ללמוד וללמד

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TO LEARN AND TO TEACH FALL 2018

In this issue:

Questions for the season -

What was Abraham's defining moment?
(Rabbi Minkus)

What does it mean to be chosen?
(Moishe Postone)

What does liturgy have to do with prayer?
(Edward Hamburg)

How do I deal with troubling Torah texts?
(Andrea Frazier, Philip Hoffman, Jennifer L. Cohen, Max Hutchinson, Russell Szmulewitz, ...)

Where does baseball come in?
(the Rebel and the Rabbi)

and Little Benchers (a souvenir of the retreat)

Volume VII Number 1

Contents

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Introduction to Volume VII Number 1

The High Holy Days always prompt introspection, and this Congregation is blessed with members who generously share their reflections. In this issue we gather pieces that address our obligations to our loved ones and our neighbors, our relationships to God and commandments, the nature of our society. Writers reflect on how Torah or liturgy or their fellow students help them find new understanding.

We are particularly grateful to be able to include the thoughts of Moishe Postone, of blessed memory, who addressed the fraught question of chosenness. His essay models the combination seen so often in the writings of our community – faithfulness to our tradition, close questioning of troubling ideas, application to the world around us.

The struggle to come to grips with uncomfortable traditions is a common theme. And, perhaps surprisingly, baseball crops up more than once!

May you find instruction and inspiration here for a good new year.

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Abraham's Defining Moment – The Akedah?

by **Rabbi David Minkus**

On reading the Akedah Soren Kierkegaard was taken by Abraham's ability to rise above the ethical law. As the philosopher states, he transcended the ethical law for a divine decree. This is clearly juxtaposed to Sarah who could not or at least did not transcend ethical law – she even struggled with it.

In the opening scene of parashat Chayei Sarah we see a broken Abraham standing over the body of his deceased wife – the woman whom he loved yet failed to show love. He had failed to live a life that actively expressed that love. What I love about this opening scene is that we do not see an Abraham who doubles down on his steadfast faith and uses his wife's death to steel himself. Rather what we see is a man who walks back on his dedication by reconciling his love for Sarah with the image which he sees in the mirror – not what others reflect back toward him. He chastises himself for what Kierkegaard and generations have heaped praise on him for – choosing faith over family.

in this parasha we finally see Abraham take a deep breath, think and truly reflect on his life and demonstrate regret through change. To me Abraham's true prominence comes right here between Gen. 23 verse 2 and verse 4. Sarah died in Kiriath-Arba (now Hebron) in the land of Canaan; and Abraham proceeded to mourn (eulogize in Modern Hebrew) for Sarah and to bewail her. 3 Then Abraham rose from beside his dead, and spoke to the Hittites, saying, 4 "I am a resident alien among you; sell me a burial site among you, that I may remove my dead for burial." I think a transformation happened between those verses; Abraham rises from Sarah's side not a prominent and important man but a broken man, willing to bare his vulnerability – the essential humanity that has been elusive.

Who is Abraham? There is Avram before his name was changed, the Aramite who dwelled among idolaters. There is Abraham the man of faith who rises to great moral and ethical heights yet also falls to great lows, and then there is this Abraham here.

Now we see, fully exposed, the Abraham that I admire and have sympathy for. Yes we can revere the Abraham of Lech Lecha or the Akeidah – that kind of lofty faith. We applaud the conviction to argue with God in the episode of Sodom and Gomorrah as well as his military strength. Yet we also need to condemn his poor treatment of Hagar, his pawning off his wife twice – that was not a case where he could blame, to use a phrase of disgraceful prominence right now "the culture;" that was simply caring for himself before anyone else. And we could, and ought to, take a step back and commend the text for showing the fullness of our hero's humanity. But in this scene what I love is the regret, the tragic regret of a life that is passed, a life where Abraham recognizes that he made mistakes and not the "if it does not kill

you, it makes you stronger" variety but the I "could woulda shoulda" – the regret that comes with knowing you would have done it differently. So how does this change us as readers? What should our takeaway be?

The ultimate expression of Abraham's humanity came not on a mountaintop or on any physical journey but in the spiritual reconciling of his life with the life of Sarah, of his loved one whose death caused him to recognize his faults, his lost life and the preciousness that each day offers.

Textually Sarah's legacy, by the pshat/literal sense, is that of a legacy directly tied to and deep in the shadow of her husband. We can look to our portion's superfluous details to yield insights into the author's acknowledgment of her place but truly very few moments of her life stand out; little about her greatness is revealed. But if we scratch at the surface a little bit, the name of the parasha is most accurate. In the span of a few midrashic spaces Abraham realizes that he had been living for the God of the mountain top and not the God of human relationships.

The regret that fills Abraham is, as Rabbi Rona Shapiro points out, Abraham finally living with the life of Sarah. It took her death, perhaps by his own negligent actions as one prominent Midrash states, for Abraham to begin living a better life, a life with the God he sees in other people rather than searching for the God found in the greatness others ascribed to him.

I am always taken aback when on reading a critical biography of a great man I find out that he was not an exemplary family man. Perhaps the moral of Abraham's sad end of life realization was a timeless one. It is not trite, not a cliché realization that love and meaning are more often found, not in public greatness and the cachet that that carries, but in the family you are a part of. Of course, bringing meaning, healing or hope to others is immeasurable, at least publicly, but there is truth and great wisdom in what Dorothy said if, "I ever go looking for my heart's desire again, I won't look any farther than my own backyard, because if it isn't there, I never really lost it to begin with." We should live fully with our loved ones. We should live with *them*, not with the people we would like them to be. We should live a life which allots enough time to live fully with our loved ones.

He chose vulnerability rather than entitlement.

Standing in his cornfield, Ray Kinsella heard a voice. He did not know what to do with it or what it meant, but he plowed down his crops and built a baseball field. When Shoeless Joe Jackson came out of the cornfield and hit his curveball, Ray thought he had gotten it all right; no one else could hear this voice nor could most people even see Shoeless Joe. But in the end, Ray realized that it was not the big voice in the sky that he was after. It was the small voice of God between him and those he loved. *Field of Dreams* is a cinematic midrash on the Abraham story, and after reading this parasha I cannot see that movie any other way.

Abraham led the life of the ultimate insider but upon Sarah's death, his first recorded words are of profound vulnerability – I am a resident alien. Yes this is a scene of a business transaction, but he did not need to approach it like this. The Hittites wanted to give him this land and he had been promised it by God but he chose vulnerability rather than entitlement.

While preparing for Sarah's burial Abraham realized that his headstone would acknowledge his public greatness yet he was buried by only two people – his estranged sons (estranged from him and each other). I hope we live with the insight of Sarah's death – God is to be found in living with those we love. Maybe that is what true greatness is.

Rabbi David Minkus has been with Congregation Rodfei Zedek since June, 2014. He earned a BA with a major in psychology from the University of Illinois, Champaign/Urbana and also studied at Hebrew University and at the Machon Schechter Institute in Jerusalem. He graduated from the Jewish Theological Seminary with a Masters in Jewish Education. He lives in Hyde Park with his wife Ilyssa and daughters Raia and Adira. Raia attends preschool at Akiba Schechter.

Little Benchers

a Souvenir from the Retreat

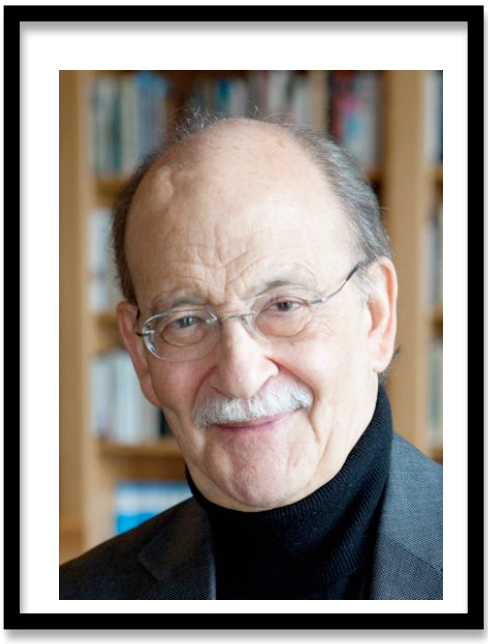
from left to right: Avi Skol, Coral Allender, Adele Sorkin, Ellie Schwartz, Yuval Rosenberg, and Tayva Kramer

The 2018 CRZ retreat brought a group of families and friends to the OSRUI summer camp in Oconomowoc, Wisconsin, for two days of togetherness and springtime fun. Highlights included an outdoor Minyan Katan morning service for our littlest members (some of whom are pictured here), a nature walk, a father-son softball game, a lively Torah study about justice, campfire songs and s'mores, and a talent show with Andrew Skol serving as a hilarious emcee. Special thanks to Sherry Gutman and Meg Schwartz for their hard work and dedication in planning such a memorable outing. Stay tuned for details and reservation opportunities for the 2019 retreat!

