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Welcome to a new year of Kol Hamevaser, born in an ever-changing Yeshiva University. In our communities, both here in New York and elsewhere, a new year means new opportunities and frustrations, conversations and controversies. Already in the opening weeks of this academic year, we at Yeshiva face the consequences of institutional reorganization, and, more solemnly, look outward to Israel’s many new diplomatic crises. These personal and national transformations help us appreciate even more the role of leadership in our lives, and the difficulties that this role entails. Torah study and life experience both reveal that changes in leadership are common features of existence. And it seems that, more often than not, leaders are made and judged by their capacity to inspire change and navigate crisis.

The staff of Kol Hamevaser is proud to present you with the only periodical magazine produced by the Yeshiva University student body. Our mission is to explore the important questions of Jewish thought and life, to relate to our living Torah, and to provide a forum in which students can communicate ideas passionately and creatively to one another. We hope that you gain from this endeavor and contribute to it, by reading, writing and joining our community in all its facets.

In this first issue, probing the theme of Leadership, we thank and pay tribute to the outgoing editorial staff: Editors-in-Chief Shlomo Zuckier and Sarit Bendavid, and Associate Editors Ilana Gadish and Jonathan Ziring. Their labor and dedication allowed this magazine to make great strides in the last year, and this issue, largely the product of their work, consists mainly of articles that were written and edited at the end of the last semester. We look forward to the great work they will continue to do as leaders in their respective settings, and wish a heartfelt Mazal Tov to Shlomo, Jonathan, and Ilana on their respective marriages over the summer. Mazal Tov as well to Chana Zuckier, our new editor-in-chief on the Beren Campus, on her marriage to Shlomo.

This year, Kol Hamevaser has an all-new editorial staff, and we would like to introduce ourselves: Editors-in-Chief Chana Zuckier and Chesky Kopel, and Associate Editors Ariel Caplan and Gabrielle Hiller. We and our writing staff are excited for the journey and challenges ahead; our upcoming plans include an issue on Jewish Education, a panel on the role of Torah in the American public sphere, and a student-led discussion group on moral questions surrounding the death penalty. Our future issues will feature a brand-new Arts section, part of the Jewish Life and Ideas Through Art project, in coordination with the Yeshiva University Museum. This section will examine works of art and poetry significant to the themes we will address. Please visit us at www.kolhamevaser.com, check out our Facebook page and Twitter account, and avail yourselves of our guest lectures and shabbatoniim.

General Jewish Thought

The Daughters of Tselofhad and Halakhic Progressivism

“Strikes of physicians and teachers specifically, both of whom have a religious component to their profession, are particularly contentious in halakhic literature.”

Dani Lent

Israel, Judaism, and the Treatment of Minorities

“My distaste arises from the notion that entrance into the rabbinate is a privilege, even a right, which may be fought for and won. On the contrary, it is clear to me that among the most essential elements of spiritual leadership is humility, perhaps to the point of not wanting one’s position at all.”

Rabbi Yosef Blau

Rav Lakhen Benot Yisrael: Humility and Rabba-nut

“Strikes of physicians and teachers specifically, both of whom have a religious component to their profession, are particularly contentious in halakhic literature.”

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Tirha de-Tsibbura and the Modern Synagogue

“Strikes of physicians and teachers specifically, both of whom have a religious component to their profession, are particularly contentious in halakhic literature.”

Tovah Moldwin

Women’s Zimmun: It’s Just Not that Radical

“This magazine contains words of Torah. Please treat it with respect.

Gabrielle Hiller

Leadership

Communal Obligation and the Right to Strike

“When I first became president I went to a seminar with thirty other presidents, and at the end of the four-to-five day seminar, my colleagues elected me the new ‘president with the most difficult job.’ Why? They said, ‘Because you are running a major research university, and you have the Jewish People.’”

Richard M. Joel

Conducted by Shlomo Zuckier

David, Son of Jesse

“He was as much a symbol as an individual man, the icon for Jewish monarchy, and his performance was one by which all future kings would be judged.”

Chesky Kopel
Communal Obligation and the Right to Strike

BY: Dani Lent

Strikes, in the conception of many Jews today, have a clear association with Israeli society. They are what cause disruptions to travel plans, cancellations of soccer games, and the boredom of thousands of schoolchildren. Whereas the international trend over the past few decades has been a general decrease in the number of workdays lost to strikes, there has been an increase in Israel, making it the country with the highest number of workdays lost. From 2002-2008 alone, 408 strikes took place that resulted in the loss of 12.5 million days of work. Israel also has one of the most lenient policies in regard to who can strike, with the right being withheld only from security personnel. In contrast, most other states prevent from going on strike any worker whose services are deemed necessary for the survival of the state, such as airport personnel and social workers. Over the past decade, this blanket permission in Israel for almost all workers, including those who provide social services, has been called into question. The recent threat of a physicians’ strike and the two-month long teachers’ strike in 2007 has brought this discussion to the forefront of both political and rabbinic discourse. Strikes of physicians and teachers specifically, both of whom have a religious component to their profession, are particularly contentious in halakhic literature.

The phenomenon of strikes is a relatively modern one, which explains the dearth of traditional halakhic discourse on the issue. One case, recounted in the Talmud, could be said to be one of the earliest Jewish strikes. In Yoma 38a, the Mishnah criticizes the House of Artinas, the incense-makers, who refused both to work and to teach others the secrets of their art so that others could work in their stead. Other workers were brethren in business, but they were not as competent. Ultimately, the Sages doubled the wages of the original workers with money from the Temple treasury so that they would return to work. This marks a precedent for the triumph of labor over management in Jewish history. Rambam seems to permit such guilds and the right of workers to organize and impose binding regulations, such as permissible hours of work and punishments for violators, but only under the guidance of rabbinic authority. As the medieval system of guilds morphed into the modern-day system of unions, rabbinic authorities applied virtually the same principle: Workers have a right to organize for their own advantage, but the rabbinate theoretically has the authority to nullify certain decisions that would harm communal interests.

The right to strike is largely considered permissible in Jewish law due to our concern for protecting worker interests. In Bava Metziah 10a, Rav allows an individual worker to quit even in the middle of the day if there will be no loss to his employer, because a laborer cannot be coerced into working for a particular wage. This is applied by later sources to mean that labor unions can decide that they are unwilling to work for a given salary. This principle, however, is subject to limitations, such as cases when the contract has already been agreed upon and in cases of essential services. Of the three services most commonly cited as essential—security, health, and education—only security work stoppages are prohibited in Israel.

