision, and there's no real appeal after that. And the one who was given the job of distributing the water to the fields – it was an important job. It wasn't the governor, but it was an important job, and he made that final decision.

Now if you want to understand how to define discretionary power, there's a very interesting and important *teshuva* by Rabbi Moshe Feinstein from his *Resp. Iggerot Moshe* (Y.D., II, sec. 44). Kindly turn the page over, it's source number 7. It's a long *teshuva*, we're going to read selections from it – but much of it I'll talk out. Many of the sources appear on this source sheet, so you could read the entire *teshuva* yourself. These are fascinating sources, but we don't have the time to go through it all in depth – time is limited. (By the way, we're going to raise a lot of issues that to the modern person seem very, very strange. I ask of you just hold judgment, and hear me to the end, and then you'll begin to see why it seems that *Halakha* nowadays has changed. Just bear with me and you'll understand the *Halakha* from its source.)

Rav Moshe was posed a very interesting question. A particular rabbi made his living from giving *hashgahot*. [You see rabbis, generally speaking, could not make a living just being a shul rabbi. They needed things in addition (weddings, funerals, unveilings etc.) and they also took on *hashgahot*.] Unfortunately, he passed away, and his widow wanted to take over the *hashgahot*. Can she be the *mashgiha*? It was a question of *she'at ha-dehak*. The *almana* wasn't a young woman, and for her whole life her husband had supported her. Thus, the *hashgahot* were her livelihood, and, now, she wanted to be the *mashgiha*. She clearly was capable, and knowledgeable enough to do the job. Rav Moshe starts the *teshuva* off by trying to understand the definition of *serara* and the parameters of this prohibited discretionary power, assuming we follow the Rambam's position -?

So in source 7A, Rav Moshe says that it's not clear to him what the source of the Rambam is for forbidding not only a *malka* but also *aparneset*. Rambam may have analogized from a non-Jew to women, but that isn't clear. [We now know that there is an alternate reading of the *Sifrei*, but that's not our reading.] In source 7B, let's see how Reb Moshe defines *serara*. "השגחה על כשרות מסתבר שהוא מינוי" – being *the mashgiach kashrut*, that is a *minui* – an appointment of *serara*. "ראיה לכך מקדושיך דף ע"ז" – that one doesn't appoint a *ger* to be in

charge of the weights and measures. "ופירוש רש"י: ממונה על המידות". appointed to be in charge of the measures – "הכשרות דמה לנו כשרות המשקלות והמידות – "לכשרות איסור מאכלות". This is supervision – what difference does it make whether it's monetary supervision, or whether its *kashrut* supervision? "והטעם הוא" – why is it a problem? "שההלוק בין להחשיבו לפועל ובין להחשיבו לממונה?" – because being in charge is considered *serara*, discretionary power. "אינו מצד חשיבות המלאכה" – it's not because of the importance of the job – "הוא פועל אף שהיא מלאכה" – "If your job is to work by the book – what the boss asks you to do, then you are a worker, and it makes no difference how important the job is. "ואם נשכר לעשות נגד רצון" – בעל הבית כהשגחה על המשקלות ומדות שבעל הבית היה אפשר רוצה שישייר לו גם משקל ומדה חסרים "והוא ממונה לפוסלם וליקחם מבעל הבית" – But, if your job is to supervise the *ba'al ha-bayit* even against what he wants, that's discretionary power. That's dominion, *serara*. To summarize: if you're working for the *ba'al ha-bayit*, no matter how important your job is, that's called a worker. But if your job is to go against, to be critical of *ba'al ha-bayit* and limit him, that's discretionary power; that's *serara*. "הוא שררה על בעל הבית, שהוא שררה על בעל הבית, וכן הוא ממש ממונה להשגיח על הכשרות שמלאכתו הוא לעשות אף נגד רצון בעל הבית שלא להניח לבעל הבית שיקנה דברים אסורים. ואם כן להרמב"ם אין". According to that analysis, according to the Rambam, says Rav Moshe Feinstein, you can't appoint a woman to be a *mashgiach kashrut*.

Then he goes on to note that the Rambam is not the only view, and demonstrates that there are a whole series of *Rishonim* who disagree with the Rambam and are lenient on *parneset*. And then he says that *bi-she'at ha-dehak* – in a crisis situation, where we are dealing with a woman's livelihood, certainly these other opinions could be relied on so that she could continue to be a *mashgiach kashrut*. In other words, he maintains that the Rambam is a pillar of *Halakha*, and we would generally prefer to be stringent and rule like the Rambam. However, since this a dire situation, and there are major authorities – including Ramban, Rashbah, Ran, and Rabbeinu Tam – who disagree with the Rambam, we can rely on these other sources to give us the flexibility to allow this woman to be a *mashgiach kashrut*.

But then Rav Moshe suggests what he believes is a better idea. We will ask some Rabbi to be the *rav ha-makhsir* – that is, the one who will assume the ultimate authority for the *Kashrut* will be a male, while the *almana* will be the *mashgiha* and do the actual supervision work. The *rav ha-makhsir* is the person or the organization who assumes ultimate responsibility for the *hekhsher*, and the *mashgiach* is the employee who's on the site doing the actual supervision. (For example, the OU is the boss – the supervising *kashrut* organization ultimately responsible; everyone else who works for them, including women, who supervise all the time for the OU, are the *mashgihim*.) Rav Moshe indicates that if we do it that way, then even the Rambam would agree, because she's now working for the *rav ha-makhsir*, and not for the *ba'al ha-bayit*. [I'll come back to the next *teshuva*, that is סימנים מ"ה and סימנים מ"ה a little bit later, since they deal with women as presidents of shuls.]