Chosenness

Commentary on Daniel Lieber's "The Covenant and the Election of Israel"

bv **Moishe Postone**



When the synagogue adopted the new Eitz Chaim *chumash Rabbi Gertel invited a number of congregants to participate in a series of talks responding to essays in the back of the book. Moishe Postone presented a version of the following on January 9, 2010 as a commentary on Daniel Lieber's essay. He had hoped to rework the piece before giving it to us for the magazine. We are very sad that he died before he could do so; but we believe the work is so important as is that we present it here. We offer it as a little taste of what Moishe meant to this congregation and community.*

The University of Chicago will hold a memorial event for Moishe at 4 pm Monday, Oct. 22 in Rockefeller Chapel.

There is a very wide range of positions regarding the idea of the chosenness of Israel. Even leaving aside the reactions of many non-Jews to the idea of Israel's election, the spectrum of opinions among Jews is itself very broad, ranging from the position, apparently gaining ground among the Haredi, that Jews are ontologically different from and superior to non-Jews, to the Reconstructionist position that rejects the idea of chosenness, and positions that reject all emphasis on distinctions – between Jews and non-Jews, men and women, homosexuals and heterosexuals – as necessarily hierarchical and exclusionary.

In other words, the attitudes range from a positive stance toward particularism that easily slides into a hierarchical view of the world, to one that rejects all distinctions as hierarchical and, hence, rejects particularity in the name of an abstract universalism. This opposition is quintessentially a modern one, both positions are intrinsically tied to issues of superiority and inferiority, to a vertical scale. I want to suggest that the traditional conception had much less to do with this sort of question and much more to do with the issue of history and the question of the opposition of, and tension between, the particular and the general. Of all the world religions,

TO LEARN AND TO TEACH FALL 2018

Judaism arguably is the most strongly informed by this opposition.

I would like to try to begin illuminating this tension in its relation to the idea of chosenness and in its relation to the idea of history. For this I find Daniel Lieber's commentary in the Eitz Chaim Chumash on the covenant and the Election of Israel to be a good point of departure.

Lieber argues that the idea of chosenness and that of the covenant are intrinsically related. He begins by noting this relatedness in the *Bracha* that one recites when called to the Torah - *asher bachar banu mikol ha'amim, v'natan lanu et Torato* – "who has chosen us among all peoples and given us his Torah" (which Lieber takes to be an expression of the covenant). He goes on to point out that both the Sinai narrative as well as the narrative of the covenant Joshua made with the Israelite tribes after the conquest of the land contain three basic elements:

1) God chooses and delivers Israel

2) Israel's relationship with God is defined by a covenant

3) The Covenant brings with it obligations

Having outlined these three aspects of the narrative, he indicates that the idea of the covenant was not unique to Israel. Covenants generally played an important role in the political and social life of the ancient world. A covenant might serve as a treaty between nations as well as a compact between people.

Nevertheless, it seems that of all the peoples in the ancient Near East, only Israel viewed its relationship with a deity as covenanted.

This has to be further specified. As Lieber himself points out, in the earlier Sumerian and Old Babylonian traditions, a covenant was deemed to exist between a god and a "chosen" king. He contrasts this to the Israelite idea of a covenant between God and a people. Indeed it was the covenant with God that welded what had been a number of clans into a *people*, united by a system of laws and observances. So the people did not exist prior to the covenant, but was generated by it.

Lieber emphasizes that the covenant served to consolidate the community at certain critical historical junctures – at Shechem before Joshua's death, in Jerusalem at the time of King Josiah's reformation in the 7th century BCE, and after the return from the Babylonian exile at the time of Ezra.

He goes on to argue that the idea of the covenant had significant political implications. He notes that the detailed presentation of the covenant between God and Israel in Deuteronomy follows almost precisely the form of neo-Assyrian vassal treaties. This form implicitly emphasized, according to Lieber, that God, rather than the Assyrian king, is sovereign over Israel.

One implication of this was that limitations were placed on kingship in general, as we know and as was made evident by the prophets. These limitations were implicitly demonstrated by the prophet Samuel's criticism of King Saul, Nathan's excoriation of David, and Elijah's damnation of Ahab.

The prophets not only directed their righteous anger against the kings, however. Israel's chosenness entailed obligations that were binding for all Israelites, not special privilege. This, however, meant that

if the people did not fulfill their obligations, they would be punished historically – as they were: the Kingdom of Israel was destroyed in 722 BCE, the Temple was destroyed in 586 BCE, the people exiled.

And yet, the experience of historical disasters also led to a further development of the idea of the covenant. The early idea of chosenness expressed in the Torah was that Israel was to be a "kingdom of priests and a holy nation." This idea became extended and modified by the eighth-century prophet Isaiah, for whom Israel was to be a "light unto the nations." In other words, Israel was assigned an important role in God's plan for all humankind. This plan, as I will elaborate, was a historical one. Within that framework. Israel's mission has become universal.

In the modern period, some western Jewish thinkers have considered the doctrine of Israel's chosenness to be too exclusive, and have sought to universalize it – emphasizing a mission of spreading ethical monotheism, for example. And with that we have moved full circle back to the issue of the concept of the chosen people and its relation to the problem of the universal and the particular.

Israel's chosenness entailed obligation, not special privilege.

Before addressing this more directly, I'd like to review some aspects of the idea of the covenant.

I said earlier that the covenant was generative of the Jewish people; it consolidated a number of tribes and clans into a people. What is interesting here is the very notion of peoplehood. When I mentioned earlier that, in the Ancient Near East, the idea did exist of a covenant between a god and a chosen king, this – contrary to Lieber's understanding -- actually did express a covenant between the god and a political entity, for the king traditionally represented the whole. The king's body and what we today would call the body politic were one and the same. That the covenant of God with Israel is neither with the king nor the priests, but directly with the people, implies that the people are not simply defined linguistically, by being subjects of the king or by any other objective criteria, but by a compact. It is not a social contract in the modern sense, which is a compact among people, but a compact with God that *de facto* defines the people. This is historically a very interesting idea one that, in my view, has not been sufficiently explored.

Note that, unlike Athenian citizenship in the fifth century BCE, this notion of peoplehood is not fundamentally political, but what we would call religious. Yet, it bears some similarities to the idea of citizenship. Even conceived of as religious, the covenant is not one between priests and God but between everyone and God (which is implied by the notion of a nation of priests). So the nature of the covenant is such that it encompasses each and every adult person. A collectivity is generated in the form of community.

A religious hierarchy did of course exist in Ancient Israel. There was a priesthood. But the idea of the covenant was in tension with that hierarchy, just as it was with the political hierarchy associated with kingship.

Religious obligations were borne by all members of the community. This, for the ancient Israelites, distinguished them from other peoples. It was not simply a matter of claiming that the God of Israel was better or

stronger than the gods of other peoples, or even that Israel's God is one, rather than multiple. Rather, I would suggest this conception of religious obligations as encompassing all persons (a conception later adopted by Christianity and Islam) was as fundamentally different from other forms of what we call religion as Athenian democracy was from other forms of what we call political organization. It shifts the focus *from* the relation of humans to nature, to natural forces, *to* the relations between people and a law-giving God. Religious obligations also become moral and ethical obli-gations.

What is central to this conception is that it is intrinsically bound to the notion of history. Together they constitute a fundamental framework of meaning that is constitutive of Jewish self-understanding. Most of us are aware that many of our important holidays – for example, Pesach, Sh'vuot, and Sukkot – had been agricultural and herding seasonal festivals. They became resignified as historical festivals. This resignification expresses the genesis of the Jewish people. The transformed themes of rebirth and fruitfulness now celebrate the liberation of Israel and the subsequent covenant at Sinai. That is, the election of Israel is not treated as a magical, natural event, but as historical – the emancipation from slavery, and the promise of freedom. This already implied that the sort of obligation entailed by the concept also had a historical dimension. Israel could show that it had earned its emancipation by fulfilling the Mitzvot.

the experience of historical disasters also led to a further development of the idea of the covenant.

The emphasis on liberation from slavery was related, I would suggest, to the sort of generalized religious obligation I have emphasized – as opposed to religions whose main focus remained the manipulation of natural forces. The latter form could best be left to priests; the idea of God as a historical liberator from slavery, however, directly impinges on each and every person.

So, the election of Israel understood as a deep and fundamental historical event, was bound to the idea of generalized religious obligation.

On the other hand, precisely because God not only is beyond natural forces, but is the moving force of history, this framework allowed the great prophets to make sense of historical disasters. They were interpreted as expressions of a failure on the part of the Israelites to fulfill their obligations under the covenant. In a curious way, this generated a sense of possible historical agency in a situation marked by political and military helplessness.

The covenant as a set of obligations generated by the liberation of Israel, then, is closely tied to an understanding of history – an understanding fundamentally different from that of other peoples in the ancient world, for it is the history of a people, not stories of gods or heroes (although traces of these motifs remain in the Tanach).

With the prophet Isaiah, the relation of history and Israel acquired a new dimension. The idea of Israel as the light of the nations placed the history of Israel, its election, within the framework of a universal history. That is, history becomes a frame for all of humanity. The place of Israel, within that frame, is to bear witness to God's order on earth, and help sustain and spread that order. At the end of days, in Isaiah's vision,

all nations will apprehend the Torah emanating from Zion. Israel's covenant with God becomes part of a divine plan for humanity.