While the health industry is legally permitted to go on strike in Israel, the obligation of a physician to treat patients is a halakhically mandated obligation. According to R. Eliezer Waldenberg, there exists a communal obligation to provide for the sick. A physician is thus, in a sense, the operative, the messenger, for the entire community vis-à-vis the sick of the town because he is the one with the requisite skill set. The refusal of a physician to treat a patient constitutes a violation of the biblical prohibition, “You may not hide yourself,” from aiding a fellow human being. Even more so, “If the physician withholds his services, it is considered as if he shed blood,” based on the verse, “Nor shall you stand idly by the blood of your fellow.” There are, in addition, positive commandments that obligate a physician to treat a patient. Rambam states that “it is obligatory from the Torah for the physician to heal the sick, and this is included in the explanation of the scriptural phrase, ‘and though shall restore it to him.’” Rambam applies the concept of returning a lost object, normally thought to be reserved for physical objects, to the amorphous definition of saving a life, or nefesh. In his discussion of the obligation of physicians to treat, cites his source as the physician’s commandment to “love your neighbor like yourself.” On the basis of these two negative and two positive commandments, R. Yehudah Leib Zirelson argues that a physician’s obligation applies not just in a case of pikvah nefesh (saving a life), but even in cases of bittul Torah (quitting in the middle of the day), striking would not seem to be problematic because the concept of “loss” does not apply. It seems difficult, then, to hold that it is not permitted for secular studies teachers to strike when they do not have to contend with issues of bittul Torah. However, one subscribes to the idea presented by R. Eliezer Melamed that secular studies allow for a further understanding of God, then a hiatus from these studies would result in bittul Torah. Bittul Torah is the problem that is most often mentioned in regard to teachers striking. Judaic studies teachers, and perhaps secular studies teachers also, who wish to strike are dependent upon the resolution of a dispute between R. Moshe Feinstein and R. Yoel Shalom Elyashiv. The Talmud recounts the obligations of a father regarding his son and includes among them the obligation to teach him Torah. R. Yehoshua ben Gamla later extends this obligation of teaching Torah to children as one incumbent on an entire community. If a teacher is hired to fulfill this obligation, however, does this discharge the father and community completely of their responsibilities and subsequently lay the duty for hinukh solely on the teacher? If so, is a teacher then responsible for any bittul Torah the student incurs? R. Feinstein, in prohibiting the strikes of teachers of Torah, affirms that once a teacher takes upon himself the education of his students, he is liable for any bittul Torah that occurs during his strike. In contrast, R. Elyashiv does not hold a teacher any more responsible for students’ lack of learning than any other member of the community who is responsible for teaching. Modern-day physicians’ strikes in Israel are primarily caused by physicians’ displeasure with their wages and working conditions in the socialized state. Physicians, however, are only necessarily entitled to minimum payment in Jewish law. As physicians treat patients in accordance with divine command and ordinarily no compensation for the fulfillment of a mitzvah can be demanded, a physician is entitled to payment only for physical labor and time spent in which he could be employed elsewhere, and he may not then demand an exorbitant fee. Based on this, R. Moshe Halevi Steinberg resolves that since Jewish physicians are obligated to heal the sick, they should not be allowed to strike for financial reasons under any circumstances. They may certainly ask for appropriate wages, but these financial demands cannot ever sanction a strike that has the possibility of endangering lives. On the other hand, the former Chief Rabbis of Israel, R. Avraham Shapiro and R. Mordechai Eliyahu, permit doctors to withdraw free treatment from non-critical patients as a means of bringing their employer to arbitration.

Teachers, like Doctors, have the status in Judaism of claiming a divine mandate to their profession. Rambam writes, “In a place where it is customary to receive a wage for teaching the written Torah, one is permitted to do so. However, it is forbidden to take a wage for teaching the Oral Law, as it states: ‘Behold, I have taught you laws and statutes, as God commanded me.’” Our Sages teach that Moses was implying: “Just as I learned at no cost, so too, have you been taught from me at no cost. Teach the coming generations in a like manner. Teach them at no cost as you have learned from me.” The teaching of Torah is not considered to be a profession, but an act of religious observance; thus, Rambam considers charging money for it inappropriate. While today teachers of Torah are paid, the notion of the holiness of their profession comes to the forefront when they wish to gain better wages through striking.

In addition, there is a discussion as to a teacher’s responsibility for their students’ bittul zeman (waste of time). Siftei Cohen explains that when Rav in the Talmud refers to the ability of a worker to quit in the middle of the day if no loss will result, this “loss” extends also to teaching, because “every moment a child is not learning causes irreparable damage.” While originally conceived by most commentators to be talking just about Torah learning, later commentators have attempted to expand the “loss” to secular studies as well. R. Aharon Kotler writes that there should be no separation between the waste of time meant for secular studies and the time spent for Torah studies because the loss of both bring about a neglect of education and nurturing of students.

Today, however, teachers work under a contract with their employer—one that agrees to their right to strike. It can thus be proposed that any strike that is subsequent to the warning time obligated by law should not be considered, as it says in the story regarding the artisans in Bava Metziah, “quitting in the middle of the day,” because the employer agreed to this legal right and knew that this strike was possible. Thus, in R. Kotler’s view, which frames the issue in terms of “quitting in the middle of the day,” striking would not seem to be problematic because the concept of “loss” does not apply. It seems difficult, then, to hold that it is not permitted for secular studies teachers to strike when they do not have to contend with issues of bittul Torah.
I don’t think that my perspective was, “How can it be that I go from law to Jewish leadership?” I think we’ve spent our lives saying, “If you’re lucky, how do you take advantage of opportunities to build a home and family, provide for them, and play to your strengths in advancing the Jewish story and civilization?”

While at Hillel in Washington, I once interviewed a young man who was looking for an opportunity to work for the Jewish community. A Phi Beta Kappa summa cum laude graduate from an Ivy League school who had been working at one of the major consulting firms, this fellow felt that by the age of twenty-seven, he knew everything there was to know, and was now going to give himself as a gift to the Jewish people. At a certain point during our discussion, he committed the cardinal sin of interviews, and said, “Can I be perfectly honest with you?”, which meant, of course, that he had not been fully honest until that point. He said, “Do you know what I really want?” Pointing at his seat, he said, “I want to sit in that chair.” When I asked him why, he said, “The power and the glory.” I said, “You made a mistake; the Oval Office is six blocks down,” and we joked a bit. He then asked, “When you were my age and were thinking about what you were going to do to make it, what did you say?” Stunned by his question, I took it seriously nonetheless, and responded that I honestly didn’t remember thinking, “What am I going to do to make it?” I do remember thinking, “What am I going to do to make it better?” If there is a trajectory that Esther and I had, it was: “How do we build a joyous life, with our relationship and love at the center of it, serve God, create a happy family, and be involved in a community?” It wasn’t out of a need to make it.

We were married, we moved to Forest Hills, [and] from there to Oceanside, where I was the youth director - not because I wanted to make it, or even to make it better; we needed to make a living. When R. Benjamin Blech (then the rabbi of Young Israel of Oceanside) recruited me for the youth director position, he said, “You’re a young couple, looking to live
through my life is that my not being a rabbi seems to be a qualification. As I was recruited for that job, I said no and my wife said yes; I accepted in the end. The job was great to me because it was Jewish, and it allowed me to simultaneously run a serious institution, be a change agent, and be an educator. I feel that the Jewish People can only be sustained if they know their story, and if they feel some degree of passion about it, and both of these things are in Hillel’s mission. At that point, we moved down to Washington and continued to have a wonderful life being involved in the community and being part of the community. They went through two years with me not being a candidate, and finally, at the very end of October 2002 I was somehow recruited by Mr. Stanton and Mr. Bravmann, I was engaged in six weeks of conversations, and apparently was elected.

The one job in the Jewish world that I knew I would never have was president of Yeshiva University. It was at the beginning of the process that I was mentioned as a candidate, and I refused to be a candidate, saying that I loved what I was doing in Washington. I thought the YU presidency was a very important, but also an extremely difficult job, and I didn’t think I had what it took to be the president of a great Jewish institution. They said, “Because you are running a major Jewish institution, we think you would be a good candidate.” They did not mean to put down the Hillel People. They did not mean to put down the Jewish People in any way; they were simply noting that at Yeshiva, there is a peculiar partnering of agendas. The mission of Yeshiva University is not only to be a great university, but also to impact the Torah-observant community, the broader Jewish community, and, through those channels, all of civilization.

The particularism of YU makes me a figure of interest in the world. Another unique aspect of this job is the loss of anonymity. Unlike the experiences of other university presidents, my key constituencies are religious and cultural, rather than being in the public eye. And the fact that I have a unique perspective on the world makes it more intense. When President Obama is interviewed and talks about problems of “life in the bubble,” I understand his dilemma in the way that few others can. The president of Yeshiva University’s role is viewed very much under a microscope.

The YU presidency entails responsibility for a diverse, integrated, and interesting academic institution of high quality which aims both to shape the Jewish future and has great respectability. I believe in the importance of individuals, which can often be very challenging, and makes it easy to focus on the smaller details and lose focus of the larger picture.

In terms of challenges, did you find that the panel, “Being Gay in the Orthodox World,” and the ensuing fallout created a challenge in terms of keeping in mind all the different constituencies while responding to it? Looking back, I can say that this was one of the wonderful opportunities I had, because it really called on my strengths, as well as the strength of the people around me. Nonetheless, if you ask me about the last seven and a half years (in the presidency), the panel doesn’t stand out as being the most challenging event. I think that that issue is part of the reality that you deal with, whether it gets the light of attention or not, in so many ways.