Okay, so Rav Moshe has pretty much given us a very good idea of what the parameters are. It would seem that the President of the United States is clearly *serara*, and the head of the Treasury is clearly *serara*. However, the income tax auditor may not be *serara*, even though he forces you to pay, because you can always appeal over his head. And once you've come up to the person for whom "the buck stops here," – that's *serara*. Now you can always say, "Look, I can go to the Supreme Court," but that's not what we mean. We mean that there's a person after whom you have to start suing in the courts.

#### Rationale behind Women's Exclusion from Serara

Let's now try to understand the rationale a little better. Why have women been excluded from kingship – and other leadership roles according to the Rambam? Interestingly I haven't found any *Rishon* who really suggests a reason. It might be that they felt it was eminently obvious, but it's certainly not eminently obvious for twentieth century individuals. Formulations have only been put forward in the modern period; this suggests that the social consensus has changed, and *halakhic* Judaism clearly finds itself on the defensive and needs to explain its position.

(a) The most common reason given, by Dr. Leo Levy, Rav Aaron Soloveitchik, Rav Moshe Meiselman, Rav Bleich among others, [1] is that there is definite role-playing in Judaism. The man's role is more a public, aggressive one, as the Gemara says, "האיש" "דרכו לכבוש ואין האשה דרכה לכבוש". Rav Yoshe Ber Soloveitchik discusses this when he talks about Adam I and Adam II, and their different attributes. And Rav Aaron Soloveitchik also talks about role playing in some length. It's clear that, from a Jewish perspective, these roles are not exclusive, but there seems to be a general consensus that a woman's role is a more private, family centered role. This school bases its approach on the *pasuk* "כל כבודה בת מלך פנימה". Now it's clear that "כל כבודה בת מלך פנימה" is a societally determined concept. It's very clear that what was true in the 17 and 1800s is not true in the twentieth century. Even in Haredi circles, women go out and earn livings, and are in the public thoroughfare. This is something that was almost unheard of 100-

150 years ago. Perhaps by limiting a woman's leadership possibilities, *Halakha* reaffirms where her priorities ought to be: in the home, and not in the public thoroughfare.

(b) Another possible rationale may be the social reality. A leader with discretionary powers can only rule if he has the highest respect of the community who is willing to obey and follow. As we saw before from the Rambam, if you had a position as a *burski* (a tanner), or a *sapar* (barber), or a *balan* (caretaker in the bathhouse) dealing with naked people – this was not considered the most respectable position. And, therefore, the feeling was that because of a woman's lower social standing in the community – people would not follow her. This seems to be the rationale of the R. Yechiel Michel Epstein (*Arukh HaShulhan heAtid, Hilkhot Melakhim*, 71:9). And while there have been many changes in people's attitudes, they haven't been as wide-sweeping as some people suggest. I read a recent poll about the success of women in leadership. In 2006, Nancy Pelosi was elected as the Speaker of the House of Representatives, and everyone was talking and writing about it. The fact that there was such a big to-do, suggests that this is not a normative situation. Studies report that voters, both men and women, tend to favor a strong father image than an "Iron-lady". And this came up with Margaret Thatcher, as well, when she was elected Prime Minister. They polled the voters. It seems that she was an exceptionally unique individual, and therefore wound up as Prime Minister – but that wasn't standard procedure, even for the British.

(c) A radically different approach is that of Rav Chaim David Halevy (*Shu"t Mayyim Hayyim*, 1:70), who in essence says that he'd rather live with a good question than with an answer he can't accept. It's his position that the exclusion of women is what's called a *gezerat ha-katuv* – a Heavenly decree. But he doesn't know the rationale. He wants to prove his position, however, from Shlomozion Hamalka and Heleni Hamalka, who were queens under the guidance of *Hazal*, and who were repeatedly praised by them as righteous virtuous women. It's clear, he says, that in each case they received the *melukha* through inheritance, either from their father, or their husband. They were in the position, and *Hazal* weren't interested in moving them out. So, argues Rav Halevy, there's no problem with her being queen, the problem is being appointed queen. And that can only be, says Rav Chaim David Halevy, because it's a *gezerat hakatuv* to appoint a queen, but not if it comes to her automatically. Other *poskim* disagree with him. My Rebbe, Rav Yehuda Gershuni zt"l (*Kol Yehuda*, pp. 495-507) demonstrates this from the Rambam, who writes that kingship passes in *yerusha* only to the king's male children, "הוא ובניו". Why, then, were Shlomozion and Heleni so praised by *Hazal*? Because *Hazal* knew full well that the person who was supposed to get the position would not be as favorable towards Rabbinic Judaism. Shlomozion and Heleni were from women, and they supported Torah Judaism. If they were not in those positions, developments would not have been favorable for halakhic Judaism – and that seems to have been a very real consideration.

#### Serara for Women in the Modern Period – Stringent School

Now I think it's time that we get down to the basic arguments pro and con about women's involvement in the political process. I mentioned to you that much of the literature on the subject was written in the early 1900's, although there's a great deal written since then as well. As I noted in the opening of my talk, if you want to get a wonderful historical summary of this period, it's in "*Hevra veDat*," written by Prof. Menachem Friedman. I'm going to summarize the arguments from the early 1900's, and then we'll move to the recent period. There were essentially three *halakhic* reasons and another three *hashkafic* reasons given for why women should not become involved in the political process. The issue discussed at that time was not only whether a woman could run for office, but whether she could even vote.