I would like to suggest that this is not identical to the recent idea of Israel's ethical mission, which at first glance appears to parallel Isaiah's vision of Israel as a light unto the nations.

The idea of the covenant is one that focuses on the particularity of Israel, which is precisely what makes some modern Jewish thinkers uncomfortable. Within the framework of Isaiah's vision, that particularity has universal implications historically. To dissolve that particularity prematurely would, paradoxically, undermine its universalist significance.

Recall that Isaiah's vision was formulated at a time when empires existed that, arguably, were universalist: the Assyrian, the neo-Babylonian, the Persian, and the Macedonian. The universality of these existing political orders, however, did not involve general human emancipation – certainly not as envisaged by Isaiah. Barriers were overcome, but the fundamental structures of life remained unchanged. Such a universalism negates difference; it does not involve a fundamental change. To put it metaphorically, when Isaiah speaks of the lamb and the lion lying down together at the end of days, he is not suggesting that they cease being what they are, but that their differences become part of a more universal order, one that makes a fundamental break with what exists – a universal peace.

This is very different from the universalism of the empires – that tended to negate difference. This form of universalism is related to its polar opposite – an emphasis on particularism that cannot extend beyond itself.

The vision of Isaiah suggests getting beyond this opposition. It suggests that giving up the tension between the universal and the particular could have negative historical effects. As the German-Jewish radical philosopher Max Horkheimer noted in 1939, "the Jews once were proud of their abstract Monotheism. Their rejection of the worship of images meant the refusal to accept that which is finite as infinite. This refusal to respect that which exists but declares itself divine is the religion of those who continue to devote themselves to preparing for what is better."

As this statement suggests, the idea of the election of Israel and the covenant need not be particularistic, but can be critical – critical both of narrow particularism and a form of abstract universalism that negates difference and hence identity. They are very much related to a notion of history as a process marked by a fundamental transformation which was involved in the genesis of Israel. The covenant entails maintaining the memory of that transformation in a way that points toward *further* transformation, one of humanity as a whole. Within the framework of this conception, only by retaining its defining particularity, the covenant – that is, a particularly with universal significance temporally – can Israel point towards a future universalism.

Moishe Postone, a scholar of 19th- and 20th-century European intellectual history and one of the world's leading interpreters of Karl Marx, taught at the University of Chicago for more than three decades. He was also a faculty member in the Center for Jewish Studies and co-

TO LEARN AND TO TEACH FALL 2018

director of the Chicago Center for Contemporary Theory. His work focused on capitalism, modern anti-Semitism and questions around memory and identity in postwar Germany. He earned a degree in Biochemistry and an MA in History at the U of C and received his PhD from the Goethe-Universität in Germany. In 2016, he delivered the Vienna Prize Lecture at the International Research Center for Cultural Studies in Vienna, and delivered a keynote address on right-wing populism at the Vienna Humanities Festival this past autumn. Moishe died in March, 2018.

Although often abroad for his work, Moishe was a dedicated member of Rodfei Zedek. He attended with his wife, Christine Achinger, his former wife, Margret, and his son Benjamin, who celebrated his bar mitzvah here.

The problem of universality and particularity addressed in this talk is one that also pervades Moishe's work on capitalist modernity. Articles about issues such as antisemitism and National Socialism, developments in the politics of Holocaust remembrance, or antisemitism and left-wing populism are available. Moishe's work on these topics has quite strongly influenced debates on the Left, especially in German-speaking countries; and there were at least a dozen obituaries in the German and Austrian press, including the Frankfurter Allgemeine Zeitung*.*

Liturgy is the Vehicle. Prayer is the Journey.

by **Edward Hamburg**

Jews are taught to pray using the structured liturgy of our various prayer services, but for many of us these experiences are consistently unsatisfying. Whether self-conscious intoning Hebrew words we don't understand, discomfited by the often stiff, anachronistic language offered in the translations, or intimidated by the prospects of "doing it wrong" while navigating the formal instructions and informal conventions that vary from service to service and synagogue to synagogue, we persevere in silence, get frustrated, or just give up. I've been there. I have silently persevered, gotten frustrated, and eventually I gave up on traditional Jewish prayer. But I made my way back. Instrumental to my return was the distinction I learned to make between prayer and liturgy.

When my mother died, I traveled the path of mourning prescribed for Jewish children. This path has three stages: the seven days of intensive mourning that starts immediately after burial known as “shiva” (“seven”); an additional twenty-three days of integrating grief into the requirements of normal life that constitutes “shloshim” (“thirty”); and ten more months of daily mourning that concludes, according to some customs, with the unveiling of a gravestone. In all three stages, mourners participate in religious services in which they recite “Kaddish,” a venerable set of Aramaic statements affirming God’s sovereignty in the universe that invite eight supportive responses from a “minyan” of ten or more adult Jews.

My mother’s death occurred at a time when I was tenuously associated with organized Jewish life. The fond memories of going to synagogue with my father on Sabbath mornings and excitement of Jewish youth group activism were gone; what remained was only the draw of family and friends at the Passover seder and the inertia that compels Jews to show up in synagogues on the High Holy Days. But I resolved to honor my mother’s memory by attending services to say Kaddish at least once a day for the entire eleven month mourning period. That was twenty-five years ago; I remain a regular participant today.

I learned to appreciate three things along the path of Jewish mourning. The first was what it was like to live a complete Jewish year. Instead of just the episodes provided by the Sabbath and major holidays, I experienced for the first time the substantive connections between them — the recognition of each new Hebrew month, the rituals of the intermediate days of Passover and Sukkoth, the sounding of the shofar every day during the Hebrew month leading up to Rosh Hashanah, and joining the community in “Yizkor” services to remember the dead on the three other prescribed times besides Yom Kippur. Daily prayer gatherings exposed me to the ongoing responsibilities of welcoming

visitors and integrating new mourners into the minyan. Regular Sabbath experiences gave me the opportunities to enjoy the bar and bat mitzvahs, baby namings, and pre-nuptial celebrations that punctuated the comfortably consistent weekly flow of services. I was embedded in the rhythms of the Jewish year, and found myself steadily gaining an understanding of and respect for the reasons why these rhythms have been sustained for generations.

I also learned along the path of Jewish mourning to appreciate the value of a traditional liturgy primarily expressed in Hebrew. My mother's death occurred at a time when I was traveling extensively throughout North America and internationally. Finding a daily minyan in New York, Boston, San Francisco, and Los Angeles was easy; locating one in Columbia, South Carolina or Salt Lake City was not. But I almost always did, and in each place I was welcomed by a community into services with essentially the same structure and content as the ones at my synagogue in Chicago. These traditional Hebrew services were especially important when I found myself in places where the communal language wasn't English. Although unable to understand the greetings, teachings, and instructions spoken in Danish, Dutch, French, German, or Spanish, I was still an effective participant in familiar services expressed in the ancient language that all of us were taught. These opportunities to be a part of Jewish communities from Athens to Indianapolis to Tokyo not only heightened my awareness of the incredible diversity characteristic of the Jewish people, but also my understanding of and respect for the role played by common language and practice in linking all of us together.

My daily participation in religious services became statements of identity and purpose.

Finally, my journey on the path of Jewish mourning led me to appreciate the difference between prayer and liturgy. This distinction was forged from the struggle between my commitment to the mourning process and my inability to connect with the framework and language of the services in which I participated every day. The latter, after all, are "prayer services," guided by texts in "prayer books." Try as I might, most of the time this liturgy just didn't work for me for praying.

Rabbinic teachers recognize the tension between prayer and liturgy, urging the need to balance "keva," the fixed regularity of prayer, with "kavanah," its spontaneous and mindful expression. Kavanah is the gold standard of prayer; it's what separates, if you will, the Jedi Knights, who become one with and effectively use the Force of the prayer service, from the Padwans, who aspire to reach this level of discipline and connectedness but, distracted and wracked with doubt, ambivalence, insecurity, and anger, fail to do so. Maimonides sets the bar high in this regard, asserting that "prayer without kavanah is no prayer at all," while further maintaining that "he whose thoughts are wandering or occupied with other things need not pray until he has recovered his mental composure." (Mishneh Torah, "Tefillah," 4, 15). I have indeed experienced moments of kavanah, and can still sense the power of these moments. I readily recall reading Psalm 94, recited every Wednesday during regular daily services, on the morning of September 12, 2001, particularly the passages:

God of retribution, appear! Judge of the earth, punish the arrogant as they deserve. How long, God, will the wicked exalt?

Swaggering, boasting, they exude arrogance.
Surely God who disciplines nations will chastise, teaching mortals to understand. God knows human schemes, how futile they are.

Who will stand up for me against the ungodly? Who will take my part against evildoers?

God will turn their own evil against them and destroy them with their own guile. God will destroy them.

During some difficult times in my life, I also found mindful intentionality in prayer when reciting the comforting words of Psalm 27, which becomes part of daily services in the weeks encompassing the High Holy Days. It begins:

God is my light and my help. Who will I fear? God is the strength of my life. Who will I dread?

and concludes with:

Be strong, take courage, and hope in God.

