



Congregation Beth Israel of the Palisades

שבת פרשת שופטים

Shabbat Parashat Shof'tim

August 18, 2018 | Elul 7, 5778

TORAH STUDY

This Week: Shabbat Parashat Shof'tim
D'varim 16.18-21.9, pages 1088-1106

FIRST ALIYAH: Verse 16.22 warns, “Do not erect a stone pillar, which the Lord detests.” If so, why is it permitted to set up grave stones or decorative pillars?

FIFTH ALIYAH: Verse 19.4 refers to a person accidentally killing someone with whom he never had any enmity, but what if he accidentally killed someone with whom he once had a dispute?

*The fourth haftarah of consolation,
Yishayahu 51.12-52.12, begins on Page 1108.*

Next Week: Shabbat Parashat Ki Tetzei
D'varim 21.10-25.19, pages 1112-1136

FIRST ALIYAH: Does verse 21.19 command both parents to demand that their “stubborn son” be stoned to death, or is this the Torah’s way of making sure such never happens?

FIFTH ALIYAH: Regarding the requirement to divorce a wife by writing a get, and given that “possesses her” means marital relations, is a get required for marriages that were not consummated?

*The 5th haftarah of consolation, Yishayahu 54.1-10 (page 1108)
& continues with 54.11-55.5 (page 1085).*

For haftarot, we follow S'fardi custom.

‘TZEDEK’ SQUARED: THE ONLY JUSTICE IS TORAH-DEFINED JUSTICE

צדק צדק, tzedek tzedek. Justice, righteousness—the shaping of all private and communal affairs in accordance with the requirements of God’s Torah—is to be the one supreme goal sought purely for its own sake; a goal to which all other considerations must defer.

Israel’s sole task is to pursue this goal unceasingly and with total dedication, “that you may live and thrive on the Land the Lord your God is giving you” (למען תחיה וירשת את הארץ אשר ה' אלוקיך נתן לך). If Israel does this, it has done everything within its power to secure its physical (תחיה) and political (וירשת) existence.

Note that even at this point in the narrative, when it clearly refers to the time when Israel has already completed its occupation of the Land, Scripture still uses the term “וירשת” (“and take possession”) (from ירושה, to inherit), with reference to the political security that Israel will gain if it will honor and promote justice. From this we learn a momentous truth: [Israel’s] possession of the Land can be called into question at any time, and the Jewish state must take possession of the Land ever anew through the full realization of justice.

The repetition of the term tzedek in our verse is explained in the Babylonian Talmud tractate Sanhedrin 32b as follows: Doing justice impartially must be the aim of every judicial activity, no matter whether this activity serves to decide the law or to arrange a compromise. In every civil case (see BT Sanhedrin 6b), it is a mitzvah to attempt to bring about an amicable compromise between the parties. And even in arranging compromise, the judge may not show favor to one of the parties.

—Adapted from the Torah commentary of Rabbi Shamshon R'fael Hirsch, ז"ל

CBIOTP STANDARDS & PRACTICES

1. Men must keep their heads covered in the building and must wear a talit when appropriate. Women may choose to do either or both, but it is not mandatory.
2. Anyone accepting a Torah-related honor must wear a talit, regardless of gender.
3. Only one person at a time may take an aliyah.
4. No one should enter or leave the sanctuary during a K'dushah. One should not leave the sanctuary when the Torah scroll is being carried from or to the ark.
5. No conversations may be held in the hallway outside the sanctuary, or while standing in an aisle alongside a pew.
6. The use of recording equipment of any kind is forbidden on sacred days.
7. Also forbidden are cell phones, beepers and PDAs, except for physicians on call and emergency aid workers (please use vibrating option).
8. No smoking at any time in the building, or on synagogue grounds on Shabbatot and Yom Kippur.
9. No non-kosher food allowed in the building at any time.
10. No one may remove food or utensils from the shul on Shabbatot. An exception is made for food being brought to someone who is ailing and/or homebound.

MAZAL TOV CORNER

[If we don't know about it, we can't print it;
if we can't print it, we can't wish it.]

HAPPY BIRTHDAY

Sunday	Chaim Chalom
Monday	Arielle Fronimos
Tuesday	Gary Chartoff
Wednesday	Leeat Massuda & Doron Barzilay
Thursday	Miriam Taub & Josh Levey
Friday	Sharon Kaufman & Lili Weitzen

Присоединяйтесь к нам
дл освящение и обед

This week's kiddush & luncheon
is sponsored by
THE KIDDUSH CLUB!
Please join us!

