

June 27, 2024

Dear Shearith Israel family,

Our Year of Hope. First, the good news: We are on the cusp of installing the first phase of our new carpeting. We will start with the Levy Auditorium. Barring the unforeseen, the carpeting there should be laid in the next couple of weeks. Buying and receiving the new carpeting for other areas of the building is proceeding apace. We sent in the MONDO deposit for the Sanctuary carpeting and will advise when we have a date for the installation (months hence, given how long it takes to custom produce and ship). Our timing there will be affected by some important life-cycle celebrations of several of our congregational families, whom we don't want to inconvenience in this process.

Second, sometimes I fool you and say, after the good news, there is even better news. Alas, this time there is a Yang for the Yin. Recall that we have been having some serious roofing issues. Our many roofs are old, and some of them leak at inconvenient times (like when it rains). We have put off repairing them and did not include this cost in our *Year of Hope* Capital Campaign because, well, it is always better to pay you Tuesday for a hamburger today (1 point for who said it). Also, as we announced, we were seeking outside grant money to help defray the significant cost. Unfortunately, that funding will not come through. So we need to do something about the roofs. Ari Sherizen and Barbara Reiss are getting revised quotes for the work. I'm sorry to say that you are going to be hearing from us about this.

In terms of prayer and play over the Summer, we will be headed downstairs to the Levy Auditorium not this Shabbat but next. It is wonderful down there – smaller, intimate, full of singing, generally freezing (think meat locker cold), and refreshing, even on the hottest of heat-wave days. And kiddush out on Paved Paradise is very special – informal, genial, and open to sitting a spell and enjoying our community. If you are in town, please join us.

Tractate Baba Batra. This week, as part of the worldwide Daf Yomi learning cycle, we finished Tractate Baba Metzia – the middle gate – and have begun Baba Batra, or the final gate. The three “Baba” tractates each have ten Chapters. Our Sages long ago observed that the three tractates were once one long, uber tractate dealing with *nezikin*, or torts and damages.

Baba Batra itself is a monster – 176 double-sided pages long. But we only need to learn one of those pages a day. We can do this, together. And together we can enjoy the genius of the Talmud, which teaches us more about *the things that matter* than any other corpus in history (disagree? let me hear from you, with some proof). Let us begin.

Respecting Privacy. The beginning of the Tractate Baba Batra continues a discussion of the rights and obligations of partners or people in some relationship with each other. In that respect the Tractate follows and is related to the final pages of Tractate Baba Metzia.

Baba Batra, however, begins with a new Chapter and a new and profoundly important set of messages. Look how deceptively simple is the opening paragraph of the first Mishna:

השותפין שרצו לעשות מחיצה בחצר – בונין את הכותל באמצע. מקום שנהגו לבנות גויל, גזית, כפיסין, לבינין –
בונין; הכל כמנהג המדינה.

Partners who wished to make a partition [mehitza] in a jointly owned courtyard build the wall for the partition in the middle of the courtyard. What is this wall fashioned from? In a place where it is customary to build such a wall with non-chiseled stone [gevil], or chiseled stone [gazit], or small bricks [kefisin], or large bricks [leveinim], they must build the wall with that material. Everything is in accordance with the regional custom.

I say deceptively simple for the following reason: The notion of privacy between and among people and families underpins this Mishna and the Gemara that follows. The Talmud had a keen and developed sense of the importance of privacy. We take privacy for granted these days – just as so many of us are more and more willing to give up that privacy for safety and security.

Let's consider how modern the notion of privacy is. The right to privacy is nowhere explicit in the U.S. Constitution (is it in the constitution or organizing document of any other country? I don't think so but would part with two points if you pointed one out). It was not until 1890, when Sam Warren and Louis Brandeis published an influential article in the Harvard Law Review that anyone gave a meta-constitutional basis for a right to privacy in the U.S. (lawyers annoying call it a "penumbra" right). Even then, people in America had only vague notions of privacy being a "right" until 1965, when the Supreme Court decided *Griswold v Connecticut* – and even then it was really Justice Harlan's concurring, two-part formulation for determining whether the privacy interest is paramount that infused itself into our legal consciousness: first that a person have exhibited an actual (subjective) expectation of privacy and, second, that the expectation be one that society is prepared to recognize as "reasonable".

The Talmud respected privacy rights nearly two millennia ago. The Talmud, too, articulates and protects both a subjective and objective aspect of privacy.