The first argument against was based on the aforementioned Rambam. Maimonides clearly rules against allowing women to run for office, based on "מלך ולא מלכה". To his mind, this *derasha* not only excluded woman from being a queen, but also from all communal leadership roles with discretionary power. Please look at the source page, at source number 9a (9a and 9b are some of the arguments that were actually given against women being in leadership roles). Rav Zev Mintzberg in *Zot Hukat HaTorah* writes that it doesn't matter how a woman comes to power. "איסור גמור מן התורה יש למנות אשה לשים – אפילו אם קיבלו כל הציבור אותה עליהם – על דרך האסיפה המייסדת שחקקה חוקה ליתן זכות נשים להיבחר. מבואר ברמ"א אפילו אם קיבלו כל הציבור אותה עליהם – על דרך האסיפה המייסדת שחקקה חוקה ליתן זכות נשים להיבחר. מבואר ברמ"א אפילו אם קיבלו כל הציבור אותה עליהם – על דרך האסיפה המייסדת שחקקה חוקה ליתן זכות נשים להיבחר. מבואר ברמ"א" – any leadership role in the community is forbidden "ציבור או קהל לא יבחר אשה לשים". "דטובי העיר בעירם דינים כבית דין הגדול, ואין לך שררה גדולה מזו מלבד מלכות". He said being in leadership roles, making decisions for the community, is clearly *serara*. It is irrelevant whether the whole community voted for her. If the job is inherently *serara*, according to the Rambam it's *asur*, and that's it.

Secondly, the *Mahzikei Dat*, written by HaRav Ritter of Rotterdam, says that in Jewish communities, for centuries, women weren't in leadership roles. That's the Jewish way or custom of doing things. What right do you have to change the situation?

The third argument was that being involved in politics clearly involves a free mixing of the sexes, which was not appropriate from a Jewish perspective, and therefore it should be opposed.

There are several *hashkafic* reasons given, and the person who gave these *hashkafic* reasons that we're citing from was none other than Rav Avraham Yitshak haCohen Kook zt"l. This was a big surprise since Rav Kook, after his lenient ruling on *Shmitta* was viewed as a big liberal. It's very interesting that he doesn't bring *halakhic* reasons, but *hashkafic* ones – why he thinks women's involvement in the political process is "bad for the Jews." [By the way, we know that his daughter-in-law, Rav Tzvi Yehuda Kook's wife, was not happy with Rav Kook's position. Rav Kook zt"l mentions in one of his letters to his son that his daughter-in-law would regularly write him letters. However, the last couple of weeks, since he gave his *pesak* on the women's voting issue, she's stopped writing. "Is it because she's not happy with what I said about women's involvement in the political process?" Probably. That's just a side line, but it's very, very telling.]

In any case, what were his reasons? We're just going to go through them very, very quickly (see sources 8a-d). (1) He says that the family is extremely important in Judaism, perhaps more so than in other cultures, and that throughout Jewish history the traditional woman has attained both honor and fulfillment within the family. Political activity will lead a woman to center interests outside the home, and away from her family. Her interests and energy will become split; she will no longer be as good a mother as she can be, and this will therefore weaken the fiber of the family. (2) His next argument was that political activity in which a woman has an active role will prevent and disturb *shelom bayit*, because the husband and wife may now be expressing different opinions, and therefore it will lead to a clash in the family. (3) Finally, he says that politics has a negative moral effect on anyone that is involved or close to it, and he says that at least we should keep the women out of it.

Amongst the scholars maintaining that women should neither run for office, nor even vote – not get involved at all in the political process – was Rav Yehoshua Leib Diskin, and Rav Yosef Chaim Sonnenfeld of the *Eidah Haredit*, Rav Yechiel Michel Tukachinsky, who then was a leading *Rosh Yeshiva* and *posek* in Jerusalem, and considered slightly right of center, and last but not least, Rav Avraham Yitshak HaCohen Kook. There were many renowned scholars, most of them in Europe and the States, who were against women running for office, but had no problem with them voting. These include Rav David Tzvi Hoffman, and Rav Eliezer Priel in the United States.

Something important happened in the 1920's that changed the course of Jewish history. Most of you know that the *Eidah Haredit* broke off from Orthodox Judaism and started leading its life by itself. When and why did it do so? It did so over the issue of the women's right to vote. It was decided by the *Mo'etza haMeyasedet* (the mandatory Israeli government in formation) that women would get to vote. The *Eidah Haredit* said that it wasn't an issue they could ever agree on. The *Eidah Haredit* suggested that a man should be able to have two votes, but that proposal wasn't accepted. So they said: "Look, you've left us no options. Our women are not going to vote, they're not going to be at all involved in the political process, so we will lose on every vote. We have no choice but *hitbadlut* (go it alone), we're breaking off." And so they did at this point in Jewish history, in the 1920's, over the issue of women's suffrage.

There was another group, led by Rav Tzvi Pesach Frank, who said: "All right, we're not gung-ho about this idea of women voting, but there are *poskim* who would tend to permit it *bi-she'at ha-dehak*." And they became what's called Agudas Yisrael, and the women would not run for office, but they would go to the polls and vote. By the way, the *Eidah Haredit* did not notify the British they were breaking off, because they didn't want to place the implementation of the Balfour Declaration in jeopardy, so they kept it private. But that is exactly when the *Eidah Haredit* and *Agudas Yisrael* split and became two separate organizations.

#### Lenient School

In this dispute in the early 1900's, there was another position, expressed by the *Mizrachi*-haPo'el haMizrachi, whose published position read as follows: "המורה בתור הסתדרות עולמית, בכל הכבוד והיקר שהוא רוחם לרבנות ובכל שאיפתו העמוקה להכיר בסמכותה בחיי העם – מוכרה בכל זאת להישמע בשאלה זו לדעת הרבנים הגאונים שעמדו בראש ההסתדרות בכל משך עשרות השנים של קיומה ושהגיהו בשאלה זו היתר למעשה." Translation: "The Mizrahi, as an international organization, despite the honor and the esteem which it bears for the Israeli Rabbinate (that means Rav Kook), and despite its deep desire to recognize the authority of the Israeli Rabbinate in the life of this nation, must, nevertheless, follow on this issue the ruling of the Rabbinic giants which have headed this organization during the past decades since its inception, and have been lenient on this matter." You have to understand that the Chief Rabbinate, when it was established was viewed as the forerunner of the Sanhedrin. They had these great hopes for the Chief Rabbinate, and here comes along Harav Kook, and doesn't support women's right to vote. So the Mizrahi says: we already have *Gedolim* who've *poskened* for us on this issue. We don't