And we’ve had so many things, from the time I’ve come here. Remember, this was an activist period. My change, as Dr. Lamm encouraged me, was to stand on his shoulders and go to the next place. So it hasn’t been about maintaining but creating, about haddesh yameinu ki-kedem. So for me, all of this is about creating a revolution no one notices until it’s done. So if you ask me about how I emulate God, one way I love to do it is the way He makes flowers grow. You look around and there’s nothing, and all of a sudden there’s a flower. If you were standing and watching, you’d never see movement, and yet there’s a flower. I think a lot of that is what’s been happening at YU.

I think the program last year was extremely challenging, and it was particularly challenging because it was important, and I don’t know if we ran the whole enterprise the way we ideally should have. So I was on a jet plane on my way to London, and a lot of the “critical moments” had to happen while, in fact, I was in a hotel in London on a cellphone in the bathroom – because the bathroom was the only room where I could get cell reception – dealing with really challenging issues and statements to be made, and how to make them, and how to think about my different constituencies. And long-distance-leading is hard. But I also had the benefit of R. Reiss and R. Charlap and R. Joseph, and my professional team at that moment, and of lay leaders who helped.

I think it’s painful dealing with rage or outrage. I don’t think we’re ever at our best when dealing with rage or outrage. The challenge of an event like that is not to get sucked into the moment, but to keep your eye on the ball and think about the broader perspective, to realize that there are issues of that kind of moment that take place all the time here, and this is a university, which also means that it’s a place where ideas will be explored, and this is Yeshiva University, which means...
that it’s a place where issues of consequence for the Jewish People and for Torah get explored. It certainly wasn’t fun, and along with a lot of other things, it presented the weight of responsibility: knowing that, at the end of the day, there are lots of people in the world who are going to go to sleep knowing that there’s no one else to push this off to. But we’ve had other really hard issues, and hard decisions, that shaped the future. This was a matter of dealing with it, getting the right learnings from it, realizing that it was good or bad from a lot of directions and a lot of people’s perspectives, and we had to figure out how to negotiate that.

What is the most unexpected thing you have learned about being a leader in the Jewish community?

Before I came to Yeshiva University, I had a strong sense of what Yeshiva was. At this point, I had been leading serious Jewish institutions professionally for almost 23 years, which gave me some degree of experience. The Torah Leadership Seminar, the youth programs that I was involved in, leading as a volunteer in my college and graduate school days, in many ways was the microcosm of how community worked. Being involved in such educational programs taught me how to progress in a mission-driven way, how to work both cooperatively and rigorously to create a wonderful and successful institution. Furthermore, my mentor, Dr. Abe Stern, z”l, who was the director of the Youth Bureau of Yeshiva University, taught me a tremendous amount about leadership. A social worker, musmakh, and mensch par excellence, Dr. Stern modeled for me how the focus of leadership is about making it better and not about making it. I don’t know that I felt tons of surprise; there were always learning moments along the way. The most unexpected aspect of leadership at Yeshiva was the relentless nature of the position. Being president can almost feel like being the guy in the slapstick routine who looks one way and gets a pie thrown in his face, and after wiping his face off, he turns the other way and the pie comes again - he just cannot run away from the pie. That imagery accurately describes how one has to keep working in such a position at YU demands. I often feel that I am performing the trick where people balance plates on sticks and they keep adding sticks and plates and soon they are balancing five sticks at once. Here at Yeshiva, there are all these plates on these narrow sticks, and you need to figure how to run along the line while still keeping the plates from dropping. I think that aspect of the job was a little surprising.

Looking ahead, what is the greatest challenge facing Modern Orthodoxy, and how should our leaders deal with it?

The key elements, in my mind, of what you call “Modern Orthodoxy” and I call “Orthodoxy,” are the primacy of a deep commitment to Torah and continued investment in growth in Torah, coupled with the mandate to regard the great ideas of the broader world and channel them, in partnership with God, to the betterment of society. On an individual basis, the challenge is to create a life of fulfillment and happiness through these commitments. It is a noble and worthy mission that requires work and ongoing effort. Additionally, the imperative to be generous and nonjudgmental toward Jews to our right and to our left, leaving the realm of judgment to the Ribbeno shel Olam alone, remains a serious challenge.

Furthermore, we must maintain the awareness that our specialness derives from the fact that we are neither exclusively collectivists nor individualists; we are both. We are capitalists and we are socialists, in the sense that we believe in the capacity of the individual to maximize his or her potential, and we also believe in the individual’s responsibility to define him or herself as being part of the group. I think a clear Modern Orthodox credo is the ma’amor of Hillel ha-Zaken, “Im ein ani li, mi yhi l’vai?” (“If I am not for myself, who is for me?...and if not now, when?”): that tells me I have to be responsible for, but not exclusively focused on, myself, and I must accept responsibility now and not defer it for the future. Maintaining that balance, we believe in an integrated life, with Torah at its core. That requires nuance, to be able to build communities, and we’re a small community, we’re a very small community. We’re growing, but we’re a small community. I don’t think the answers will be in the numbers. The answers have to be: to be generous, to be sure that we recognize that perhaps we have a role as the Leviyim of the Jewish People, that perhaps our role is not to be their kings or leaders in any way, but to recognize that the drumbeat of the purposefulness of Torah has to be articulated by us and worked with others together.

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Further, the role of the teacher, the Rav, has to be very strong and we must believe that every word he says has a role. All the programs at Yeshiva University, Torah is the center of our lives. Without the yeshivah, its rabbimin, and the vibrant beit midrash, including the conversations that span the millennia that take place within its walls, YU would be just another nice university. Yeshiva University’s distinctiveness derives from the fact that it is a yeshivah unlike all others but its identity is first and foremost a yeshivah.

The future leaders of the Jewish People will most certainly include the rabbis who serve as the teachers of Torah, pulpit rabbis, roshei yeshivah, members of beit din and the elite, the poskim of the Jewish People. However, the leadership will also necessarily include the explorers, scientists, scholars, businessespeople, and lawyers - a real mix of lay and kelei kodesh. At least from my perspective, the shared noun kodesh is what makes us distinctive, and whether you’re lay or kelei, there are different roles to be played.

Where do you see the State of Israel or aliyyah as fitting in with the mission of YU?

It is unimaginable to think of yiddishkeit without the State of Israel, and at YU, we proudly call ourselves a Zionist institution. I believe this is the only university in the United States of America that flies the Israeli flag next to the American and university flag. Additionally, I think that there are more students making aliyyah from this university than from any other university in the world, and this phenomenon is almost an anomaly. To me, it is clear that Israel is the destination of the Jewish People, even if making aliyyah is not for me today. The job of the Jew is to live a Torah life and to strive individually to achieve shleimut. One cannot read through the Torah without soon realizing that the home of the Jewish people is Erets Yisrael, which today also means Medinat Yisrael. There are clearly more mitzvot to observe and be mekaygun (fulfilled) in Artsenei ha-Kedoshah than anywhere else.

However, there is a lot that Jews can and must do throughout the world, even beyond supporting Israel or being involved in hinnukh. Just as there are many different ways to achieve shleimut within Torah, so too there may be many different places to achieve this goal most productively. Certainly, the center of the Jewish world is Medinat Yisrael and we view aliyyah as a wonderful aspiration for all of our students. However, there is also an aspiration for our students to go to places like Johannesburg and Houston, and participate in the broader Jewish community and Jewish values. Living and spreading the values of yiddishkeit is our mission. The late Dr. Israel Miller, z”l, the senior vice president of Yeshiva, was very active in Israeli matters, and had relationships with all of the national Israeli leaders. I was fortunate enough to have this great Jewish leader as a mentor. Someone once questioned him about his dual loyalty to America and Israel, and he responded, “I love my mother and I love my wife.” Institutionally that’s what we believe in.