Kavanah has visited me when the congregation ends Yom Kippur with song, the light of the Havdalah candle, and a plaintive shofar blast, as well as when I responded to the Kaddish recited by new mourners as they stand at the grave of a loved one. But in the end these remained just moments of kavanah, separated by prolonged periods during services of distractedly turning prayer book pages, wracked with doubt, ambivalence, insecurity, and occasionally anger. Even the elevated prose of Abraham Joshua Heschel and encouraging instructions in the prefaces of various prayer books couldn't convince me to develop the disciplines of spontaneity and mindful intentionality required to escape the frustrations of being forever consigned as a Padwan of Prayer.

I did make a breakthrough after exploring the distinction between the word "prayer" as the term is usually defined in English and its translated Hebrew counterpart, "t'fillah." The former is derived from the Latin precari, "to ask earnestly, beg, entreat;" the latter, in contrast, comes from the Hebrew root of the word to "judge, differentiate, clarify, or decide." I found t'fillah a more comfortable concept than prayer. That more of the task was evaluative — of events, circumstances, the actions of others, and my own place in the world — and less was involved with entreaty, gave new focus and meaning to my daily participation in services. But the problem remained: I still found the liturgy as difficult to use for t'fillah purposes as it was for making prayerful requests. There was, however, an unmistakable exception: the liturgy proved indispensable to my work of mourning and remembrance. I couldn't even contemplate how anyone could travel the path of Jewish mourning without the structure and disciplines it provided. How, in particular, could anyone effectively mourn and remember without the contexts established by the liturgy for saying Kaddish — in Aramaic, never in the vernacular — so consistently throughout the days, months, and eventually, years?

On his own year-long path of mourning, Gerald Postema wrote *Grief's Liturgy* in an attempt to deal with the death of his young wife from cancer. The book is a remarkable collection of materials, of "sighs, shrieks, songs, and prayers" sup-

plemented by poetry, prose, paintings, and personal reflections. I was mystified by the title — why *Grief's Liturgy*? Why did he use this word, the one for prayer services formalized in antiquity or the Middle Ages and protected by legalisms and traditions? But in organizing his book according to the Christian Divine Office or "Liturgy of the Hours," Postema explains that he relied on the original Greek meaning of the word — liturgy as "the work of the people," particularly "the people's work of worship." (Gerald J. Postema, *Grief's Liturg*y: A Lament).

Liturgy as the work of the people — this meaning led me to take another approach. Instead of despairingly attempting to pray, through either entreaty or assessment, with the language of the prayer books, I used these words to affirm the work of the Jewish people — my people — that had been developed over millennia and remain under construction today.

My daily participation in religious services became statements of identity and purpose. By regularly joining with Jewish communities to express our liturgy, I was expressing, to myself and to others, who I was in the world. And through this liturgy, I was fulfilling responsibilities: to my mother in honoring her memory, to others honoring the memories of loved ones, and to a people preserving their institutions, traditions, and practices as they tell their stories, learn their history, and celebrate their lives. This was truly good work; it was work to which I became increasingly dedicated and in which I strove to become more proficient.

The distinction between prayer and liturgy also made me aware of other opportunities in which the latter enabled me to express identity and purpose. There are, for example, liturgies of citizenship carefully developed and transmitted by different polities. As a citizen of the United States, I join in singing the Star Spangled Banner without much regard to its language; it is, after all, an expression of national identity and a commitment to national principles, not a particular appreciation of any "rockets' red glare" and "bombs bursting in air." Moreover, that my hat is reverentially removed and placed over my heart during its singing should not confuse me or others that it is an act of prayer. The anthem, along with the pledge of allegiance said by new citizens and oaths of office pledged by elected officials, are instead essential expressions of the work of the people in their profoundly important integrating task of, in this case, secular worship.

But for many of us, making such powerful statements of identity and purpose is not enough. There is still praying that needs to be done. And distinguishing prayer from liturgy upped my game with regard to praying.

In appreciating liturgy as "the work of the people," I better understood prayer as the "work of the person." Liturgy enables me to join with others to express our collective hopes and fears. Prayer is how I bring to consciousness my own hopes and fears. Rabbi Jonathan Magonet elaborates this framework in his poem, "Liturgy-Prayer," which begins:

Liturgy defines the Community that prays

Prayer is the offering of each individual

Liturgy affirms the values of the Community

Prayer sets those values on our lips and in our hearts

Liturgy unites those who share a tradition

Prayer connects us to all who pray

Liturgy describes the boundaries of a community

Prayer locates us within creation as a whole

and ends with:

Liturgy is the vehicle.

Prayer is the journey.

Liturgy is the companion.

Prayer is the destination.

(Jonathan Magonet, *Seder Hatefillot: Forms of Prayer*).

The psalmists originally crafted their prose to communicate their own thoughts to God. That this work was later canonized into liturgy should not make us forget that these soaring and searing statements were once very personal expressions of awe, love, fear, doubt, and appreciation. Could I, also, give myself license and accept the responsibility to craft my own language when imparting my personal requests of God and making my own personal assessments?

Surprisingly, I found myself up to the task, and even more surprisingly, I found myself combining the structure and words of the traditional Jewish liturgy with thoughts shared by others and those developed in my head. I came to own these self-made prayerful combinations. And this sense of ownership not only made my entreaties and judgements more powerful and authentic; it also encouraged me to continually evaluate, expand, and extend my prayer language over time.

Learning to separate the usually conflated and often interchangeable terms of prayer and liturgy enabled me to move from a struggling player in an eleven-month mourning process to a dutiful participant in daily Jewish life for another twenty-four years and beyond. Some days I engage in prayer. On most, however, I am comfortable just leading or participating in the liturgy, making no requests of God or enlisting any divine assistance in assessing, weighing, judging, or attempts to understand. For praying is holy work, but so is the work that liturgy provides of regularly expressing identity, demonstrating commitment to community, connecting with Jews around the world, and speaking the language of past and future generations.

Edward Hamburg serves on the boards of directors of high technology companies after a career as a senior executive in the computer software industry. He also serves on the boards of Sicha, The Institute for the Next Jewish Future, and Congregation Rodfei Zedek (where he is also a past president). His essay, Thoughts on Saying Amen, *appeared in* eJewishphilanthropy *on December 12, 2014. Ed received a Ph.D. from the department of political science of the University of Chicago. Ed and wife Stacey raised their sons, Michael and Adam, in this community; they live in the South Loop.*

This American Shabbat

Since arriving at Congregation Rodfei Zedek Rabbi David Minkus has created and nurtured a program originally suggested by NPR's This American Life*. Invited by the Rabbi, participants in This American Shabbat study together and discuss, then present their interpretations at a Shabbat service. Over and over participants express their appreciation for each other's insights, and the entire Congregation thrills to the rediscovery of its members' talents and commitment. The first three talks, on Parashat Mishpatim, were originally presented on February 10, 2018. The second three, on the combined parshiot B'har/ Bechukotai, were given on May 12, 2018.*

by Andrea Frasier

The central section of parashat Mishpatim begins with a number of laws that we seem to cite when we need to feel good about the strange set of commandments we find in Torah. We're the people who care for widows and orphans (or, at any rate, we've got some Divine retribution coming if we shirk those duties) (Ex. 22:21-23); we judge impartially, swayed by neither high status nor sympathy for the disadvantaged (23:1-3, 7-8). There's even a verse commanding us to save our enemy's ass (23:5), if the situation requires it; we're menschen like that.

And why wouldn't we be? After all, we tell ourselves, we know what it is to be a stranger (23:9), since we were strangers in Egypt (22:20). Because of this, we assert that we're naturally predisposed toward justice and fairness; read one way, much of this portion is about using that bent to create a higher form of human existence.

As the portion progresses, though, a disturbing theme emerges. The laws presented in Mishpatim will keep us strangers to everyone we meet – and perhaps there is a strategy to that – if the Israelites were to engage deeply outside of the tribe, and become part of the communities they wandered through, would they even make it to this promised Land (23:20)? Too, the laws in Mishpatim suggest that some of these strangers we encountered may have been, well, a little strange. I'll give them a pass on their local delicacies (23:19), but there are also multiple hints that the Israelites encountered cruelty, selfishness and violence (along with some very unscientific forms of animal husbandry (22:16)).

So, in self-preservation, we choose not to break bread with our neighbors (or at least put them on dish duty, while we take charge of the menu); we avoid their religious rituals, first agreeing not to participate (22:19), but then going so far as to affirm that we will not speak of those rituals at all (23:13). As a people, we may claim to know "the stranger," but the laws of Mishpatim seem designed to prevent us from ever truly knowing a stranger – we're reduced at best to benign pleasantries, instead of a true exchange of ideas and passions.

In the long run, this sort of othering makes it impossible to observe many of the other commandments we receive here. How can we advocate for the oppressed, if we refuse to engage with them? How can we judge fairly, if we don't know the central values of those being judged? There's a short path from refusing to speak the names of your neighbors' gods to refusing to see the truths of their existence – and, from there, becoming numb to the day-to-day realities of poverty, of violence, of any injustice in a world that we do not inhabit.