MITZVAH MEMO

Too many people in our area
do not have food to eat.
Please bring non-perishable food
and other items to the shul.

THE IMAHOT:

*Following is the text adopted by the Ritual Committee
for use by the Prayer Leader in reciting the Amidah, and
those wishing to insert the Matriarchs in their Amidot:*

ברוך אתה אֱלֹהֵינו וְאֱלֹהֵי אֲבוֹתֵינו וְאֵמוֹתֵנו, אֱלֹהֵי
אֲבֹרָהּ וְשָׂרָה, אֱלֹהֵי יִצְחָק וְרַבֵּקָה, וְאֱלֹהֵי יַעֲקֹב, רַחֵל
וְלֵאָה. הָאֵל הַגָּדוֹל הַגִּבּוֹר וְהַנּוֹרָא, אֵל עֲלִיּוֹן, גּוֹמֵל
חֲסָדִים טוֹבִים, וְקוֹנֵה הַפֶּל, וְזוֹכֵר חֲסָדֵי אֲבוֹת, וּמְבִיא
גּוֹאֵל לְבְנֵי בְנֵיהֶם לְמַעַן שְׁמוֹ בְּאַהֲבָה.

Recite this only between Rosh Hashanah and Yom Kippur:

זְכַרְנוּ לְחַיִּים, מְלֹךְ חַפֵּץ בְּחַיִּים, וְכִתְבָנוּ בְּסֵפֶר הַחַיִּים,
לְמַעַן אֲ-לֹהִים חַיִּים.

מְלֹךְ עוֹזֵר וּמוֹשִׁיעַ וּמַגֵּן. בְּרוּךְ אַתָּה אֱדֹנָי, מְגֵן אֲבֹרָהּ
וְעִזְרַת שָׂרָה.

This week's Shabbat Booklet
is sponsored by

[YOUR NAME GOES HERE]

Why not sponsor
The Shabbat Booklet?

Use it to mark a yahrzeit, celebrate a simchah,
or for whatever legitimate reason.

It's only \$36 per booklet.

THE HIGH HOLY DAYS ARE ALMOST HERE!

Rosh Hashanah begins in just three weeks!

For security reasons, all reservations must be made in writing,
using the form that was mailed to you.

Also included in that mailing are a Yizkor Book order form
and a Greetings Ad Form.

Forms for all three also will be available on our website,
<http://www.cbiotp.org/High-Holy-Days.html>
in the coming week.

DON'T DELAY!

RESPOND TODAY!

The 'King's Law': Consent of the Governed

The contribution of Tanach, the Bible, to political thought is fundamental, but not well known. In this essay, I want to look at institution of monarchy as the Torah details it in this week's parashah. What does it tell us about the nature of government as the Torah understands it?

The command relating to a king opens with these words:

When you enter the land Hashem your God is giving you and have taken possession of it and settled in it, and you say, "Let us set a king over us like all the nations around us," be sure to appoint over you the king Hashem your God chooses.... (D'varim 17: 14-15).

It continues by warning against a king acquiring "great numbers of horses for himself." He "must not take many wives," nor may he "accumulate large amounts of silver and gold." He must write a Sefer Torah, which "he is to read [from] it all the days of his life so that he may learn to revere Hashem his God and...not consider himself better than his brothers, or turn from the law to the right or to the left."

The entire passage is fraught with ambivalence. The dangers are clearly spelled out. There is a risk a king will exploit his power, using it to acquire wealth, or wives, or horses

(one of the status symbols of the ancient world). This is exactly what Hemelech Sh'lomo (King Solomon) is described as doing in Sefer M'lachim (the Book of Kings). His "heart may be led astray." He may be tempted to lord it over the people, considering himself "better than his brothers."

The most resonant warning note is struck at the outset. Rather than commanding the appointment of a king, the Torah envisages the people asking for one so they can be "like all the nations around us." This is contrary to the whole spirit of the Torah. The Israelites were commanded to be different, set apart, counter-cultural. To want to be like everyone else is not, for the Torah, a noble wish, but a failure of imagination and nerve. Small wonder, then, that a number of medieval commentators hold that the creation of a monarchy is not a biblical imperative. Ibn Ezra held that the Torah did not command it, but merely permitted it {this is Rabbi Engelmayer's position, as well}. Abarbanel—who favored republican government over monarchy—regarded it as a concession to popular sentiment.