How much interaction should the leadership of the Modern Orthodox community have with leadership from other denominations of Judaism, and beyond that, with leaders of other religions?

We have a responsibility to work hard to find ways, difficult though it may be, to maintain and invest in Knesset Yisrael. Although we may disagree with their viewpoints in many things, I believe that our responsibility is to keep the rest of the Jewish Nation together. There are clearly more students making aliyyah today than there have ever been who are living in an environment that successfully models responsible leadership. They see that there are opportunities, both in professional and lay ways, to assert that responsibility, and that is going to build the Jewish future. YU is sui generis because even with all of its flaws, and I have been told a few of them, Yeshiva is a place that is a model for successful community, with Torah and with Madda, with curricular and extracurricular, with thinking outward and looking inward. We are not asking that each student be actively involved in every one of these endeavours but there must be an appreciation of the splendor of a community that includes all of them. The sum of the human has millions of cells. You can start with a basic building cell and build the whole human body. But each cell has its own particular purpose. I truly believe that.

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of who is in and who is out, and have those conversations. At Wurzweiler, we have a Jewish communal program where everyone can learn the commitment and passion of Judaism without having to sign on to our way. YU needs to be a service arm for the entire Jewish community, and to not have a narrow funnel of who is admitted. Certainly, we are unapologetic about what our undergraduate education is and what our Torah perspective is, but we have riches to share with the larger world as well.

In terms of other religions, we also send our students to Nicaragua and El Salvador. I have also had the privilege of being at some meetings between us and the leaders of other religions, which we do mindfully and with good will, when they reach out to us. However, in today’s world, inter-religious dialogue is not the highest item on our agenda. Rather, by modeling our world and living our values, we advance civilization. If, in the course of doing so, there are opportunities to meet and discuss communal issues, though not engage in debates or doctrinal conversation, which may have other possible appropriate venues, then such interactions can be worthwhile, but I don’t see them as being the top of the agenda.

The top of the agenda is to advance civilization by being benei Torah and doing so generously.

What advice do you have for the current and future leaders of the YU student body?

Number one, learn Torah. Number two, love it all! Experience it all and push your own envelopes. It may seem counterintuitive, but now is not the time for you take it as easy as can be, but strive to drink from all the troughs that have been made available to you. At this time in your life, you have the ability to work hard and really have it all. Also, be respectful partners in this enterprise. Push the envelope, but push it from within the tent, not from outside the tent. Have some hakarat ha-avo, and recognize that those in your community want to be in contact with you, want to help shape you and want you to shape yourselves. They know that they will be influenced by you as well, but by virtue of being older we have more experience and may have more knowledge that the students should accept that. Another important piece of advice is by all means be skeptical but never be cynical. People are involved in YU because they want to advance our story; cynicism is only corrosive and destructive. By all means ask questions, by all means advocate, by all means look to what needs improvement, but also recognize that your mission is not a monologue. There is a dialogue, with testing and limits, and, more than many other places, YU is a place with our own definitions. We are what we are; we’re not relativistic, we’re particularistic.

Richard Joel is president of Yeshiva University. Shlomo Zucker is a RIETS student and a former editor-in-chief of Kol HaMevaser.

1 President Joel often uses this term to refer to the valued secular leaders of the Jewish community. It is a word play of kelei kodesh.

2 Avot 1:14.
Women’s Zimmun: It’s Just Not That Radical

BY: Gabrielle Hiller

It is a classic picture: A family joined together for their Shabbat meal, enjoying delicious food, speaking diirei Torah, and singing zemirot (songs). Finally, the meal concludes with zimmun (the invitation to bless) and birakt ha-mazon (blessing after the meal). Many of you have similar experiences every week. However, the only difference in my family, made up of five females and one male, is that the zimmun is comprised not of three men, but of three women. Ever since my eldest sister taught my family and me what she learned in her high school Halakah class about women’s zimmun, my mother and sisters have made a zimmun whenever we eat together.

When I entered high school a few years later and learned the sources for the halakhah of women’s zimmun myself, I discovered that the practice is even less prevalent than I had imagined. Many girls in my class were not familiar with the idea, and I have found that feeling to be widespread. More often than not, people are simply unaware of the halakhic sources of this practice. There are those, however, who are against or uncomfortable with women’s zimmun even after learning the halakhic sources. I will therefore first discuss the sources for women’s zimmun, and then I will attempt to understand the objections to this practice.

Contrary to popular belief, the practice of women’s zimmun is well-rooted in Halakah, stemming back to the time of the Mishnah. As we will see, there are absolutely no authorities that say it is forbidden for women to form a zimmun. The only disagreement that stands is with regards to whether it is obligatory or merely optional for women to form a zimmun.

The basis for this discussion is found in three Tanna’ic and Amoraic sources: A Mishnah from Berakhot 45b, a Beraita quoted shortly thereafter in 45b, and a Gemara in Arakhin 3a.

The first source, the Mishnah, details the basic concepts of zimmun. It begins, “Sheholoh sh’e-hi-aklu ke-ateyeh haqayin lezamenim - three who are together are required to join in zimmun.”

The Mishnah then continues to limit its statement and discuss who may and who may not join the quorum of three. The last example is, “nashim me-nahum le-ateyeh alalaihen - women, slaves, or minors, we do not join in zimmun on account of them.” Although this Mishnah seems to imply that women are excluded from the mitsvah of zimmun, in reality, it only says that women cannot join men. It remains unclear if three women can form a zimmun on their own.

The second source, the Beraita, begins to clarify the confusion that emerges from the Mishnah. The Beraita clearly states, “Nashim meznamoten le-atuzim – women join in zimmun by themselves.” Although, as we learned in the Mishnah, women cannot join in a zimmun three, women can form their own zimmun. The end of the Beraita clarifies that although women, slaves, and minors were grouped together earlier, they cannot, even if they want to, join together to form a zimmun; each group can only do so separately.

From this Beraita, it is unclear whether it is a hiyyu (obligation) or a reshut (optional act) for women to form a zimmun. Tosafot to Berakhot 45b explain that we derive that it is a reshut from the end of the Beraita- just as the end states “if they want...” so too is the beginning optional case. On the contrary, however, one can learn like the Rosh that from the fact that the Beraita did not write “if they want” because of the want in the beginning, we see that, unlike the end, the statement in the beginning reflects an obligation.

The third main source, however, appears to put an end to the confusion. In Arakhin 3a, the Gemara states, “‘Hal kol hayyavin le- of “hayyavin al beritekha she-” hayyavin as it is currently practiced.

Of course, in order for there to be any semblance of order in the halakhic process, the halakhic change cannot be made on an ad hoc basis by any individual who feels that an existing halakhah runs contrary to Torah values, as this would inevitably result in religious and societal chaos. However, if we follow the example of the daughters of Tselofhad, it cannot be considered sacrilegious or improper for the religious masses to respectfully petition halakhic authority to consider changing the accepted Halakah within the broader parameters of the rabbinic tradition so that it more strongly accord with the beliefs and values which form the core of Judaism. Although it is ultimately up to the recognized halakhic authorities to make the final decision on halakhic matters, sometimes it is the duty of the religious masses to ensure that Halakah is established in a reasonable fashion that accords with not just the texts of our tradition, but with our values as well.

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1 For an interesting perspective on some of these issues, see: Rabbi Aryeh Klapper, “Chukim, Mishpatim, and Womanhood” on the Text & Texture blog.
2 Translation is my own.
4 Bava Batra 11a.
5 Bava Batra, Ibid.
6 Numbers 27:2.
7 Numbers 27:4.
8 Sifrei Bambuder, Piska 133.
9 “Compassion” here probably does not refer to emotional compassion, but rather to the tendency of patriarchal societies to place the needs of men above those of women.
10 Lit. “flesh and blood.”
11 Psalms 145:10.

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The practice of women’s zimmun, however, is explicitly supported even by Tanna’im. If the slippery slope argument is applied even to such a well-rooted idea, how many more perfectly halachic practices will it be applied to in the future?