As we become used to separating ourselves from those around us, we also run the risk of accepting separations within our own community— or of separating our own selves. I hope I never stop being shocked at the number of Jewish conversations that contain a passage that, effectively, reduces to: "I'm not the 'right' kind of Jewish." This exchange almost always stems from what someone doesn't do; by keeping those negating words on our lips, we avoid talking about our own central truths (and prevent ourselves from acknowledging the driving forces in others' lives). When we emphasize a mitzvah that requires someone to reject family, or a partner, or a core aspect of their identity, how can we possibly rationalize that we are preserving a community? As we allow a custom to morph into a norm, and then into a requirement for acceptance, how many equally valid – and equally beautiful – traditions do we lose? What could we build if, instead, we began from "this is meaningful to me, and this is how I hope to share it with you?"

Throughout, Torah gives us a unique perspective on what it is to be a stranger, an outsider, the other; Mishpatim gives us a number of laws that justify maintaining those divides. Mishpatim's emphasis on what not to be fails to acknowledge two important questions: What kind of people are we, anyway? What kind of neighbors can we be?

After a dalliance with North Side life, Andrea Frazier is now a committed Hyde Parker (which makes it much easier to stumble home after Kiddush Club). When not mixing drinks, she stirs up the numbers at Rush Health, where she is the Advanced Analytics Manager.

by Philip Hoffman

When I first read the portion we're discussing today, I thought to myself, "thank goodness I did not go to Law School." "If this, then that; but if this condition applies, then that one doesn't, etc, etc." The innumerable rules detailed in the parasha deal with all manner of interaction: interpersonal ethics, commerce, family matters like treating our parents with honor and respect, management of the land, and so on. The sheer number of rules is vast, and there does not seem to be much prioritization. Buried among such pearls as "You shall not tolerate a sorceress," are some of the most fundamental tenets of Judaism: First, treat the stranger with love and respect, because we were strangers once in land of Egypt; and second, "Na'aseh v'nishmah" – first we will do and then we will learn and understand.

I found myself seeking and finding parallels in the field I did choose, namely Medicine, to what we read today, and I'd like to share some of my thoughts with you. As many of you are aware, physicians recite the Oath of Hippocrates upon graduating from medical school. The original version was thought to have been written sometime between the fifth and third centuries B.C.E. It contains a long list of rules, some of which are no longer specifically relevant to the practice of medicine today because of the dramatic changes that have occurred in medicine in the past few thousand years. For example, it includes swearing allegiance to various gods and goddesses, limiting medical education only to our male children and the sons of our teachers, and not permitting abortion. However, many of the stipulations are still entirely relevant, and the updated versions of the oath still include maintaining strict confidentiality and professionalism in our work for the benefit of the sick, irrespective of the patient's station in life (to quote): "May I never see in my patient anything but a fellow human in pain. My goal will be to help, or at least do no harm."

Similarly, many of the rules we read this morning seem a little quaint, but are still relevant if we modernize them. For example, if your ox gores your neighbor's ox and it dies, you and the other owner sell off the live one and split the proceeds; however, if your ox has been in the habit of goring other oxen, then you are solely responsible. We might read this today as, "If someone falls on the ice on your sidewalk, it's an act of God. But if this happens repeatedly because you never shovel your walk, you're responsible.

The nation of Israel swore to uphold all of the mishpatim that Moses recited to them that he was charged to proclaim. And the people said, "Na-aseh v'nishma." We'll do it, and in so doing we'll understand the reasoning behind it. So, too, is Medicine's use of the Hippocratic oath. When we graduate from medical school and recite the Oath, we're very "green", and most of us have not yet encountered most of the situations in the Oath – avoiding over-treatment and undertreatment; knowing when we are over our heads and needing to defer to others for help; not playing God; treating the whole patient, not just an illness; revering one's teachers. In fact, it has now become common practice to hold a "white coat ceremony" wherein the beginning first-year medical students recite the Hippocratic Oath and are invested with a white coat as a symbol of their entry into the profession. However, recite it we all do, and as we progress in our careers, we realize how important many of the tenets are, and how critical it is to honor them – our na'aseh v'nishma. It will be some years before we will truly start to understand why we're doing some things, and encountering some of the incredibly intimate and complex conversations and interactions that will establish us solidly in the profession. I've been a physician for 40 years, and I still regularly step back with amazement at the privilege I'm given to witness some people's resilience and strength in the face of adversity.

One of the other realms that Mishpatim treads into is judicial integrity. One of the verses in the text that especially struck me was, "You shall neither side with the mighty to do wrong, …nor shall you show deference to a poor man in his dispute." The commentary in the Chumash suggests that this verse forbids perverting justice in favor of the social standing of the litigant—either rich or poor. This struck a chord with me.

One of my administrative duties is chairing the Medical Liability Committee at the U of C Hospitals. This is a committee of physicians, representing all clinical departments, that advises the hospital attorneys about malpractice cases that have been brought against either the hospital or its doctors. Specifically, we discuss the medical details of the case, and if it's clear that we're at fault, position the case for early settlement and appropriate restitution; or, this is one where we should strongly defend our actions, because we believe the claim made is not meritorious. Or, let's ask Dr. so-and-so to review this and give us input about the merits of this case. Basically, we know that though there may sometimes be negligence or mistakes, there can also be adverse outcomes without negligence – every procedure or treatment has risks that are not always predictable or avoidable. And where else do we so clearly encounter the truism that "no good deed goes unpunished;" we can literally pull someone out of the jaws of death with the most complex medical interventions and care over many weeks, and they then sue for a slight scar on the back of the hand from an IV line infiltration.

However, we work in Cook County, where eye-popping jury awards abound, and we're constantly having to consider how a case will "play" before a jury, irrespective of the medical facts of the case. For example, we're frequently examining what the cost of defense would be, in a case where there's a sympathetic plaintiff, even if we don't believe any wrong was done. Presentation of a person who has suffered significant damage of some sort elicits sympathy – as well it might – but unfortunately does not always help the cause of justice. Today's Torah portion tells us not to favor the rich in a dispute – easy to agree with – but it also tells us not to favor the poor. This is a bit more complicated, as we all are inclined to try to help those who have not been handed advantages and who are suffering. But the deeper pockets of the insurers and hospital are not sufficient reason to find for the plaintiff. In addition, unlike the sympathetic jury, our committee knows all too well that for physicians, it is personally devastating to be sued. If wrong has been done, it should be acknowledged and settled; but unjustified suits are particularly disheartening and may lead to significant distress, cynicism and burnout among physicians.

Although I'm still glad that I didn't go to Law School, I find this process fascinating – listening to the attorneys consider our options, discussing strategies for motions, looking for mitigating factors in cases where we clearly have liability, and deciding which events warrant more widespread action from the patient safety standpoint to avoid future similar events.

So – although one might think of this parasha as a relatively dry recitation of rules, in some ways it provides the specific footnotes to the more lofty Ten Commandments that were read in last week's parasha. What do we mean when we say we live by the Torah's tenets?

Surely these chapters are part of an answer, because they focus on very specific ethical behavior toward others. I have tried to highlight how some of those tenets are reflected through a lens of the medical profession.

Philip Hoffman and his wife, Halina Brukner, have been members of Congregation Rodfei Zedek for more than 30 years. Their children, Andrew and

Laura, grew up in the Rodfei community, and celebrated their b'nai mitzvah at CRZ, as did Halina. Philip grew up and was educated in Philadelphia but has been in Chicago for his entire career. He is a Professor of Medicine and a hemato-logist/oncologist who practices at the University of Chicago Medicine, focusing primarily in breast cancer and lung cancer. He has won numerous teaching awards from the students and residents. Philip has been a board member at Rodfei Zedek for many years.

by Jennifer L. Cohen

I don't know if I feel good about standing on this bimah to talk to you about Torah, because it's a difficult topic for me, and I don't have much time. But you should feel good about it, because it's a testament to the warmth of the community here that I feel I can share my thinking in such a public way. So let me start by thanking you for being people who make this synagogue a warm place to be. And specifically, I thank Cantor Rachel and Rabbi Minkus for throwing open the doors with a leadership of love that inspires me, and means the world to me too.

I love being Jewish and I want to find fulfillment in reading Torah.

Growing up, my adults told me Torah stories were good news because they evidenced our morality and compassion as a people. Every Yom Kippur, like clockwork, this was confirmed with the reading of the Akedah, the binding of Isaac. God sent a ram to be sacrificed in Isaac's place, and Abraham, looking up and taking the ram, moved us out of the pagan days of human sacrifice and into a deep respect for human life. These were good bedtime stories, and I slept well. Ish.

If it's hard to be a Jew, it's harder to be a Jewish woman. Like Ginger Rogers to Fred Astaire, as the saying goes, we do everything men do but backwards and in high heels. It can get tiring. It can feel like mental gymnastics. Once, mishpucha of my parents' generation and I shared a desire at Seder. We wanted to read Haggadah in a way that referred to God as neither male nor female. Each time our turns came around, we reworked the text, on the fly, out loud. At the end, we were exhilarated, laughing together. And exhausted.

Every time I read Torah, I find the kind of bedtime stories that would keep a child up all night, offering no reassurance that all is well and she is safe.