However, the key passage is not here, but in I Sh'muel 8. As predicted in D'varim, the people do eventually request a king. They come to Sh'muel, the prophet-judge, and say: "You are old, and your sons do not walk in your ways; now appoint a king to lead us, such as all the other nations have."

Sh'muel is displeased. God then tells him: "Listen to all that the people are saying to you; it is not you they have rejected, but they have rejected Me as their king." This seems to be the heart of the

matter. Ideally, Israel should be under no other sovereign but God.

Yet God does not reject the request. To the contrary, God had already signaled, through Moshe, that such a request would be granted. So He says to Sh'muel: "Listen to them; but warn them solemnly and let them know what the king who will reign over them will do." The people may appoint a king, but not without having been forewarned as to what are the likely consequences. Sh'muel gives the warning in these words:

This is what the king who will reign over you will do: He will take your sons and make them serve with his chariots and horses, and they will run in front of his chariots.... He will take your daughters to be perfumers and cooks and bakers. He will take the best of your fields and vineyards and olive groves and give them to his

attendants. He will take a tenth of your grain and of your vintage and give it to his officials and attendants..., and you yourselves will become his slaves. When that day comes, you will cry out for relief from the king you have chosen, and Hashem will not answer you in that day.

Despite the warning, the people are undeterred.

"No!" they said. "We want a king over us. Then we will be like all the other nations, with a king to lead us

and to go out before us and fight our battles." When Sh'muel heard all that the people said, he repeated it before Hashem. Hashem answered, "Listen to them and give them a king."

What is going on here? The sages were divided as to whether Sh'muel was setting out the powers of the king, or whether he was merely trying to dissuade them from the whole project (see the Babylonian Talmud tractate Sanhedrin 20b). The entire passage, like the one in D'varim, is profoundly ambivalent. Is God in favor of monarchy or against? If He is in favor, why did He say that the people's request was tantamount to rejecting Him? If He is against, why did He not simply command Sh'muel to say No?

The best analysis of the subject was given by one of the great rabbis of the 19th century, R. Zvi Hirsch Chajes, in his *Torat Nevi'im* (The Teachings of the Prophets). His thesis is that the institution of monarchy in the days of Sh'muel took the form of a social contract—as set out in the writings of John Locke and Jean-Jacques Rousseau, and especially Thomas Hobbes. The people recognize they cannot function as individuals without someone having the power to ensure the rule of law and the defense of the nation. Without this, they are in what Hobbes calls a "state of nature." There is anarchy, chaos (as, at present, is the case in several Middle Eastern and African nations). No one is safe. Instead, in Hobbes' famous phrase, there is "continual fear, and danger of violent death; and the life of man solitary, poor, nasty, brutish and short" (Hobbes was writing in the wake of England's civil war). This is the Hobbesian equivalent of the last line of Sefer

"The Torah is the blueprint of a society built on freedom and human dignity, whose high ideals remain compelling today."

Shof'tim (the Book of Judges): "In those days Israel had no king; everyone did as he saw fit."

The only way to escape from anarchy is by everyone agreeing to transfer some of their rights—especially the use of coercive force—to a human sovereign. Government comes at a high price. It means transferring to a ruler rights over one's own property and person. The king is entitled to seize property, impose taxes, and conscript people into an army if these are necessary to ensure the rule of law and national security. People agree to this because they calculate the price of not doing so will be higher still—total anarchy and conquest by a foreign power.

That, according to Chajes, is what Sh'muel was doing, at God's command: proposing a social contract and spelling out what the results will be. If this is so, many things follow. The first is that Ibn Ezra and Abarbanel are right. God gave the people the choice as to whether to appoint a king. It was not compulsory, but optional.

The second—and this is the fundamental feature of social contract theories—is that power is ultimately vested in the people. To be sure, there are moral limits to power. Even a human king is under the sovereignty of God. God gives us the rules that are eternal. Politics is about the laws that are temporary—for this time, this place, these circumstances. What makes the politics of social contract distinctive is its insistence that government is the free choice of a free nation. This was given its most famous expression in the Declaration of Independence: "to secure these rights (life, liberty and the pursuit of happiness) Governments are instituted among Men, deriving their just powers from the consent of the governed." That is what God was telling Sh'muel. If the people want a king, give them a king. Israel is empowered to choose the form of government it desires, within the parameters set by Torah law.