Community is not to rule like him. 18

Although Tosafot, Shulhan Arukh, and Rosh all explain and interpret the Mishnah, Beraiot, and Gemara differently, one important factor common to all of them is that no one legislates that it is forbidden for women to form a zimmun. The only mahaloket is whether women’s zimmun is a reshut or a higgayon.

With this clear basis in Halakhah for women’s zimmun, it is perplexing why there are opponents to women’s zimmun. Indeed, any opponents that I found were unable to deny that women’s zimmun is technically permitted. Instead, their main arguments relate to minhag avoteinu (our parents’ practices) and the dangers of feminism.

At first glance, the issue of minhag avoteinu appears to be a convincing objection. Why should our generation do something that our grandparents’ generation did not do? They chose to follow the shittat that say women’s zimmun is optional and we, in respect to the minhagim of the generations before us, should follow their lead and not change their simple impossibility. Consequently, just as in regard to women’s prayer services, the mahaloket about negative minhagim does not apply here and there should be no reason why educated Jewish women should be prevented from forming a women’s zimmun based on the reason of minhag avoteinu.

Even without the issue of minhag avoteinu, there are those who still object to women forming a zimmun because they claim that many women perform this practice in order to further the feminist agenda. Due to this lack of pure intentions, they say, women’s zimmun should not be encouraged. In the words of Rabbi David Cohen, “What was once considered commendable becomes improper when it is done to further an agenda which, to my mind, negates those forces of hakalah and mesorah which have sustained us.” 19

These objections to women’s zimmun upset me. Perhaps there truly are women who have construed women’s zimmun into something that it is not, but I participate in a women’s zimmun whenever the opportunity arises because in my high school Halakhah class we opened up a Gemara and a Shulhan Arukh and other sources and found that there are Tanna’im, Amora’im, Rishonim, and Aharonim who support and encourage women’s zimmun. Should I be stopped, too? Should I have to relinquish this opportunity to personally glorify Hashem’s name just because there is a danger that others are doing so for the wrong purpose? How much do hakalah-abiding Jewish women have to give up in order to put a stop to the so-called “dangers” of the feminist movement?

In regard to innovations of the feminist movement, many claim that even if something is technically permitted according to Halakah, it should be forbidden in order to prevent a slippery slope in which women will begin to do things that have absolutely no basis in Halakah. But there is a danger in applying the slippery slope argument too often. It is more appropriate to apply this principle to practices such as women’s prayer groups and other similar examples, which are controversial because their halachic basis is not entirely clear. The practice of women’s zimmun, however, is explicitly supported even by Tanna’im. If the slippery slope argument is applied even to such a well-rooted idea, how many more practices will it be applied to in the future? If we prevent women from doing things that are halakhically permissible (and perhaps lauded) for them, we will only create more women who are frustrated within the halakhic framework. If, according to Mishnah Beraiot, it is true that the only reason why women’s zimmun has not been common in past generations is because women were uneducated, then anyone nowadays who supports women’s education to any extent—just an increased knowledge of the Hebrew language that would allow them to fulfill the mitzvah of birkat ha-mazon—should support women’s zimmun as well. Women’s zimmun is a practice that, whether you follow Tosafot, Shulhan Arukh, or Rosh, is perfectly valid according to Halakah and provides women with another legitimate and beautiful way to praise the name of Hashem.

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1 I would like to sincerely thank Rabbi Saul Berman and Mrs. Shayna Goldberg, without whom I would have been unable to write this article.

2 Berakhot 45a (Artscroll’s translation).

3 Ibid.

4 Berakhot 45b (Artscroll’s translation).

5 Rosh to Berakhot 7a.

6 Artscroll’s translation.

7 Tosafot to Arakhin 3a, s.v. mezonem le-atzman.

8 Tosafot to Berakhot 45b, s.v. she’ani hatam de-iskik deot.

9 Ibid. Tosafot continue to explain that there is some support in the actual Beraiot that women’s zimmun is only optional. Firstly, the language of “im ratsu – if they want” found at the end of the Beraiot allows us to infer that we can read the beginning as “women can form their own zimmun if they want.” Additionally, the surrounding Gemara compares a zimmun of three women to a zimmun of two men. Just as two men have no obligation to form a zimmun, so too three or more women have no obligation of zimmun.

10 Shulhan Arukh, Orakh Hayyim 199:6-7.

11 Mishnah Beraiot to Shulhan Arukh 199:12 explains differently than Tosafot why women cannot join men to form a zimmun. Rabbi Yisrael Meir Kagan explains that because women are not benei hiyyuva (subject to obligation) like men, and because “ein hevratot na’eh – their association is not appropriate,” it would be improper for women and men to form one group.

12 Mishnah Beraiot to Shulhan Arukh 199:15 explains that the use of Hashem’s name in zimmun is a davar she-be-kedushah (form of sanctification), and can therefore only be used when there are at least ten free men present.

13 At first glance, this statement is puzzling. If women cannot join men to form a zimmun because “ein hevratot na’eh,” why is it any more appropriate for women to answer to a men’s zimmun? Mishnah Beraiot anticipates this difficulty and explains that because the three or more men are not dependent on the women to form a zimmun, the women joining to be gotzei (fulfill) their higgayon by listening is not a gena (degradation) in the same way.

14 It is a common question whether the opportunity to perform practices as well: should men respond to a women’s zimmun? Rabbi David Auerbach (Halakhot Beita’ 90:7 rules, “nadai rashai haish la’anot aherotne – it is certainly permitted for a man to answer after them” (author’s translation). Rabbi Yehuda Henkin in his Response on Contemporary Jewish Women’s Issues (Jersey City, NJ: Ktav Publishing House, 2003), 38, agrees with R. Auerbach and even says that there are no grounds to forbid men from answering to a women’s zimmun. Nonetheless, Rabbi Henkin adds that although men are permitted to, they are not required to respond to a women’s zimmun.

15 Rama to Shulhan Arukh, Orakh Hayyim 199:7.

16 Rosh to Berakhot 7a.

17 Berakhot 20a discusses the level of obligation of women in birkat ha-mazon and it is left unclear if a women’s higgayon is de-oraita or de-rabbanan. Shulhan Arukh, Orakh Hayyim 199:6-7.

18 Berakhot 20a discusses the level of obligation of women in birkat ha-mazon and it is left unclear if a women’s higgayon is de-oraita or de-rabbanan.


20 These phrases personify the argument. “Lo ra’nu eino re’ayahu” means that not having seen a practice is not proof that a practice may not be done. “Ra’nu re’ayahu ba-minhag,” however, claims the opposite: The fact that a practice was not done should be considered a prohibitive minhag that must be followed by future generations.

21 Mishnah Beraiot to Shulhan Arukh, Orakh Chaim 199:16.

Israel, Judaism, and the Treatment of Minorities

BY: Rabbi Yosef Blau

Israel’s Declaration of Independence1 states that “by virtue of our natural and historic right and on the strength of the resolution of the United Nations General Assembly (we hereby declare the establishment of a Jewish state in Eretz Israel, to be known as the state of Israel).”2 The Declaration promises that the new state will be open to the immigration of Jews and will uphold the full social and political equality of all its citizens, without distinction of race, creed, or sex. It includes an appeal to the Arab inhabitants to return to the ways of peace and to play their part in building the state, “on the basis of full and equal citizenship.”3

The duality of being both a Jewish and democratic state is a basic part of the Declaration. Signers of the document ranged across the political spectrum, including Orthodox rabbis representing both the Agudah and the Mizrahi parties. The 1992 Israeli Basic Law on “Human Dignity and Liberty” includes an amendment that founds human rights on the sanctity of human life and the spirit of the principles set forth in the Declaration of Independence. Rabbi Isaac Herzog, the State’s First Ashkenazic chief rabbi, wrote extensively on Israeli law’s foundation in traditional Jewish law. He provides the facts that Israel was created on the strength of a United Nations resolution and is committed to being a democratic state as the bases for giving full rights to non-Jewish minorities. He analyzes halachic perspectives on Islam and Christianity, and concludes that both religions are to be given full religious freedom in the state.4

During the First Lebanon war, controversy arose over possible Israeli negligence in allowing its Lebanese Christian allies to massacre Palestinian civilians in the refugee camps of Sabra and Shatila. The Israeli cabinet was divided on whether to conduct an independent inquiry. Mafdal, the religious Zionist party, was also split until Rabbi Joseph B. Soloveitchik, the leading religious Zionist halachic authority, broke from his pattern of not publicly commenting from the United States on Israeli religious questions and demanded that Mafdal support the inquiry. When Rabbi Yehuda Amital in Israel took the same position, it aroused a great deal of criticism. This was indicative of a shift in perspective with concern for the welfare of non-Jews, seen by many religious Zionist rabbis as less important than preserving the moral image of the Israeli military.