have to come to Rav Kook's *pesak*; for decades we've been following the *pesakim* of other *Gedolim* who've permitted women's involvement in the political process. The lenient school included such scholars as the former Sephardic Chief Rabbi Ben Tzion Hai Uziel, Rav Ya'akov Levinson, and Rav Chaim Hirshenzohn. In the modern period the lenient school has included former Chief Rabbi Yitshak Isaac Herzog, Rav Tibor Stern, former Sephardic Chief Rabbi Eliyahu Bakshi Doron, former Chief Rabbi Shlomo Goren, Rav Shaul Yisraeli, Dayan Aryeh Leib Grosness of London and Jerusalem, and Rav Elimelech Turk from the United States.

To understand the lenient school, and how they deal with the various arguments of the stringent school, I think it's important, first of all, to begin with a brief discussion of what democracy is all about. The government perceived by the Torah and by *Halakha* is radically different from democracy. Let me elaborate a bit. In Biblical times, appointments always came from the top. It was the decision of the *navi*, or one or more of the elders, the scholars, the *gibborim*, the leaders, the money-men. Appointments always came from the top. But in democracy the ultimate authority comes from below.

Democracy is a game of government, with clear and pre-agreed upon rules. The **first rule** is "majority rule," which means that everybody agrees to accept the majority's decision. Even though the minority lost, they agree to accept the majority position or candidate as their own. And I want you to understand what that means. If I vote for A, and B gets elected by the majority, B was picked by whom? Not by the majority – by **everybody**; everybody has agreed that the winner takes it all. That's what democracy says: not just the majority picked him – **everybody** picked him.

The **second rule** is that the election is for a limited period, and after 2, 4, 6, maybe even ten years we will have elections again. This means that even though I lost now, I'll have a chance to win next time around. What's more, there is the possibility of impeachment or recall if the majority is dissatisfied. The **last rule** is that the election is personal. The elected position cannot be inherited or passed on to someone else.

Now, with this awareness of the new modern political reality, let us begin our discussion of *serara* anew with the case of Devora. "היא שופטת את... היא שופטת את... ישראל בעת ההיא." The fact that Devora served as judge presents a double problem. First, the *halakhic* consensus is that generally women cannot serve as judges. Second, serving as a judge means that your decisions are binding and people are forced to pay. That's clearly *serara*. But the Rambam forbade all *serara* to a woman, not only *melukha*. So the Rambam will obviously maintain that Devora as a prophetess received divine approval as a judge. It was sort of like a divine *hora'at sha'ah*. It was a setting aside of Jewish law because she was a prophetess. She was exceptional and no generalizations can be made.

But the other *Rishonim* disagreed. Turn to the first page again, source number 5. We're going to read from the Rashba (*Shavu'ot* 30), but as pointed out by Rav Moshe Feinstein (*Resp. Iggerot Moshe, Y.D., II, sec. 44*), it's not only the Rashba who holds this position. It's the Rashba, and Tosfot in several places, and the Ran, and *Rabbeinu Tam*, and others. Starting from the middle, at the bracket: ואם תאמר הא... The Mishna says "ולא לנשים, מכאן שנשים פסולות לדון", so how is it that Devora was a judge? "כשופטת ממש אלא מהגת (מתנהגת) כשופטת ששפטו". *Tosafot* says that it's not that she was an actual judge. "שופטת" just meant that she was a community leader: she led the people and she gave them advice, but she didn't serve as a judge. Another way of saying it is that it was "charismatic leadership" – a term coined by noted sociologist Max Weber (1864-1920). Charismatic leadership means you don't follow because you're forced or required to. You follow because you want to. She was a *shofetet* and a *nevi'ah*. She would say: "you really should give the money back." I'm not forced to give the money back – but she speaks the word of G-d, so of course you give it back! That's charismatic leadership. I want to do what's right. She tells me what's right, but she has no binding power to force me to do it. "ואף על גב דאמר בספרי שום תשים עליך מלך ולא מלכה, התם לא מנא אותה, אלא היו נוהגין בה כדיון מלכה, והיו נוהגים על פיה." That's charismatic leadership. They weren't forced to do it. They wanted to do what's right, and she told them what's right, and they did it. Look, I want you to understand. Who appointed Rav Moshe Feinstein, Rav Shakh or Rav Elyashiv? Anybody? Not that I know of. That's charismatic leadership. You follow and obey because you feel that they know what the will of G-d is. "ואי נמי", alternatively, this is a totally different answer, "שופטת ודנה" – she judged them, and she ruled over them, "שהיו מקבלים אותה כדרך שאדם מקבל אחד מן הקרובים". They accepted her like one can accept a relative. The *Halakha* is as follows. If you have a question, and the parties decide to pick three individuals to serve as judges. The latter are not allowed to be relatives to each other, or relatives to the litigants. However, if the disputants agree that they'll accept such an individual, then such an individual can judge – even if it's a relative. That was also true for Devora. Once the people have accepted her as a judge, the litigants were obligated to accept her judgment.

*Klal Yisrael* decided that Devora "was the lady," we're going to follow her opinion. And then she could force you, because that's "קבלו עלייה" *Kiblu alaihu* means we accept her authority upon us, or it can be formulated that the appointment is from below – the people have accepted that as their authority. A democracy is *kiblu alaihu*. We all accept the outcome. That's the game of government. We accept; we agree to accept the leadership of the person who gets the majority vote. So, as I pointed out, even though your candidate lost the election, when you went into the election you knew that the majority would get the position, and that's what you're getting into. So, first of all, the appointment comes, not from the Sanhedrin, from above, but from below. Democracy is a form of *kiblu alaihu*.