Something else follows—spelled out by Rabbi Avraham Yitzhak haCohen Kook (see his Responsa Mishpat Cohen, no. 143-4, pp. 336-337):

Since the laws of monarchy pertain to the general situation of the people, these legal rights revert [in the absence of a king] to the people as a whole. Specifically it would seem that any leader [shofet] who arises in Israel has the status of a king [din melekh yesh lo] in many respects, especially when it concerns the conduct of the people.... Whoever leads the people may rule in accordance with the laws of kingship, since these encompass the needs of the people at that time and in that situation.

In other words, in the absence of a king of Davidic descent, the people may choose to be ruled by a non-Davidic king, as they did in the age of the Chashmona'im (the Hasmoneans), or to be ruled instead by a democratically elected legislative body, as in the current State of Israel.

The real issue, as the Torah sees it, is not between monarchy and democracy, but between government that is, or is not, freely chosen by the governed. To be sure, the Torah is systematically skeptical about politics. In an ideal world, Israel would be governed by God alone. Given, however, that this is not an ideal world, there must be some human power with the authority to ensure that laws are kept and enemies repelled. But that power is never unlimited. It comes with two constraints: first, it is subject to the overarching authority of God and His law; second, it is confined to the genuine pursuit of the people's interests. Any attempt by a ruler to use power for personal advantage (as in the case of King Achav and Navot's vineyard: see M'lachim Alef 21) is illegitimate.

The free society has its birth in the Tanach. What we need in today's Jewish world—especially in Israel—is a rebirth of Jewish political philosophy (following the groundbreaking work of the late Prof. Daniel Elazar).

Far from mandating a retreat from society, the Torah is the blueprint of a society—a society built on freedom and human dignity, whose high ideals remain compelling today.

—Adapted from the writings of Rabbi Lord Jonathan Sacks

**Have you placed your
High Holy Days Greeting Cards order yet?**

The deadline is Thursday, August 23.

**Have you reserved a listing in
the 5779 Yizkor Book yet?**

That deadline is Thursday, August 30.

Time is running out.

Don't delay! Act Sunday

May He who blessed | מי שברך

May He who blessed our ancestors bless and heal all those whose names are listed here, those whose names will be called out, and those whose names we do not know because either we are unaware of their illness or they are. We pray He mercifully quickly restore them to health and vigor. May He grant physical and spiritual well-being to all who are ill. אמן

Sydelle Klein	Rut bat Hadassah	Avraham Akivah bat Chanah Sarah
Bonnie Pritzker Appelbaum	Shimona bat Flora	Avraham Yitzhak ben Masha
Deenah bat Sarah Leah	Sura Osnat bat Alta Chayah	Aharon Hakohen ben Oodel
Rut bat Esther	Tzipporah bat Yaffa	Chaim ben Golda
Miriam Zelda bat Gittel D'vorah	Yospeh Perel bat Michlah	Ezra ben Luli
Miriam Rachel bat Chanah	Matel bat Frimah	Gil Nechemiah ben Yisraela
Harav Mordechai Volff ben Liba Miryam	Michelle Blatteis	Mordechai Yitzchak ben Tirtzach
Michael Bybelezer	Diane Fowler	Harav R'fael Eliyahu ben Esther Malkah
M'nachem Mendel ben Chaya Dina	Marj Goldstein	Harav Shimon Shlomo ben Taube v' Avraham
Simchah bat Zelda	Judy Golub	Yidel ben Etil
Adina bat Freidel	Ruth Hammer	Yisrael Yitzhak ben Shayndel
Baila bat D'vorah	Goldy Hess	Yitzchak ben Tzivia
Basha bat Surah	Fay Johnson	Yonatan ben Malka
Chavah bat Sarah	Micki Kuttler	Yosef ben Flora
Chayah bat Flora	Katie Kim	Zalman Avraham ben Golda
Devora Yocheved bat Yehudit	Elaine Laikin	Larry Carlin
Esther bat D'vorah	Mira Levy	Michael Cunningham
HaRav Ilana Chaya bat Rachel Esther	Robin Levy	Harry Ikenson
Masha bat Etil	Karen Lipsy	Shannon Johnson
Masha bat Rochel	Kathleen McCarty	Itzik Khmishman
Matel bat Frimah	Gail Schenker	Adam Messing
Mindel bat D'vorah	Linda State	Gabriel Neri
Ninette bat Aziza	Mary Thompson	Jeff Nicol
Pinyuh bat Surah	Michelle Lazar	Steve Saikin
Ruchel Leah bat Malkah	Norma Sugerman	Fred Sheim
Rita bat Flora	Julia Yorke	Mark Alan Tunick
Rifkah bat Chanah	Susan Yorke	
Rivkah bat Rut	Alter ben Hassia	