In recent years, attitudes toward treatment of the non-Jewish (Arab) minority in Israel in religious Zionist circles have diverged from the position of Rabbi Herzog, Soloveitchik, and Amital. Some leading rabbis now oppose renting apartments to Arabs;6 a few have endorsed books that differentiate between Jewish and non-Jewish lives.7 Some consider the transfer of Arabs from the Jewish state a legitimate proposal.8

Remarkably, the idea that the treatment of a non-Jewish minority in a Jewish country is a test of Judaism appears in a medieval Jewish work, the Kuzari. This book, written by the famed Jewish poet and thinker Rabbi Yehuda Halevi, has been a major influence on prominent religious Zionist thinkers such as the Rabbi Kook, father and son. In this work, the Jewish People is seen as being a higher order of humanity. Because Rabbi Halevi’s life and writings reflect a profound love for the land of Israel, his book remains popular in religious Zionist circles.

In the Kuzari, the king of the Khazars searches for a way of life for his people. He consults representatives of Christianity, Islam, Judaism, and philosophy, becomes convinced of the superiority of Judaism, and leads his people to convert to Judaism.

The Jewish scholar has a powerful argument against the representatives of Christianity and Islam regarding their descriptions of their religions. He points out a contradiction between doctrine and actual behavior: They talk about religions of love and justice but, in reality, whenever Christians or Muslims captured a country, they mistreated its inhabitants and killed their opponents. There is an implied contrast with Judaism. Yet, the king questions the Jewish scholar: How do you know that Jews will act differently? You are not in control of any country and your behavior when in charge has not been tested.9

In 1948 this changed. The Jews now have a country, Israel, which has a significant non-Jewish minority. The king’s question is no longer theoretical. What is Israel’s response? What is Judaism’s response?

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1 Various different English titles are used to refer to this document, including Declaration of Independence (most sources), Proclamation of Independence (Knesset website), and Declaration of the Establishment of the State of Israel (Ministry of Foreign Affairs website). This article will use Declaration of Independence, which is both the most common and the closest to the original Hebrew, Megillat ha-Atzma’ut.


3 Ibid.

4 Available on the Knesset website, at: http://www.knesset.gov.il/laws/special/eng/basic3.english.htm. The fourteen “Basic Laws” (HaHayyim ha-Yisroel) of Israel, passed by the Knesset between 1958 and 2001, are the basis of Israel’s immutable constitutional law, and are intended to serve as draft chapters for the eventual composition of a full constitutional document.

5 Rabbi Isaac Herzog, “Te’Hukah le-Yisrael el pi ha-Torah,” chapter 2, pp. 12-22.


9 Kuzari (tirgum Yehuda Even Shmuel), 1:114.

Rav Lakhen Benot Yisrael: Humility and Rabba-nut

BY: Ariel Caplan

The major problem—one of the major problems, for there are several—one of the many major problems with governing people is that of whom you get to do it; or rather of who manages to get people to let them do it to them. To summarize: it is a well-known fact that those people who must rule people are, ipso facto, those least suited to do it. To summarize the summary: anyone who is capable of getting themselves made President should on no account be allowed to do the job.2

As I consider issues of leadership, my mind inevitably wanders to parashat Korah, which addresses questions of power and challenges thereto. I cannot help but relate Korah’s challenge against the leadership of Moshe and Aharon to the more recent attempts of leaders within our community, spearheaded by individuals or groups, to unilaterally alter the practices of our community and transform the power structure of American Orthodoxy. While a comparison does not prove a point, it often generates much food for thought.

The most salient issue which has been a focus of the recent power struggle is the ordination of female rabbis. I am not, of course, simply writing to add my two cents to the debate; enough has been said about it, more than enough fingers have been pointed, and my halachic and hashkafic knowledge is far from sufficient for me to comment usefully on the proposition. I do think, however, that the tone of the debate makes it obvious, even to someone like me, that a highly problematic view of the rabbinate has infected the minds and hearts of kelal Yisrael.

This conclusion is reached rather simply. The most common argument I have seen put forth in favor of ordaining women runs as follows: 1) Women are, in the modern age, able to learn at the same level as men, removing the barrier which has to this point automatically made women less capable of performing rabbinic duties than men. 2) If women are just as capable, it would be unfair to withhold the privilege of rabbinic ordination from women. 3) Our sense of fairness therefore mandates that women should be ordained as rabbis.

This argument is painfully easy to knock down. It is very difficult to argue for the existence of a substantial cadre of women who are able to learn at nearly the same level as the individuals who receive semikhah, whatever our reference institution for standards of semikhah may be: RIETS, Ner Israel, Lakewood, or even the Israeli Rabbinate. Certainly, as I have been privileged to witness myself, very learned women do exist, but they are relatively rare. Additionally, even learned women have not often experienced the same intensity of years of rigorous study, of “ve-hagita b’yomam va-laylah,”10 and it would be difficult to assert that more than a handful of women have the requisite shimmush talmidei hakhamim (personal experience with Torah scholars) which is a basic requirement for issuing halachic rulings.

Even for the few women who may be personally qualified in the senses mentioned above, it is difficult to assert that education and academic achievement alone are sufficient to justify ordination. A parallel demonstration is the fact that there are non-Jews in the world who are far more Jewishly educated than most musmakhim and who could even put many well-established rabbis to shame.1 How, being Jewish is certainly a prerequisite for semikhah. Similarly, women’s exclusion in various respects from talmud Torah and communal life (in both temporal and spiritual spheres) may hint at an unbridgeable gap between women and the rabbinate, the latter of which is founded upon being steeped in Torah study and commands significant authority in the community.

None of these points necessarily indicate that women cannot serve as rabbis, but together they indicate that the argument presented...
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above leaves open much room for debate.
All this said, the issue which most upsets me is not anything previously stated. I can live with people who disagree with me, whether their opinions are based on ignorance or a different assessment of either reality or halakhic texts (although the latter is clearly quite preferable). However, I cannot remain silent in the face of a society which is insensitive to Torah values, particularly regarding the issue of the rabbinate, which serves not only as a body of communal leadership but as the bearer of the masorah, which in turn directs our understanding of God’s will.

To make things clearer, I will note that there are two categories of leadership in kelal Yisrael: temporal leadership and spiritual leadership. The modern rabbinate likely represents a chimera uniting the two types: A rabbi is expected to guide the community in many practical matters as well as offer spiritual instruction and inspiration. It is in the spiritual sphere that my objection truly lies; I argue strongly against the assumption underlying point 2 of the above position, the claim that it is unfair to withhold the privilege of entering the rabbinate from anyone who is capable of performing rabbinical functions. My distaste arises from the notion that entrance into the rabbinate is a privilege, even a right, which may be fought for and won. On the contrary, it is clear to me that among the most essential elements of spiritual leadership is humility, perhaps to the point of not wanting one’s position at all.