"You shall not wrong the stranger, for you were strangers." I read the story of Sodom and Gomorrah, knowing that it ends badly for Lot's wife, but otherwise is to be celebrated as a story of a Lot as a righteous man. I did not expect to learn that Lot put the safety of his guests above the safety of his own daughters. To protect his guests, strangers, he offered his young, virgin daughters to appease the mob of men threatening his guests. His daughters. To a mob of men. I am a daughter. I have a father. I was there with those two girls. Repulsed, I closed the book.

At my bat mitzvah, I chanted Song of the Sea, the crossing of the Red Sea. Though the Hebrews at that time did not lament the suffering of the Egyptians, I read a commentary suggesting that we spill wine from our cups at Seder as we remember the plagues because as Jews, we cannot drink a full cup while others suffer. I wrote my D'var Torah on this concept, celebrating the compassion at the root of Jewish identity, and my pride as a Jew.

I dove in again with this Mishpatim. The first word I hit my head on was "When." "When you acquire a Hebrew slave, he shall serve six years; in the seventh year he shall go free." A Hebrew man cannot be enslaved forever against his will. Fresh out of 430 years (to the day) of enslavement in Egypt, this is a radical and compassionate law. But it's a law for men.

"When a man sells his daughter as a slave, she shall not be freed as male slaves are." A Hebrew woman does not go free after 6 years. After her father sells her into slavery. This radical compassion is not extended to women. An enslaved woman only gains freedom if she is married to her owner's son and if he fails to guarantee her the fundamental rights of a wife: food, clothing, and conjugal rights. It's an out, but so much more contingent. It's not like there are no guarantees for women in Mishpatim. A man who, through violence, deprives a woman of her status as mother is punished. A female slave beaten severely can go free. Mistreat the widow and be put to the sword. But for a lifetime of study, I have experienced Torah as the wicked child at Seder. How can I not ask "what does this mean to you?" when I do not see myself in this text? Where am I? The daughter sold into slavery? The woman valued only for her pregnancy? The virgin daughter living under a "you break it you buy it" policy? Egyptian women at the time had the same legal rights as men, with limitations based on class, not gender. Significantly, Egyptian women owned and inherited property. So, it wouldn't be a stretch to include Hebrew women in these first laws focused almost exclusively on the governing of property. This is not proscribed in Mishpatim, but it's not guaranteed, either. In fact, the unique outrage God expresses at the mistreatment of the widow suggests the extreme vulnerability of that status and the likelihood that free Hebrew women did not own or inherit property, establish contracts, or administer wills as their Egyptian peers did.
I was about to give up on this entire endeavor when I heard an episode of Krista Tippet's "On Being" the other night, driving home from teaching. It was a conversation between Reform Rabbi Sarah Bassin and Imam Abdullah Antepli, called "Holy Envy." Rabbi Bassin tells Imam Antepli, "when I look at Muslims and see the way that this language of God just flows through you without any sort of self-conscious awareness, I want that. I'm envious of that. And it's not an envy that does anything detrimental to me. It's an envy that actually makes me want to dig for it in my own tradition." Imam Antelpli responds, "what you envy of Islam, I envy in the opposite direction, in the Jewish tradition....your discomfort with God, your wrestling with God, your ability to question." He goes on to tell a Talmudic story of rabbis arguing. Finally, God speaks and takes the side of one rabbi, only to have the other rabbi say, "That's not your position to argue," putting God in second place. Imam Antelpli's holy envy, he says, is that "Jews do this better than anybody else."

We Jews love to celebrate the struggle. Like this Imam, we elevate it. But honestly, it makes me tired.

I circle the table, I hover, I taste, I fidget, I rail, I grind my teeth. I don't sit back on those cushioning pillows like I belong there, but I'm mystified to find that I can't seem to walk away, either.

Jennifer Cohen has a PhD in sociolinguistics from UIC and serves as an Associate Professor of English Education at DePaul University. There she works to help fabulous young people prepare to be successful high school teachers. Her current research focuses on representations of teachers and schools in the news and implications for education policy. Jennifer grew up in Hyde Park. She and her husband Steve have two daughters, Ramona and Thalia, who recently celebrated her bat mitzvah at Rodfei Zedek. The family enjoys paricipating in events such as Shabbat al fresco and Jennifer expresses gratitude for the Rodfei Zedek community, where she can share such personal thoughts and receive nothing but support.

by Max Hutchinson

Our first parasha, B'har, is dominated by the laws of Shemitah and the Jubilee. The Shemitah is a sabbath observed by the land of Israel, during which the land can not be sown or reaped. The natural produce of the land can still be consumed, so long as it is not collected and reserved.

The Jubilee is, at first glance, a sort of super-Shemitah. It occurs in each 50th year, after the seventh (ehh!) Shemitah year. As with Shemitah, the land can not be sown or reaped, but God assures us that stores of previous crops will be sufficient to sustain us.

This agricultural component of Shemitah and Jubilee sorta make sense. If we need a rest every seven days to stay rejuvenated, surely it is not so strange to rest the land every seven years. There's a clear environmentalist thread to pull here, the land being anthropomorphized into observing a mitzvah.

But later in the Torah, the Shemitah is associated with another mitzvah. Deuteronomy 15:1 reads:

Every seventh year you shall practice remission of debts. This shall be the nature of the remission: every creditor shall remit the due that he claims from his fellow.

Rashi clarifies that this refers to every seventh calendar year, that is the Shemittah year, rather than seven years after the start of the debt.

As with the agricultural law, Jubilee is a powered-up Shemittah. Back in Leviticus, chapter 25 verse 10 reads:

It shall be a jubilee for you: each of you shall return to his holding and each of you shall return to his family.

What does this mean? Rashi clarifies:
This means that the fields return to their owners. (Not that each man actually goes back to his land). So every 50 years, land holds revert to their owners. Is land just a proxy for property here? In verse 30, we read:

The house in the walled city shall pass to the purchaser beyond reclaim throughout the ages; it shall not be released in the jubilee.

So no, it does not apply to all property; the Israelites' mixed use high rises in Jericho would be fine.

While the practical function of the remission of debts is clear, we need some help on the land-reset. In Chapter 25 verse 23, we read:

But the land must not be sold beyond reclaim, for the land is Mine; you are but strangers resident with Me.

Which is explained by Maimonides in the Guide for the Perplexed:

[The Jubilee] serve[s] to secure for the people a permanent source of maintenance and support by providing that the land should remain the permanent property of its owners, and that it could not be sold.

So, when the people enter the land of Israel, each family is endowed with land as a means for support. Only through permanent transfer of that land could one end up without support, so, by forbidding permanent land transfer, a basic means of support is guaranteed in perpetuity. Makes sense.

So what happened? Was Israel protected from generational poverty and wealth inequality? Not quite. Both the debt forgiveness of Shemitah and the land-reset of the Jubilee were bypassed by the Rabbis.

Maimonides' Mishneh Torah tells us that in Talmudic times, as the Shemittah year was approaching, the people refrained from giving loans to one another, knowing that the loan would be soon forgiven. This is despite the Torah prohibition in Deuteronomy 15:9:

Beware lest you harbor the base thought, "The seventh year, the year of remission, is approaching," so that you are mean to your needy kinsman and give him nothing. He will cry out to the LORD against you, and you will incur guilt.

In response to the widespread violation of this mitzvah, Hillel advocated for and instituted a halachic mechanism called a "Prozbul" that routed the ownership of a debt through a public institution, which, not being a person, was not subject to the mitzvah of forgiving the debt in the shemittah year.

Maimonides' Mishneh Torah also speaks to the Talmudic exemption of leases or rentals from the Jubilee, stating:

If, however, a man sold his field for the duration of sixty years, it did not revert in the year of jubilee: only what was sold without specification, or what was sold in perpetuity, reverted in the year of jubilee.

So long very long term rentals are fine, as long as you aren't technically selling the land forever.

Both of these Rabbinic "outs" seem like reasonable responses to practical considerations. "Yes yes yes, the Torah says to do these things, but it would be very difficult for a `modern` economy to function with Shemitah and Jubilee, and we are in the minority, so let's find a way around it so we don't fall behind." The prozbul is particularly easy to justify: "Is it not better to lend without forgiveness than to not lend at all?"

While I don't necessarily take issue with those arguments, I still have a bone to pick with Hillel et al here: they rolled back these biblical protections without offering any replacement. The result was an effectively permanent exposure of the people to existential financial risk, through the lack of Shemittah, and a long-term lack of capital, through the lack of Jubilee.

But the spirit of Shemittah and the Jubilee have not entirely faded from society, and relatively contemporary thought has offered the alternatives that the Rabbis were unable to find. In fact, I'd argue that we probably have a more effective version of Shemittah in place now: bankruptcy. As with Shemittah, it protects against existential financial risk, but you don't have to wait arbitrarily up to seven years and it doesn't distort normal debts. That's a win-win.

So too have the ideas of Jubilee persisted. Here's a passage:

The right of any person to any future payment under this subchapter shall not be transferable or assignable, at law or in equity.