Dizzy Disraeli and Mercenaries. Claude Nadaf liked Rabbi Soloveichik's choice of topic for Shavuot night and reminds us of a great Disraeli quote:

*A race that persist[s] in celebrating their vintage . . .
will regain their vineyards*

Claude also tried to snatch *three* points, which I offered for a comparable set of legal rules in force at any time before the Twentieth Century that were as generous and market-driven as the Talmud's was towards serfs and sharecroppers. Claude argues for "army soldiers and mercenary remuneration." Is Claude right? Kingdoms and empires could not fight without soldiers and mercenaries. So these groups had a natural leverage that needed to be paid for. As Claude observes, "survival of the regime" led to laws protecting these occupations unlike virtually any other. These were otherwise outcasts or lower-castes, yet they were paid well and had the protection of legal contracts. The rarity of the phenomenon confirms my point of the unique enlightenment of the Talmud. And, more important (to Claude, anyway), the judges have reconsidered an initial rejection and award Claude three big ones. Congratulations to the point leader in a non-musical category.

Natural Cool Stuff. Let's take a break from the natural disasters, dire global-warming predictions, shore erosion, and other negatory nature news. Consider these:

- The Strawberry Moon observed last Friday night on Shabbat in NYC was about the largest we've seen in 18.6 years. That's because the full moon largely coincided with the Summer Solstice (which came a day early this year, on June 20) so sun and moon were very close to the horizon and hence looked larger. Here is a Getty image (mine *would have been* better, but it was Shabbat).



- Since about January 2023, the moon we are seeing is the largest we've seen in about 993 years. No, that's not because the moon is careening towards Earth, about to collide with it, and will wipe out all life. OMG would you cut it out!? Do you know why it is? I'll give you two points for getting it right.
- "Manhattanhenge" is an ugly portmanteau of Manhattan and Stonehenge. A couple times a year, the setting sun aligns with the east-west streets of Manhattan and shoots light rays down the blocks. The view is gorgeous. We will have two such days on July 12-13. This past Sunday, the effect produced this stunning daylight and shadow at 8:00 p.m. (who's the gorg woman in the foreground? A tourist? A movie star?)



Send in some nice nature news.

Time, Waiting, and Journeying. Below you will see that we have another *huge* number of suggestions for our ***Summer Songbook 2024***. I continue to wonder if the topic is so broad that it captures too many different types of songs. There are three reasons why I nonetheless think we have a good, sound “topic” and should continue to collect great examples of it:

First, listen to the songs on the list. They cohere -- most of them, anyway. They are of a piece (again, most of them).

Second, if you think of the main part of the topic as journeying, then time and waiting are all part of the journeying process. Lester Gottesman’s quote last week from “*Ulysses*, the Tennyson one” made the point. Our friend Andrew Druck, who offers a bunch of great songs for the Songbook, makes the point himself, in words less poetic than Tennyson’s but not without impact:

Journeying has to do with moving towards the future, often a personal journey (“Hejira”), waiting has to do with anticipating something in the future (“To dream the impossible dream”, a state of mind concerning the future, as an example), and time encompasses both and stretches out into its own broad ... topic. ... It’s difficult, and perhaps a bit obsessional, to tease these out.

Third, journeying is just what we are witnessing in the *parshiot* of *Bemidbar* that we are reading this time of year. If you missed Rabbi Soloveichik’s Shabbat afternoon class that addressed this very topic, then you missed an exceptional talk.

I wondered aloud the other week whether there might be nearly as many time/waiting/journeying songs as there were love songs. Billy Schuler is sure I’m nuts (condolences, btw, to him, Michael, Lynette, and the entire family upon the loss of third brother, Elliot). I’m less sure. And in any case, listening to great songs about journeying, with its stops and starts and promises and dashed-hopes and renewal, is just the thing to imbue our **Summer of Hope** with optimism.

Shearith Israel Summer Songbook 2024: Time, Waiting, Journeying. Where we were last week is:

- [*Anticipation*](#), by Carly Simon
- [*One of these days*](#), by Neil Young
- [*Waiting for the Sun*](#), by The Doors
- [*Wishing and Hoping*](#), by Dusty Springfield
- [*Any Day Now*](#), by Chuck Jackson (music by the great Burt Bacharach)
- [*Day in - Day Out*](#), by Frank Sinatra
- [*The Best is Yet to Come*](#), by Frank Sinatra
- [*It Won’t be Long*](#), by The Beatles
- [*Time on My Hands*](#), by Kate and Anna McGarrigle
- [*High Hopes*](#), by Bruce Springsteen
- [*Long Walk Home*](#), by Bruce Springsteen
- [*Time is on My Side*](#), by The Rolling Stones
- [*Time Waits for No One*](#), by The Rolling Stones
- [*The Midnight Hour*](#), by Wilson Pickett
- [*Hejira*](#), by Joni Mitchell
- [*America*](#), by Simon and Garfunkel
- [*All I Want*](#), by Joni Mitchell
- [*Talk to Me of Mendocino*](#), by Kate and Anna McGarrigle
- [*Long Time Gone*](#), by Crosby Stills & Nash
- [*By the Time I Get to Phoenix*](#), by Glen Campbell
- [*On the Atchison, Topeka, & the Santa Fe*](#), by Johnny Mercer
- [*Something’s Coming*](#), by Leonard Bernstein from *West Side Story*
- [*My Time of Day*](#), by Frank Loesser from *Guys and Dolls*
- [*The Wells Fargo Wagon*](#), by Meredith Wilson from *The Music Man*
- [*Summertime*](#), by The Jamies
- [*Working My Way Back To You Girl*](#), by The Four Seasons
- [*Sunrise, Sunset*](#), from *Fiddler On the Roof* (Perry Como version)
- [*Tie A Yellow Ribbon*](#), by Tony Orlando and Dawn
- [*When Johnny Comes Marching Home*](#), Mitch Miller rendition