In source 10a, former Rishon Lezion Rav Uziel writes in *Resp. Mishpatei Uziel*: "לא נאמרה הלכה זו אלא במינוי הנעשה על ידי סנהדרין אבל בשאלתנו, אין כאן מינוי אלא קבלה, שעל ידי הסכמתו לאותם הנבחרים שיהיו באי כוחו לפקח על כל ענייניהם". Rav Uziel says that democracy is different – even the Rambam would agree. The stringent school would argue – and this we saw above in source 9a – that *serara* is *serara* is *serara*, and I don't care how she was appointed. But the lenient school says: no! How one receives the *serara* is all the difference in the world. This is because the person who's forcing me to obey is doing so – not because he has the power to force me – but because I asked him to do so. I invested him with the power to force me, so he is my *shali'ah*. I'm the boss. I gave him that power, and the origin of that authority makes all the difference in the world. Rav Bakshi Doron (source 12) says that, Rav Shaul Yisraeli (source 13) says it. He says a few other things as well, but, let's move ahead.

I want you to know that this argument, *kiblu alaihu*, is the basic argument of those who are in the lenient school. But I want you to listen to Rav Mordechai Eliyahu who raises a very strong argument to the contrary. In source 16, Rav Mordechai Eliyahu quotes from the *Tosafot*. "דשמתו היו מקבלין אותה" – because she was directed by the *shekhina*. "ובשינוי לשון קצת בתוספת" – because she was a prophetess? What does that mean? "הרי רשאים לקבל על עצמם גם פסולים לעדות" – You can accept even people who are not allowed to be witnesses, to be a judge. Skip down to the next paragraph. "בנראה שדייקו לאמר כך, שאילו לא נביאותה לא היתה קבלה מועילה". It was a fact that she was prophetess and there was a nationwide consensus that she was the woman to turn to, "דבשלמא יחידים אי ציבור מוגדר ומצומצם יכולים לקבל עליהם בהחלטת הכל או הרוב". If you have a small group – though how big this group is he doesn't define – but a group in which everyone can be consulted, then you can talk about *kiblu alaihu*. And he goes on at great length in this article in *Tehumin*, and asks, what are you going to do with a nation? What percentage of the nation actually voted? If you voted, got involved in the game, you can say *kiblu alaihu*, the majority won, the minority accepts the decision. But what if 40% don't get involved in the game at all? Can you honestly say *kiblu alaihu*? That's his criticism. You can't say *kiblu alaihu* when 40%, 50% didn't even vote. They're not even involved in the political game.

Rav Shaul Yisraeli (source 13) disagrees, however, arguing that a country is set up with certain agreements. Everybody who's born into the country or joins the country, joins under those conditions. If it's a democratic government, and that's how the country was set up, then everybody in the country is bound by that ruling. If you don't vote, that's your choice, but you could have voted, and everybody's involved. That point is not a trivial point, I want you to know, and there is some debate on it. But the lenient position holds that *kiblu alaihu* is where the authority comes from.

The scholars of the lenient school also point out that by definition democracy is not *serara*. (A) Firstly, in *serara* the duration of the appointment is indeterminate, while in democracy terms are limited. Democracy is for a limited time, it can't be forever. (B) In addition, as we saw from the Rambam, *serara* can be handed to your children. There are many *responsa* about a rabbi who is *arav* of a shul or city and wanted his son to become the *rav* after him, and the questions of inheritance by *rabbanut*, and whether that's valid or not. But it's certainly not true in democracy. So there's a lot of grounds to argue here that by definition democracy is not *serara* in the way that the Torah viewed it.

(C) Other *poskim* note that in democracy most decisions are not made by individuals, but by committees. In fact, Rav Kapah in source number 14, when asked about a woman being a *Haverat Knesset* says: "כיהון בשררה" "כיהון בקראת" "כיהון בקראת" "כיהון בקראת" "כיהון בקראת". He says that there's no real discretionary power. He argues that everything is decided by committees and there's no individual who makes the decisions.

(D) Rav Shaul Yisraeli in source number 13 goes on at great length to discuss this. Rav Shaul Yisraeli is dealing with a much tougher question. His article is not about women in leadership roles. He's dealing with non-Jews. Remember that non-Jews are explicitly *assurin* the Torah – "לא תוכל לשים עליך איש נוכרי". He wants to know

whether you can appoint a non-Jew to be mayor of a city. And he says that based on a democratic election there is no *halakhic* problem, because that's not *serara*. He goes on at great length, and suggests that in elections we are appointing a *shaliah* (messenger). The power comes from below; they are our *shaliah*; they are not authorities on top of us.

(E) There are also people who are appointed because of their uniquely special talents. Source 11b and 12 deal with Shma'ayah and Avtalion, converts for whom *serara* is also problematic, who were appointed as heads of *Sanhedrin* because there was none like them. You have a person who is uniquely capable. Let's take a woman like Condoleezza Rice, or Margaret Thatcher. These women who are uniquely capable for the job that is given to them. Shma'ayah and Avtalion – there was nobody like them. It was true that they were converts, and they didn't have the *yihus* that normally comes with leadership; however, they were uniquely suited for the job. There was nobody else like them and they were, therefore, the best option. In those cases, with those individuals, there's no problem with *serara*.

Let's turn now to the *hashkafic* issues raised. A) The *shelom bayit* issue we'll set aside pretty easily, because if you accept it then your children shouldn't vote, and your brother shouldn't vote because it creates dissension in a family. B) Regarding the issue of politics corrupting, then the men shouldn't get involved in politics either.