Let us consider two major spiritual leaders mentioned in the Torah: Moshe and Aharon. Moshe is described as “anav me’od, ni-kol ha-adam asher al penei ha-adamah - exceedingly humble, more than any man on the face of the earth.” Indeed, Moshe, the conduit of Torah to the people. Some battles are worth fighting, and one must remove himself from physicality and Torah knowledge are incompatible: “R. Yohanan’s proof texts do not all really fit the bill. While dwelling ‘with the crushed and low people.’ The debate about women’s roles in today’s Orthodox community is an important one, and the question deserves serious and careful analysis. But it should be answered based on the dictates of Halakhah, and the needs of the general populace, rather than either patriarchal bias or the desire to advance a feminist agenda. Despite the common claim to the contrary, women are actually granted a vast array of spiritual opportunities within the framework of Halakhah, and adding to or detracting from what Halakhah dictates are indeed dangerous. Yet in this murky set of issues, one thing is clear: we will not serve the Jewish people by concentrating solely on the rights of potential rabbis, whose lives are supposed to be dedicated to the people, not the other way around. Instead, we should reframe the issue based on the following three questions:

1) Does the Jewish community have a significant and demonstrable need for female rabbinic leadership? 2) Would the inclusion of women in the rabbinate contradict the dictates and/or values of the system they would hope to represent? 3) Would the benefit of innovation outweigh the resistance of the halakhic system to fundamental alterations to spiritual practices? Only through properly focused debate will useful conclusions ever be reached.

This essay ought to have ended already; indeed, in its earlier forms, this sentence and those following it did not exist. However, I would like to tack on two notes which I think are worthy of further consideration, lest the reader decide to ignore the regrettable oft-neglected endnotes section. First, I have focused on feminist considerations rather than misogynistic attitudes because I only see the former as related to the humility issue, which was what inspired me to write this piece. Beyond this, I am willing to trust that rabid sexism is not a serious problem amongst most of the Kol HaMevaser readership; as far as I can tell (though I may be mistaken), YU hardly encourages exclusion of women from religious or communal life. I will certainly acknowledge, however, that in other contexts and communities, negative attitudes towards women’s intellects and abilities will drive the
I should note that I make my case not as a halakhic or expert of any sort, but rather as a consumer of the synagogue service who has observed, experienced, and engaged in many discussions about the practices spoken about in this article. Although there will undoubtedly be those (perhaps even entire communities) who feel that this article, or large parts of it, does not represent their personal feelings about the issue, it is my unscientific observation that many of the practices to be mentioned in this article are commonly perceived by congregants as being burdensome. Of course, it is the job of every community leader to decide what the needs of his or her community are, but it is my hope that this article can serve as a starting point for community leaders and their congregants to address the issues of tirha de-tsibbura.

It must be mentioned that tirha de-tsibbura is not merely a pragmatic consideration or a meta-halakhic concern; it is a real halakhic value which appears in numerous places in halakhic literature. I will not go on to discuss the many roles only available to men, but rather the frequent disruption of prayer services that for naught, and where a large number of congregants are squeezed into a small side room for minah, and ma'ariz despite the fact that the synagogue has a main sanctuary that seats hundreds of people only a few feet away. It is also necessary to come to the conclusion that for many regular basis, for people with allergies, it can be nothing short of torture to have to pray in a synagogue full of dust and mold. A little bit of foresight and consideration for the comfort of the congregation can easily diminish the tirha de-tsibbura engendered by having an uncomfortable physical environment.

A second major source of tirha de-tsibbura to be found in our synagogues comes from the congregants themselves. The most common problem caused by congregants, of course, is the frequent disruption of prayer services that occurs when congregants converse during the congregation. Unlike some of the other violations of tirha de-tsibbura, this problem has not gone unnoticed by synagogue leadership; synagogue rabbis and gabbi'im frequently chastise their congregants about disruptions of this nature. Unfortunately, this problem seems to be unavoidable; regardless of how many times a rabbi may speak out against talking during services, there will inevitably be people who will continue to utilize synagogue services as an opportunity to socialize with their friends and acquaintances.

It should be noted, however, that the blame for the excessive amounts of talking that occurs remains solely with the congregants. The vast majority of talking that transpires during services occurs during “downtime” in which the congregants are not praying but rather waiting for some part of the service to end, or listening silently while the prayer leader alone conducts some part of the service. While some idleness is unavoidable, there are many steps that synagogues can take to minimize the amount of time that the congregation spends standing around, not doing. For example, if the service is conducted in an atmosphere that is both friendly and confident, it is unlikely that the congregation will not be innovative in finding some way to fill the time before the end of the service.

“Downtime” can occur at many junctures during the prayer service, but I will briefly mention the most common examples here. Firstly, it is very important that a certain amount of planning goes into every prayer service. The people who are to lead services and receive aliyot should be appointed early in the service. The sifrei Torah should be rolled to the proper place before services to ensure that the congregation will not need to idly sit before the Torah reading in order for the congregation to correct the location. The rabbis of the congregation should confer with the gabbi'im prior to services to determine which custom to follow in the event of a holiday or special event in which there are divergent liturgical customs, so that these decisions do not have to take place while the congregation is waiting. Planning these things just a little while in advance can make the difference between a well-organized, pleasant prayer service and a cumbersome and frustrating synagogue experience.

Other manifestations of “downtime” come from certain parts of the prayer service themselves. While I would not advocate any changes in the liturgy, there are certain liturgical practices that have simply gone out of control in our communities. Two particularly...
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One would expect that a concerted effort would be made on the part of Jewish communal leadership to ensure that the synagogue experience is an overall positive one.

silent amidah and the point when the ba’al tefillah starts his repetition. Although different communities may have significantly different average prayer speeds, there should never be a situation where the majority of a congregation is waiting for the ba’al tefillah to start his repetition of the amidah. If the synagogue rabbi takes a long time to complete his silent prayer, he should not start the ba’al tefillah portion of the service and will significantly diminish the tirha de-tsibbura that transpires during the Torah reading.

A final, very common incidence of downtime occurs during the interval between the time when the congregation finishes praying the congregants can and should mention the mi she-berakh for the service and will significantly diminish the prominent occurrence of “downtime” within the service.

In the event that the service finishes long before the conclusion of the Torah reading, there should never be a complete lack of Jewish literacy to seasoned yeshiva students to rabbis to tenured professors of Jewish Studies. Very few rabbis possess the scholarship and oratory skills to please such a diverse audience. Moreover, even if a rabbi were able to consistently give highly intelligent and articulate derashot that appeal to the entire congregation, it would still be inappropriate for him to deliver his sermons during services, as it unnecessarily lengths the prayer service for those who came to synagogue simply because they wanted to pray with a minyan.

The alternative, of course, is not to eliminate rabbis’ sermons, but simply to relocate them to a juncture which is more considerate of the congregants’ prayer service. Perhaps the best approach would be to have the congregation itself determine the point when the rabbi should rejoin the service with a minyan.

...
He was as much a symbol as an individual man, the icon for Jewish monarchy, and his performance was one by which all future kings would be judged.
twenty-three years earlier, of course, when King David danced the Ark into the city and disgraced himself in her presence, much to the displeasure of a certain Michal.17 But Ahimaa’z’s journey of discovery was not yet over, and the battle’s good ending would soon sour for David. David the king dispatched his troops to battle, and the men marched forward courageously. However, as they began to depart the camp, David the frightened father instructed his three generals—Joab, Abishai, and Ittai—regarding a matter of great personal importance. Trembling, David announced to his confidants in earshot of the thousands, “Deal gently with my boy Absalom, for my sake!” Surely Absalom was guilty of treason against the king of Israel and deserved death; in fact, he was actively seeking the death of his own father. Yet David could not bring himself to issue the order for his son’s death because to him, Absalom the rebel was “Absalom my boy,” and nothing could ever change that.

The army of King David routed and slaughtered the rebels, and Absalom himself fled on a mule. In his flight, his long hair became tangled in the branches of a terebinth tree, and his mule continued to run without him. Absalom was held there in that tree “between heaven and earth,”18 between life and death, a defenseless man totally at the mercy of his adversaries. He was spotted by followers of David, and one of them immediately informed Joab of Absalom’s circumstances. Joab replied to the messenger that he should have killed Absalom on the spot, but the messenger adamantly objected, recounting the frantic request of the king. So Joab advanced on his own, with a wild fury in his eyes, and killed Absalom himself, driving three darts into the rebel’s chest. Joab and his men took Absalom’s body down from the tree, threw it into a pit, and covered the pit with stones.