- [*September of My Years*](#), by Frank Sinatra
- [*Once Upon a Time*](#), by Frank Sinatra
- [*As Time Goes By*](#), by Frank Sinatra
- [*Day In Day Out*](#), by Frank Sinatra
- [*Sentimental Journey*](#), by Frank Sinatra
- [*When the World was Young*](#), by Frank Sinatra
- [*Funny How Time Slips Away*](#), by Willie Nelson
- [*Tomorrow is a Long Time*](#), by Bob Dylan
- [*Time has Come Today*](#), by The Chambers Brothers
- [*Dock of the Bay*](#), by Otis Redding
- [*Waitin' for the Train to Come In*](#), by Peggy Lee
- [*Tous les garçons and les filles*](#), by Françoise Hardy
- [*When the Saints Come Marching In*](#), by many artists including Louis Armstrong
- [*Leaving on a Jet Plane*](#), by Peter, Paul, and Mary
- [*Come Back to Me*](#), this one by Peggy Lee
- [*Tonight*](#), this version from Spielberg's 2021 West Side Story

This week brings many great new entries:

Dr. Zachary Gorden, who with his wife and son undoubtedly comprise a most cheery three-some beautifying our services, came up with this impressive list. When I challenged him, asking where he got all these, he smiled and pointed to his noggin (I've omitted some dups from prior lists):

- [*I Would Walk 500 Miles*](#), by The Proclaimers
- [*Travelin' Prayer*](#), by Billy Joel
- [*2000 Light Years From Home*](#), by The Rolling Stones [does anybody love this song?]
- [*Homeward Bound*](#), by Simon and Garfunkel [does anybody *not* love this song?]
- [*Fly Me To The Moon*](#), by Frank Sinatra
- [*Up, Up and Away*](#), by The 5th Dimension
- [*The Long and Winding Road*](#), by The Beatles
- [*All Over the World*](#), by ELO [check out the great dancing]
- [*Jet Airliner*](#), by The Steve Miller Band
- [*Nights Are Forever*](#), by England Dan and John Ford Coley [borrowed a bit of Paul McCartney for this one, imho]
- [*Time In a Bottle*](#), by Jim Croce
- [*Take it Easy*](#), by The Eagles
- [*Waiting For a Girl Like You*](#), by Foreigner
- [*Running On Empty*](#), by Jackson Brown
- [*Last Train to Clarksville*](#), by The Monkees
- [*Do You Know the Way to San Jose*](#), by Dionne Warwick
- [*Arrival*](#), by ABBA
- [*Alabama Bound*](#), by Leadbelly
- [*Downbound Train*](#), by Bruce Springsteen

Andrew Druck, who waxed lyrical in defending this year's choice of "topics", also supplied a mighty impressive list:

- [*Circle Game*](#), by Joni Mitchell

- [*Dancing in the Dark*](#), by Frank Sinatra [didn't suggest the Springsteen great]
- [*On My Way to Town*](#), by Kate and Anna McGarrigle
- [*Walking Song*](#), by Kate and Anna McGarrigle
- [*Traveling Man*](#), by Ricky Nelson
- [*Waiting on a Sunny Day*](#), by Bruce Springsteen
- [*Yesterday*](#), by the Beatles
- [*Get Back*](#), by the Beatles
- [*It was a Very Good Year*](#), by Frank Sinatra
- [*After Midnight*](#), by Eric Clapton
- [*April Come She Will*](#), by Simon and Garfunkel
- [*Some Enchanted Evening*](#), from South Pacific
- [*The Wanderer*](#), by Dion
- [*Someday We'll Be Together*](#), by Diana Ross & the Supremes
- [*High Hopes*](#), by Frank Sinatra
- [*Over and Over*](#), by Neil Young

Our growing list is amazing. With just a couple weeks left, send in more great suggestions soon.

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

Louis Solomon, Parnas