Does anyone know where that comes from? It is from the US Code regarding social security benefits, which you can not sell or use as loan collateral. Social security itself was inspired by founder-father Thomas Paine's "Agrarian Justice" (which you can read, in full, on the social security administration's website). Paine advocated for payments to compensate for the loss of natural inheritance, proposing:

To create a national fund, out of which there shall be paid to every person, when arrived at the age of twenty-one years, the sum of fifteen pounds sterling, as a compensation in part, for the loss of his or her natural inheritance, by the introduction of the system of landed property.

The state of Alaska gets even closer with their permanent fund, which pays an equal annual dividend, recently around a thousand dollars, to each of Alaska's permanent residents, funded primarily by the value of Alaska's oil reserves.

To me, this sounds like a model for the modern Jubilee, in that it recognizes that:

- The land does not belong to individuals
- The right to the land is divided among the people and cannot be permanently transferred
- The people derive their maintenance and support from their share of the land

The Shemitah and Jubilee are the Torah's recognition of and protection against the

intrinsic instability of economic parity. While the Rabbis rolled back these protections without replacement, the spirit of Shemitah and Jubilee lives on in economic policies like bankruptcy, social security and land value taxes. We should recognize these as Jewish ideas, and give them due consideration as such.

Max Hutchinson came to Hyde Park from Pittsburgh in 2011 as a physics graduate student at the University of Chicago. Since graduating, Max has worked as a scientific software engineering for Citrine Informatics, where he develops technology to accelerate the pace of materials discovery. He and his wife Tracey Ziev are regulars at Rodfei Zedek, where he acts as gabbai and both occasionally lead services and read Torah and Haftarah.

by Shirley Holbrook

Proclaim liberty throughout the land. What thrilling words. As soon as I saw them in this parasha, my topic was determined. Then I read further and realized that most of the reading doesn't seem to deal with "liberty" but with property and money. Those are matters I've never enjoyed thinking about.

What, then, is a valid approach to the text? Am I allowed to pick out the one verse, or even the one word, that appeals and neglect the rest? In 1751 Quaker Isaac Norris chose the quotation "Proclaim liberty" for engraving on the Liberty Bell. Our parasha speaks of liberty in connection with a 50th year, the Jubilee Year; Norris thought of the 50th anniversary of William Penn's Charter, which speaks of rights and freedom. Was that too much of a stretch?

The word "liberty" represents a fundamental ideal of this country. We sing of ourselves as the "sweet land of liberty" concluding "From every mountain side Let Freedom ring." Those words are echoed in Dr. Martin Luther King's magnificent I Have a Dream Speech.

Now I have two problems: First, am I (or other patriotic Americans) allowed to take the Torah verse about liberty out of context? And, second, are we really paying attention to what "liberty" means? Dr. King's talk reminds us forcefully that the liberty of which we sing is not a reality for all of us. And how is that liberty related to the liberty proclaimed in the Torah?

The Torah was given both to our people thousands of years ago and to us today. Thus it means many different things depending on the experience of the people hearing it. The word "liberty" must mean something different to us today from what it meant to people wandering in the desert. But saying that the Torah means different things cannot be the same as saying it means everything, anything you want. Shakespeare said "The devil can cite Scripture for his purpose," an unforgettable warning.

It's hard to be confident about interpretation, but there are sources of reassurance. First, there's the reaction of other people. Rabbi Minkus and Max and

Russell have provided challenging responses. Second, the Torah itself provides a corrective, a context. No, I should not pick out one verse or one word without considering the surrounding text.

So let us turn back to our source. Here, in the original, the words are far less familiar to me. The word we translate as liberty, is used very rarely in the Tanach. After it appears in today's portion Chapter 25, verse 10 , there's Isaiah 61, verse 1 "He hath sent me to bind up the broken-hearted, to proclaim liberty to the captives, and the opening of the eyes to them that are bound." Does this mean that we should understand liberty narrowly, as freedom from captivity?

There's only the one verse in our parasha proclaiming liberty versus many about land ownership and servitude. Examining my smug avoidance of monetary matters, I find that I have been able to maintain it because I've been privileged, blessed with the access to education and work and family that have enabled me not to have to worry about money. And I begin to suspect that I might not be so complacent about my own liberty if I weren't financially secure. For help with the contemporary meaning of "liberty" and its connection to property I turn to the the first Isaiah Berlin Memorial Lecture given in 1998 in Haifa by Oxford political philosopher G. A. Cohen. He gave as a generally accepted definition of liberty the lack of interference and of liability to interference from others. That does not seem inconsistent with the concept in the Tanach.

Today's parasha suggests a connection between liberty and property. Through his talk, which he entitled, "Freedom and Money," Cohen persuaded me that "freedom is to a massive extent granted and withheld through the distribution of money, ... money structures freedom." Although that seemed obvious to him, he noted that other thinkers argue against it and that the statement is tied to politics. And here's a modern version of the fifty-year cycle: Wealth inequality in the US has followed a U-shaped pattern. From the 1930s through the late 1970s, there was a democratization of wealth. The trend then inverted, with the share of total household wealth owned by the top 0.1 percent increasing from 7 percent in the late 1970s to 22 percent in 2012. In 2016 the share of wealth held by the top 0.1 percent of households was almost as high as in the late 1920s. So, if wealth structures freedom and wealth in our country has become extremely concentrated....?

Now I face a final question: Should I bring up something political in a devar Torah? I have neither the expertise nor the desire to make a political argument. But, with its focus on rules for land-holding and servitude in the new society of the Promised Land, today's parasha is essentially political. The Torah's juxtaposition of verses about liberty and property is no accident. It is reflected in a phrase in the preamble to the U. S. Constitution, which declares among its purposes to "promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity."

Whatever our political positions, the Torah requires us to question them. Just as I'm obligated to look harder at all verses in our parasha, I must face up to the consequences of wealth inequality in our nation, consequences that include implications for one of our central values, liberty.

Today's parasha gives us words to temper our arrogance and open our eyes:

God says in Ch. 25, verse 23 "the land is Mine; for ye are strangers and settlers with Me." As strangers and settlers we must be thankful for our freedom. We must also acknowledge that our Torah sets limits on our property.

Shirley Holbrook, a founding editor of To Learn and To Teach, retired after teaching mathematics at the University of Chicago Laboratory Schools. She and her husband Richard have served on the Board and children Daniel and Nina grew up at Rodfei Zedek. Shirley is a past president of the Congregation.

by Russell Szmulewitz

The Torah is at the core of our religious ideology –

עץ חיים היא
למחזיקים בה

– A Tree of Life to those that hold it tightly. The study of Torah should strengthen my faith and deepen my com–mitment to Hashem. Well … it typically doesn't. I was reluctant to participate in "This American Shabbat" because as a literal text, to me the Torah falls flat at best, and more often, when I read it, my faith as a Jew is shaken if not shoved to the ground. This week's reading is no exception. Behukkotai, the second half of the reading, is in many ways a culmination of the last several sections of Torah that, in excep–tional detail, establish a foundation of Jewish law. It begins with verse 3, "If you follow My laws and faithfully observe My commandments, I will grant you rains in their season, so that the earth shall yield its produce," etc. "I will grant peace in the land" and not only that, but "your enemies shall fall before you" in spectacular fashion. "I will be your God, and you shall be My people" Ten verses of carrot. It then follows with the stick – a really big stick. It reads, "But if you do not obey Me and do not observe all these commandments, if you reject My laws and spurn My rules, so that you do not observe all My commandments and you break My covenant, I in turn will do this to you." The next 30 verses explicitly detail an escalating list of horrors. The imagery is vivid – verses 28-30: "I will act against you in wrathful hostility; I for My part, will discipline you sevenfold for you

sins. You shall eat the flesh of your sons and the flesh of your daughters. I will destroy your cult places and cut down your incense stands, and I will heap your carcasses upon your lifeless fetishes. I will spurn you!"

The entire section (including the good stuff) seems…pedestrian – unfit for an all-knowing, all-powerful being. I can imagine Ramses, or Xerxes standing in front of a cowering mass saying the same thing. Heck, my daughter says a version of this to my son all the time "you mess with the bull, you get the horns." It's not as bad as "you will eat the flesh of your children" but the sentiment is the same. Be good to me and follow my rules, and I'll be good to you, but if not, the punishment will be severe – as it is written, "I will smite you sevenfold".

In addition to the whole, "I am the Lord, follow all of my laws or else" part, within the two portions we read this week we have laws of Sabbatical and Jubilee, which govern how we handle the land and interact with the community, with explicit detail. Within Behukkotai there are detailed laws that codify what monetary value is placed on pledging a life to the service of God. Both sets of regulations are woefully mundane and have absolutely zero relevance in a literal sense, in our time.

I have always been taught and felt myself that Judaism is a religion whose strength is in its mitzvot. It is a religion of personal action, not philosophy. Its focus is on the here and now, on how you should live your life for the betterment of yourself and those you interact with, on a community buttressed by tzedakah and g'milut chasadim. I am an oncologist because of the sense of tikkun olam – the healing of the world – I feel through doing my best to heal the individual. I send my children to Akiba Schechter Jewish Day school so they too can be grounded in these values. And yet, when I read the text, I feel none of that.