In a stroke of bad timing, Ahimaa’z arrived on the scene, charged with the energy of victory. He had not been present at the king’s directive to protect Absalom, and surmised from Joab’s conduct that the killing was warranted. He volunteered to run back to King David and deliver the good tidings, but Joab insisted that he stand down, saying “I will bring tidings some other day, but you will not bring any today; for the king’s son is dead!”20

The impulsive Joab thus scrambled to keep the already-fractile situation under control. He knew he must inform the king of Absalom’s fate, even if another person would do so first and include all the details. Still, Joab had pity on Ahimaa’z, the young loyal man with great potential, and did not wish to let him rush to David as the bearer of his own bad news. Instead, Joab sent a Cushite running ahead to inform David of Absalom’s death, but Ahimaa’z still failed to understand the problem. He persisted in his appeal, and asked if he could at least run after the Cushite. Joab once again stressed that the news was not good, but did not specify that the king’s wishes to Ahimaa’z, out of shame for his own transgression. Ahimaa’z prevailed over Joab, for lack of logical opposition to his desire, and ran ahead to David, passing the Cushite.

The young priest charged ahead through the late afternoon, his adrenaline rushing. Everything began to make sense to him. God honors and protects the king who is so devoted to Him, and eliminates the sinful enemies that stand in this king’s path. Absalom deserved to die, and this news was part of the divine plan. Joab had delivered this news to King David. He acknowledged and considered his ulterior motives, imagining, of course, that bringing good news will surely establish him on the king’s good side for the future. The sun began to set, and David’s watchman spotted the sprinting Ahimaa’z from a distance, and hesitantly informed the Cushite. The watchman informed the king of the two apparent messengers, and commented that he recognizes the first as Ahimaa’z, son of Zadok. David eased up upon hearing this information, and responded, with unintended tragic irony: “He is a good man, and he comes with good news.”

Ahimaa’z was immediately admitted to the king’s presence, and he rushed forward, and declared: “Praised be the Lord your God, who has delivered up the men who raised their hand against my lord the king.”21

David was immediately aware of the implication of Ahimaa’z’ words, or maybe just wished he did not: “Is my boy Absalom safe?”22 Thrown off by this response and conspicuously stammering, Ahimaa’z lied to the king: “I saw a large crowd when your Majesty’s servant Joab was sending your servant off, but I do not know what it was about.”24

David wisely believed the young priest, and turned to consult the Cushite runner, who had just arrived. The Cushite tactlessly reported the death in poetic praise, and David could not contain himself. He ascended to the roof wailing and moaned the following words, to be forever burned into the conscience of Ahimaa’z and all of Israel.

“My son Absalom! O my son, my son Absalom! If only I had died instead of you! O Absalom, my son, my son!”25

Young Ahimaa’z knew already that King David was humble and religiously-devoted, but he now learned the hard way that David was no superhero. He was a human being who loved his baby boy, and no national mission could ever change that. No generals or advisors could ever convince him to sacrifice his personal emotions for the sake of the nation. David was a person first and king second, and like any person, he even succumbed to the temptations of sin and to the inscrutable, lowly throes of depression.26 Many of the people did not realize this about their king, and may not have approved if they had. But David was unwilling to compromise his humanity for anything and if the people did not like this, they could leave him alone.27

David, son of Jesse may not have realized the legacy he would leave. Still, the Bible’s endorsement of his legendary kingship established his imperfect persona of David, son of Jesse, and the model that he set, knowingly or unknowingly, for effective, caring Jewish leadership.

I will add, on a personal note, that simplified reverence of individual figures makes me terribly uneasy. It undermines the inviolable truth that every human is essentially complex and emotive, a truth which is too often carelessly disregarded. As a student of History, I often find disconcerting the sweeping theories that modern thinkers construct about the causes of large movements and societal trends. When we identify the simple formulas that drove seventh-century Arabs to Islam, twentieth-century Europeans to socialism, and 1960s Americans to pacifist subcultures, we undermine the inner aggregations and impulses that drove each individual in each of those movements to embrace such life-changing commitments. This is not to say that these historical theories are inaccurate, but there is value in balancing academic objectivity with respect for individual human lives, because every human is complex and different.

Because of their very public, natural, leadership potential, our heroes are particularly fragile. The publicity invites critics to judge leaders from a distance, leading them to either idolize or demonize the figure in question. However, this is a dangerous simplification. To the extent that we fail to acknowledge the essential imperfection and complexity of every human, we fail to truly appreciate people’s lives and accomplishments, and the messages and ideals that they espouse. All ideas are both conceived and implemented by flawed, imperfect people, without exception. David’s life, as experienced through the perspective of Ahimaa’z and others, is preserved in text as a stark refection of human conduct. The people expected an infallible, flawless leader, and found a human being in his place. It is very telling that this same David, son of Jesse, is still known as the paramount leader of Israel and founder of the Messianic dynasty.

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Leadership

1 II Samuel 6:22. The essay, from this point until otherwise indicated, is my recreation of the narrative of II Samuel 6:12-23. All descriptions of actions and dialogue are taken directly from the text, and all descriptions of appearance, attitude, and emotion are my own embellishments. Bible references here are translated by the Jewish Publication Society (Philadelphia, PA: 1999), with some of my own changes for clarification.


3 See Yalkut Shimoni to the Torah 228, 913, and 940, and Ketuvot 17a, Sota 41b, Kiddushin 32b, and Sanhedrin 19b for the opinion of R. AShi that a king cannot legally waive his honor. Even if he expresses a desire to do so, others are nonetheless required to show him honor, based on an exegesis of Deuteronomy 17:15: “You shall surely set a king over yourself...”, which extrapolates that “his awe shall be upon you.” The underlying theory seems to be that the nation is required to honor the king because of God’s will, irrespective of the king’s personal self-image.

4 II Samuel 6:21-22.

5 Deuteronomy 17:20. The earlier phrase, “the words of the Torah” is also meant to refer to this portion of Deuteronomy, 17:14-20, which is the Torah’s only instruction regarding the laws of the king of Israel. My outline of this dispute therefore means to convey that Michal’s opinion reflected well the statements of Haza’l regarding the king’s honor, while David’s opinion reflected well a simple reading of the Torah verses. In formulating the halakhah, though, it is of course essential to see the two texts as forming a united message.

6 II Samuel 6:23. This verse makes clear the feelings of the biblical author regarding God’s attitude towards Michal, as a result of her conduct in this story. Talmudic and Midrashic sources record several interpretations of this verse. Bemidbar Rabba 4 and Talnud Yerushalmi Sanhedrin 6:25 understand that she actually never had any children. Talmud Babli Sanhedrin 21:1, however, presents views that Michal had children, either before this incident, or on the day of her death.

7 See, for example, description of Hezekiah in II Kings 18:3, and description of Josiah in II Kings 23:25.

8 See, for example, Psalms 22:7, 86:1.

9 For David’s sin with Bathsheba and his subsequent admission of guilt, see II Samuel 21-22.

10 The essay, from this point until note xxvi, is my recreation of the narrative of II Samuel 16-19. All descriptions of actions and dialogue are taken directly from the text, and all descriptions of appearance, attitude, and emotion are my own embellishments.


12 See notes vii and viii above.

13 Cf. Deuteronomy 12:5,11, and more.

14 II Samuel 16:11.

15 Ibid, 17:11.

16 The following paragraph breaks from the narrative to present my analysis. The claims within it are literary hypotheses and are not based on any authoritative sources.

17 This was perhaps a fulfillment of David’s guarantee to Michal: “…among the slave-girls that you speak of I will be honored” in II Samuel 6:22.

18 Ibid, 18:5.


21 Ibid, 18:27.


23 Ibid, 18:29.

24 Ibid.


26 See notes vii and viii above.

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