There are a variety of arguments that can be raised to set aside the *hashkafic* arguments. But I want to be honest; when I read *thereshuvot* inside, I have this deep-seated feeling that Rav Kook is not far off the mark. In practice, perhaps we don't have to worry about it these *ta'annot* (arguments) too much, but it's something we should keep in the back of our minds. There's no question that in our modern society – and this is not the subject of the lecture – women are now very career minded, and women tend to spend a lot of time out of the house. Everybody talks about quality time with their children, and there's no question that men should be spending more time with their children, that's all true. But our children suffer. We want to have our women as spiritually fulfilled as possible, but as women get more and more interests, it's true they contribute to society and communal life, but there's a cost. As my wise and sainted father, *alav hashalom*, would say, "every important decision involves a sacrifice," and there's a sacrifice here. I'm not saying there aren't ways of partially compensating, but we shouldn't pooh-pooh Rav Kook's formulations. This *teshuvah* is from the early 1900's, but the issues are very real, and we shouldn't forget that that these issues exist.

#### Application of Principles: Women as Shul Presidents

Let me now move to several applications of the principles we have seen above, and then on to the purpose of the talk. Rav Grosness in source 17 was asked about a convert being the principal of a school, and his ruling was that there's absolutely no problem. There's no *serara* in being a school principal, even though he hires and fires, because decisions are always made with an educational committee, and therefore there's no *serara*. It's true that he initiates the actions by bringing it to the committee, but he doesn't make the decisions alone, and therefore it's not discretionary power. He has to get the approval of the educational committee, and therefore it's not a problem. I told you that Rav Shaul Yisraeli was asked about a non-Jew as mayor or member of the city council, and he said that there was no problem. Rav Kapah (source 14) was asked about being a member of Knesset, and he also said their decisions were made as a group. I'd like to focus now on responsa regarding women being presidents of shuls. Let's look at Rav Moshe Feinstein's discussion in source 7. As an introduction to this, I mentioned already that among lenient schools there are those who maintain that even the Rambam would agree that under democracy it's not a problem – because of *kiblu alaihu*. They furthermore pointed out that, when push comes to shove, the Rambam is not the only *posek*. There are other views in the *Rishonim*, namely the Ran, Rosh, Rashba and Rabbeinu Tam who seem to have disagreed with the Rambam. This cadre of *rishonim* maintained that "מלך ולא מלכה" was only for kingship but not for other leadership positions, which can be occupied by women. No *posek* is happy going against the Rambam's line. Rav Moshe Feinstein – in the case we discussed above of the *almana* who wanted to be a *meshgihat kashrut* – was willing to rely on these other *Rishonim bishat hadehak*, but he also found a way that she wouldn't have the final word. Now, Rav Amsel, who was the editor of a Torah journal called *HaMa'or*, wrote to Rav Moshe saying as follows: I read your *teshuvah*, and I have a big problem with it, because the way you presented it, the majority of *Rishonim* disagree with the Rambam. Therefore, people will come along and take upon themselves all sorts of leniencies, like appointing a woman as the prime minister of the State of Israel, and, they may even appoint a woman as president of a shul.

Rav Moshe Feinstein, on the issue of women being president of *Medinat Yisrael*, writes (source 7, סימן מ"ה, page 8א on the left side of the page, at the very beginning): "נהנה מה" שכתב כבוד תורתו הרב, שמצד תשובתי בזה שהקשיתי על הרמב"ם שפוסל נשים אף לכלל משימות, שלא ידוע לי בעניי מקור לדבריו, וגם שמשמע לי שלא כולי עלמא סברי כן – יוצא מכשול שימנו נשים לפרועדענט במדינת ישראל. אין או אחראין להנהגת המלכות דשם, שהיא בעונותינו הרבים אצל כופרים ומומרין." He says that nobody from the Israeli government

has asked me a *she'ela* on this, and we are not responsible for their actions. "ולשמא ימנו" אשה להבתי כנסיות שבמדינתנו אמעריקע, נמי לא שייך יוצא מזה מכשול, דהבתי כנסיות המוסדות שמתנהגים על פי דרך התורה לא יעשו כן בלא הוראת רב מובהק, וממילא סגי לזה גם שיטת הרמב"ם שלא "למנת אשה" Regarding women as shul presidents, most shuls have rabbis. The rabbis are fully aware that the Rambam is against it, so that it's not a default position. Therefore, they will not allow women to be president of the shul.

Thus, you can clearly see that although Rav Moshe was fully aware that there are other *Rishonim* who may disagree with the Rambam, nevertheless, he felt that the Rambam is in a strong enough position that his view has to be taken into consideration. Therefore, women would not be appointed presidents of shuls. But at the very bottom of the page he was asked the following: "וברור שאם יודמן באיזה מקום שרוצים למנות לאיזה" – What if it is a choice between a frum woman and a man who's a *mehalel Shabbat* ... [And if you think this is strange, this is because you weren't in America the 1950s. These are real life scenarios that have come up repeatedly, even through the 1990's – as you will hear shortly] "ואי אפשר לפעול שלא" ימנו שום אחד מהן אלא איש כשר, שודאי צריך לסייע שימנו את האשה הכשרה ולא את האיש הכופר" He says that that's a situation which is a *she'at ha-dehak*, and that you could clearly rely on the other opinions and allow a woman to be elected president.

Let's now see Rav Soloveitchik's *psak* in source 15. Rabbi Binyomin Walfish was sent by the Rabbinical Council of America to Rav Soloveitchik with a whole list of questions about the involvement of women in Jewish life, and Rabbi Walfish shared with my brother Rabbi Dov Frimer the answers that Rav Soloveitchik gave him. One of the issues discussed was women as shul presidents to which the Rav was clearly opposed. [The following summary was approved by Rabbi Walfish as being exact.]

During his conversation with R. Soloveitchik, Rabbi Walfish asked the Rav whether women could serve on shul boards. The Rav responded that he saw no reason why women could not serve as a board member. It was not *serara* since the final decision was made by the board and not by the member. The members merely had input. The Rav did pasken that women could not be shul presidents. Presidents had certain prerogatives and that constituted *serara*. While there was no *issur*, the Rav also felt it unwise to have women serve as vice presidents, because it would imply that they could serve as presidents – which they could not. The Rav suggested that women serve as *meshghei kashrut* which the Rav said was perfectly *mutar*. On the contrary, the Rav felt that women, in those areas, may even be better than men.