My sense of God, through portions like this one is of a petty, vindictive, and frankly human being. I glaze over reading most of the laws. It is in no way inspirational for me as a Jew. If we assume that the Torah is divinely ordained, what are we to learn about the nature of divinity? How are we to model ourselves in Hashem's image? Should we follow the commandments because they are "right" and "good" in and of themselves or rather because we want a prize or hope to avoid a punishment as the text implies? If many of the laws seem irrelevant, are they all?

An oft cited answer to those like myself when we find passages within the Torah that we either cannot relate to or find unsettling, is that we should not take the Torah as a literal and immutable text. It was written by tribal leaders to fortify a fledgling nation thousands of years ago. "This is the God that ancient Israelites would identify with." Are we then to take the Torah as a relic – a piece of our history that simply reminds us of who we came from, that we read ritually but more or less ignore as a living document? What these weeks of Torah study as part of This American Shabbat have reminded me is that the answer is "no". However, finding a deeper meaning – in effect finding My God within the text is … well … hard. (I definitely have a new respect for our Rabbi who does this all the time!)

I believe that the passages read this week highlight the importance the Torah and ultimately God placed (and thus still places) on establishing and maintaining a Jewish community. God's ultimate plan, the Torah's central purpose is that we are a

nation, held together by its laws. Perhaps many of the laws themselves, as written in the Torah, are not so important – they cannot be when we do not have the relevant infrastructure upon which the laws are dependent. Within the Torah, we have a body of laws governing the conduct of the Nation of Israel, that in their detail establish the Nation. Law that is backed up by a God the people could relate to (even if I may not). Without the law, we have no Nation of Israel and without God we have no law. God's purpose is to bring together our people. By sanctifying the Torah, perhaps we are not placing importance on the "holy law", but rather on the nation, established by a common belief in God.

What of the nature of God? I cannot believe that My God would behave no better than an angry parent, expecting obedience from their child out of fear of punishment. In studying the Torah, I have to wrestle with the notion of God. Maybe this is EXACTLY THE POINT! I am not supposed to relate at face value or even feel comfortable. I should not be limited by the narrow definition of the God that is plain within the text. Rather, I have to listen to the still small voice between the verses. I have to search for God. I have to ask myself why the passages make me uncomfortable and why they leave me at best underwhelmed. By asking for more out of the Torah, I am forced to contemplate the nature of God and my relationship with Hashem. Sometimes, often in fact, this will leave my faith shaken. To be a Jew is to be uncomfortable – to ask more out of God and thus more out of ourselves. As a member of the community of Israel, I will continue to wrestle with God, because I believe that is at the very core of the Divine plan.

I want to thank you all for listening to me ramble. Max and Shirley were amazing co-TAS'ers that inspired me with their often more optimistic outlooks. I want to thank Rabbi Minkus for encouraging me, without judgement I might add, to write about my struggles with the text and for challenging me as a Jew.

Russell Zelig Szmulewitz is a medical oncologist at the University of Chicago. He was born and raised in the northwest suburbs of Chicago and attended Sager Solomon Schecter Day School through fifth grad, but moved to South Florida. He and his family were very active in their synagogue and Jewish community in Florida. Russell returned to Chicago for college, attending Northwestern University where he graduated with dual majors in Religious Studies and Molecular/Cellular Biology. These studies fortified his conviction that faith and religious practice, regardless of particular denomination, can enrich life, even in our reductionist modern world.

Russell moved to Hyde Park several years ago specifically to take advantage of the Jewish community. The welcoming Rodfei congregation coupled with Akiba Schecter next door were major draws and he and his family could not be happier with their choice to move here. Russell is an active member of the Rodfei Board, his wife Linda is on Rodfei's Youth Committee, and his children Verdit (13) and Benjamin (9) attend Akiba Schecter.

On Kol Nidre, Elie Wiesel, and ... Baseball?

***by* Rebel Without a Clue/Jeff Ruby**

"You can't be a rabbi in America without understanding baseball."

– Solomon Schechter, architect of Judaism's Conservative movement

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Erev Yom Kippur, 1985. Wichita, Kansas. The mood is somber. A cello player from the Wichita Symphony plays a haunting version Kol Nidrei up on the bima of Temple Emanu-El. The reform congregants are asking God to pardon our iniquities according to His abundant mercy, just as He forgave this people ever since they left Egypt. Some have their eyes closed, their heads bowed. For many it's a profound climax of the Jewish year.

For the guy two rows in front of me with the headphones on reporting that Frank White just hit a two-run homer in the fifth off of Joaquín Andújar, it is a different kind of moment altogether. He's got his own thing going on.

Then again, he's not alone. Around the sanctuary, congregants silently pump fists. A few high-five. And it ain't for God. It's for Frank White.

These were the glory days for the Royals, a scrappy bunch of grinders who always made the playoffs but never seemed to win it all. The team was larger than life at my synagogue and everywhere else. George Brett, the blond third baseman, was as goyishe as it got and somehow he was an honorary member of the tribe. A friend of mine called him George Brettstein.

In fact, by then the Royals were so ubiquitous, so uniformly beloved, that I grew tired of them and tried to lead a backlash against them—at school, at synagogue, and everywhere else. Of course, I failed. The Kansas City Royals were in the World Series. Against the loathsome St. Louis Cardinals, for crying out loud! How could any baseball-loving Kansas Jew possibly spend the evening at shul, no matter how holy the day?

This is known in some circles as the "Kol Nidrei Quandary." Baseball or atonement—which do you choose? And what kind of God forces us to make that decision? "You know," the alter kockers say, "Greenberg went to shul on Yom Kippur in 1934, right in the middle of a pennant race. And, of course, Koufax in the '65 series. He was supposed to pitch! You think you're more important than Greenberg and Koufax?"

No. I'd say for most of us, our spirit animal is Eddie Feinberg, a shortstop on the '38 Phillies who was afraid to take the day off on Yom Kippur because it was a double header. His teammates, first baseman Phil Weintraub and left fielder Morrie Arnovich, both went to shul. No word

TO LEARN AND TO TEACH FALL 2018

on where backup second baseman Justin Stein was that day. (It probably goes without saying that in 1938 the Phillies finished in last place in the National League.)

But Feinberg, a 20-year-old rookie, figured he wouldn't have a job for long if he said, Eh, I'm a Jew first and a ballplayer second, so he played both games on Yom Kippur. He went 0-for-8 at the plate and that was pretty much it for his Major League career. Hmm. Maybe he should've been a Jew first. Though it's easy to say that in hindsight; what if he'd gone 5 for 8 with two homers and 6 RBI in that double header? Or, what if he had gone to shul and was rewarded karmically and became the next Babe Ruth, instead of, you know, Eddie Feinberg? Alas, we'll never know for sure.

My favorite diamond quandary, though, comes courtesy of an unlikely ballplayer: writer and activist Elie Wiesel. Just two days after he won the Nobel Peace Prize in October 1986, Wiesel got a phone call from Peter Ueberroth, the commissioner of baseball.

"The only possibility in my mind was my son," Wiesel said in Sports Illustrated. "Maybe they would invite him to some World Series, which apparently is an important event, I don't know."

Instead, Ueberroth asked Wiesel if he wanted to throw out the first pitch at the World Series. "I said, 'What's that?'" Wiesel recalled years later. "He thought I was joking."

Ueberroth explained it to him. Well, see, the New York Mets are playing the Boston Red Sox for the championship, and the game is at Shea Stadium in Queens on Saturday, and, you know, it's kind of a big deal.

Ah, Wiesel said. Then he said no. He couldn't possibly do that on Shabbat.

Later, Ueberroth called back. How about Sunday? he asked. Game two is on Sunday.

Wiesel: "So there's a second game?"

Once Ueberroth finished laughing, Wiesel looked at his calendar. Nope. Sukkot.

Ueberroth — a hard-charging businessman who had organized the Summer Olympics in Los Angeles in 1984 and been Time Magazine's Man of the Year — would not be deterred. He consulted with an Orthodox rabbi who noted that after sundown, Wiesel could travel. If he sent a police escort, would Wiesel throw out the first pitch?

He would. And he did pretty well. The caption under his photo in Sports Illustrated later read: "For a man of peace, he threw a nasty palmball."

"[My son] was more impressed with that than with my getting the Nobel Prize," Wiesel said later in *Moment Magazine*.

That man in the sanctuary with the headphones, listening to Kol Nidrei with one ear and Vin Scully with the other? He had found a loophole in the Kol Nidrei Quandary. And through his ingenuity, he apparently found favor with the God of the Old Testament and the gods of baseball, because the Kansas City Royals won that World Series that year in seven games.

This year, you won't have to face the Kol Nidrei Quandary. The World Series safely falls long after the High Holidays are done. But in 2019, Kol Nidrei falls on October 8th, most likely the night of more than one crucial playoff game. Until then, we get a reprieve from the knowledge that some of us will wind up on the Koufax or Wiesel side of history—and some of us will forever be Eddie Feinberg.

Jeff Ruby is the chief dining critic of Chicago magazine and is the author of the middle school age novel, Penelope March is Melting*, which was released last November. He is a graduate of the University of Kansas journalism school and also has a bachelor's in philosophy from the University of Colorado. He is the husband of Sarah Abella, who grew up at Rodfei Zedek; and they are the parents of Hannah, Max, and Abigail.*