Summarizing thus far, we now have Rav Moshe Feinstein and Rav Yosse Ber Soloveitchik who are stringent. Amongst the other *poskim* who assured were Rav Menashe Klein, Rav Katriel Fischel Tchorsh and Rav Moshe Shternbuch, who's a rabbi in South Africa and also on the *Eidah Haredit*. On the other hand, amongst those who are lenient on this issue were Rav Shmuel Turk, Rav Shalom Mashash and Rav Gedaliah Schwartz (the *Av Beit Din* of the Rabbinical Council of America Beit Din. [He's centered in Chicago, and is also the *Av Beit Din* of the Chicago Rabbinical Council]). Regarding the latter, I'd like to read to you a letter that was circulated by Rabbi Shmuel Goldin of Englewood, New Jersey in May 1997. I was told by Rabbi Lopatin that the issue at hand was that the male candidate was not fully *shomer Shabbos*, and the woman was a very capable frum woman, and many wanted her to be able to vie for the position.

In response to numerous inquiries, I write to clarify my *halakhic* posture on the question of whether or not a woman can serve as president of an Orthodox synagogue. While a full discussion of this issue is beyond the scope of a short letter, I would simply present the following points: The primary source is a passage in Maimonides...

While there is a range of opinion on this matter, my research has left me convinced that there is no prohibition concerning a woman serving as president within our synagogue. I reached this conclusion after extensive review of the *halakhic* sources and after analysis of the parameters of the presidential role within our community. This review and research was conducted at the request of the nominating committee. I also discovered a number of precedents, i.e. Orthodox synagogues both in America and in Israel within which women have served as president. As I was uncomfortable relying solely upon my own judgment concerning this important public matter, I presented the issue to two authorities whom I have come to trust in *halakhic* matters. The first of these authorities, HaRav Aharon Lichtenstein, *Rosh Yeshiva* of Yeshivat Har Etzion in Israel was uncomfortable issuing a *halakhic* pronouncement from overseas for Englewood, New Jersey. He explained, rightfully so, that only someone more familiar with the actual issues facing our community could properly rule on the matter.

The second authority with whom I consulted was HaRav Gedaliah Schwartz, the *Av Beit Din* of the Rabbinical Council of America Beit Din. Rav Schwartz indicated to me that he believes that the issues raised by the Rambam are not applicable to the position of synagogue President, and that, consequently, there is no *halakhic* prohibition. Rav Schwartz further indicated to me that a number of years ago The *Va'ad Halakha* of the Rabbinical Council of America met on the matter and did not issue a prohibitive ruling. [AAF: In actuality, they didn't issue any ruling - permissible or not.] On the basis of my

own research, and with the concurrence of the *Av Beit Din* of the Rabbinical Council of America, I indicated to the nominating committee, in response to their request, that a woman could serve as President of our congregation.

Rabbi Shmuel Goldin concludes his letter by indicating that he is not taking sides, and one can vote for whomever they want.

#### **Recent Conversations with Rav Aharon Lichtenstein and Rav Nahum Rabinovitch Shlit" a**

Let me tell you now about my conversation with Rav Aharon Lichtenstein Shlit" a (December 31, 2006; Eve of 11 *Tevet* 5767). What follows is my unauthorized summary of that discussion. I began by describing to him the high level of our community, religiously, intellectually and academically. The membership is generally made up of idealistic, highly educated – both secularly and religiously – Modern Orthodox Dati-Leumi families. There were those who were in favor of having a woman serve as president of the shul, while others were adamantly against it. I told him that I was authorized to ask for a *psak*, but wanted his insights, suggestions and wise counsel of how to practically handle this complicated *sugya*.

R. Aharon indicated that the "Rav" (R. Joseph B. Soloveitchik zt"l) was not keen on this but did not believe one should "storm the barricades" for this ("לא עולים בבריקדות"). Rav Aharon said that he himself was less negative. A Rabbi doesn't need to fight against it if it will affect the cohesiveness of the community. There are *shitot le-kan u-le-kan* (great scholars on both sides of the issue). We are not a Haredi community and our members would not hesitate to vote for a woman as *Rosh Memshala* (Head of State) and other positions of *serara*. It is hard to make a distinction between a shul and other venues. There may well be *tsni'ut* issues within shul proper, like making announcements during davening, which need to be worked out; perhaps a person other than the President should be appointed to give official announcements. But running the Shul organization itself does not seem substantially different from other venues.

The President of the Yeshivat Har Etsion Alumni Association in *Hul* is a woman who also speaks at dinners, and nobody at Har Etsion has a really strong objection. However, an alumni organization is not a shul organization. There are a lot of sensitivities: what the shul membership views of itself, how it's going to affect the shul membership. Fundamentally, it is a public policy decision, which is very important. And there's no question that there are those who want to be prohibitive, and they have the *poskim* to rely on, and there are those who want to be lenient, and they have solid *poskim* to rely on, especially in a shul situation. The cohesiveness of the community should be a major consideration in how to rule in practice.

I said, "Rebbi, you haven't given me any clear guidance." He responded: "No, but I'm trying to give you a direction."

So I said: "Let me try to summarize your view. If you were to walk into a shul, and discover that a woman was the president of the shul, you wouldn't walk out; nor would you have a problem being a member of the shul." He said: "That's correct." And then I continued: "But you would prefer if it weren't that way. You would prefer that the membership had not elected a woman." He said: "Yes."

Rav Aharon believes that the *Halakha* on this issue is not clear cut; there is no clear *hakhra' a*. However, he does strongly believe that whatever decision the community makes should be a broad consensual one. Both positions pro and con are firmly based. Great *poskim* like Rav Moshe Feinstein and Rav Soloveitchik were strongly against it, while others like Rav Gedaliah Schwartz, and Rav Turk were willing to support women as presidents of shuls. The critical question is how the community perceives itself. Is this the direction the community wants to go in? Is it going to add cohesiveness to the community or is it going to create fissures in the community? When Rav Lichtenstein spoke to me about "not storming the barricades" on this issue – it was because he felt that the unity of the community was more important than making an issue over whether a woman was president or not. These are public policy decisions that have to be made wisely. The importance of holding a community together cuts both ways – whether you decide pro or con – and that's the central issue that we have to deal with.

Three weeks later, I spoke with Rav Nahum Rabinovitch Shlit" a (January 24, 2007, 6 Shevat 5767). Again, what follows is my unauthorized summary of that discussion. Rav Nahum felt that there was good reason to allow a woman to serve as a Shul President, since to his mind *serara* is the right to exercise discretionary authority. This does not exist in Shul presidencies (every decision is reviewed by the Board and *balabatim*). He also noted that *Rabbenu* Avraham ben haRambam in his commentary to Shemot 18:22 indicates that *Shofet* often means leader, not necessarily Judge. R. Avraham brings proof from Devorah who – as a woman – was forbidden to be a Judge. R. Nahum found it noteworthy that R. Avraham didn't seem to think it was assur for a woman to be a leader – *parnas* *al ha-Tsibbur*. If he felt he was disagreeing with his father he would have apologized profusely.

Rav Nahum was, however, concerned about the cohesiveness of the community. In the 50s, 60s and 70s there was a real justified fear of the slippery slope, of the in-roads made by Conservative Judaism. But in 2007, things have, to his mind, changed radically. Orthodoxy is vibrant and the Conservative movement is weak. Nevertheless, one can't dismiss the fears and concerns of those who want to be stringent. But these fears and concerns may well dissipate in 10 years from now.

It's time to close this lecture. The mandate I was given by the board was not to resolve this issue, and I think I've confused you enough. My mandate from the board was to make you aware of the *halakhic* parameters, so that you know that this issue has a wealth of *halakhic* literature, and that it's not a trivial question. And what really complicates it is how you the community want to proceed on this issue. And the board does not have an easy choice on this issue. Hopefully, we will be able to work this out together.

#### **Questions and Answers**

[Question from audience regarding the rationale of the stringent school.] They're convinced by the Rambam – and by the alternate readings in the *Sifrei* which are consistent with the Rambam's analysis – that our *Sifrei* is incomplete. They accept as authoritative the reading of the Aptowitz edition, which is the Rambam's reading, which excludes not only "מלך ולא מלכה" but also *parneset* as well. The argument of the lenient school is that it does not contradict the *Sifrei* or disagree with the Rambam. It maintains that the position of *Sifrei* and Maimonides does not apply to the modern democratic situation. The strict school says *serara* is *serara*. It's what we scientists call a "state function", a property of the position you are in – and it's irrelevant how you got there.

[Follow up question about the definition of a community?] From the *halakhic* literature it's clear that a shul is a community, and that the rules of *serara* apply to a shul community as well. There are also *teshuvot* in the *HaKibbutz BaHalakha* about a kibbutz. Any large group is considered *serara*. How you define that large group, I don't really know. But I guess you know it, when you see it.

[Comment: A shul is part of the larger community. And the shul has to be very careful about breaking away from the view of the general community.] That could be, but I think that now we're moving away from *Halakha* and moving more into the public policy situation.

[Question: If there would be a substantial split in a community if a woman were accepted as president, would Rav Lichtenstein say the rabbi should step forward and object.] I definitely think that Rav Aharon Lichtenstein would say yes. As I said above, The importance of holding a community together cuts both ways. For Rav Aharon, since there are *poskim* on both sides, the divisiveness within the community is a very important consideration.

[Question: If the shul elects a woman as president, what will be next? What direction will we be going in?] That's beyond the mandate that the board of the shul gave me and I'm not a prophet.

[Question: I read that in later years Rav Kook regretted his ruling on the women's right to vote.] Presumably this is what he expressed to Rav Maimon. Rav Kook zt"l felt that his original considerations were right, but, the way things turned out, there were other counterbalancing value judgments – perhaps more important. As you would imagine, there's a lengthy discussion about what Rav Kook meant when he said he was sorry that he wrote what he did. He may have felt that he should have kept quiet, that other people were going to battle and he didn't have to get involved. As I noted in my shiur, Rav Kook didn't talk about *halakhic* considerations, only *hashkafic* ones. The latter can change with the times. When you make a pronouncement you have to be very careful about the later repercussions, especially since history has its own magical way of playing things out. Sometimes what you say in 1905 may no longer be valid in 1925. Somehow he regretted that he had gotten involved in this controversy.

#### **Historical Note:**

At the subsequent annual shul meeting of the *Tiferet Moshe Synagogue – Rabbi Jacob Berman Community Center*, the question rose regarding a revision in the organization's bylaws to allow women to run for the office of shul president. The membership overwhelmingly decided to table the question for the time being, and maintain the status quo, so as to limit communal dissension.

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[1] See, for example: Leo Levi, *Man Woman – The Torah Perspective*, Jerusalem, 1979, p. 17; R. Aharon Soloveitchik, *Logic of the Heart, Logic of the Mind*, Jerusalem: Genesis Jerusalem Press, 1991, pp. 92-97; R. Aharon Soloveitchik, *Major Addresses*, Union of Orthodox Jewish Congregations – 1969 Midcontinent Conclave, pp. 21-32; Rabbi Moshe Meiselman, *Jewish Woman in Jewish Law*, New York: Ktav and Yeshiva University, 1978, pp. 14-15 and 140.