We pray for their safe return...

May He who blessed our ancestors bless, preserve, and protect the captive and missing soldiers of Tzahal—Ron Arad, Zecharia Baumel, Guy Chever, Zvi Feldman, Yekutiel Katz, and Zeev Rotshik—as well as those U.S. and allied soldiers, and the civilians working with them and around them, still missing in Afghanistan and Iraq, and all other areas of conflict, past and present.

And may He bless the men and women of the U.S. Armed Forces and Tzahal, and those who serve the United States and Israel in foreign lands in whatever capacity, official or unofficial, members of our community or related to members, and their colleagues and companions. Guide them in peace and return them speedily to their families alive and unharmed. אמן

Are we in your will? Shouldn't we be?

When people prepare their wills, they usually look to leave a mark beyond the confines of their families. Thus it is that general gifts are left to hospitals, and other charitable organizations. All too often ignored, however, is the synagogue, even though its role in our lives often begins at birth, and continues even beyond death. We come here on Yom Kippur and other days, after all, to say Yizkor, the prayer in memory of our loved ones. Our Virtual Memorial Plaques remind everyone of who our loved ones were, and why we recall them. All of us join in saying the Kaddish on their yearzeits.

Considering this, it is so unfortunate that, in our final act, we ignore the one institution in Jewish life that is so much a part of us. The synagogue is here for us because those who came before us understood its importance and prepared for its preservation. By remembering it in our wills, we will do our part to assure that the synagogue will be there for future generations, as well.

Think about it. We have always been here for anyone who needed us in the past. Do not those who need us in the future have the same right to our help? Of course they do. Do not delay! Act today! Help secure the future of your communal home.

YAHRZEITS FOR TODAY THROUGH NEXT FRIDAY

זכרונום לברכה — May their memories be for a blessing!

18	Anna Rubin, <i>aunt of Sue Glick</i> Yente bat Yosef Solomitz, <i>mother of Lenore Hahn</i> Ida L. Freesman* Gerta Gruen Morris Rice* Abraham Barchoff*	22	Gertrude Stone* Edward A. Smarak* Joseph Stein* Ethel Kirschstein, <i>mother-in-law of Robert Friedman</i>
19	Charlotte Baum, <i>mother of Alice Sargent</i> Blima Ita Wartski* Hilda Warren* Jechiel Ziskind Fuks* Sheina Hanna Fuks* Joseph Megibow* Miriam Wartski* Shlomo Wartski* Molly Gold* Rhea Bing Sydney Brenwasser*	23	Abraham Buchwald, <i>uncle of Ed Sodosky</i> Edith Weiss, <i>sister-in-law of Dorothy Rose</i> Miriam Winograd, <i>mother of Ora Kiel</i> Flora Fox* Harry Greenberg* Jetti & Avi Kuhn Ethel Goodman* Rose Stein* Edith Reichard Weiss*
20	Milton Moore* Daniel Blum*	24	Elmer Joseph Skinner, <i>father of Hope Ruth Thoon</i> Clara Levin, <i>mother-in-law of Dorothy Rose</i> Harold Kleinman Lazar Sagalchick Irving Silverman* Abraham Al Jacobs* Claire Katz* Sidney Rosenfeld, <i>father of Stephanie Rosenblum</i> Rebecca Schnoll, <i>mother of Theodore Schnoll</i>
21	Solomon Wernick* Isaac Rafsky* Dr. Herbert Kainer* Aaron Obstbaum*		

* A plaque in this person's name is on our memorial board; yahrzeits are observed beginning sundown the night before.

Is there a yahrzeit we should know about?

Kaddish list

Robert Cohen
Evyatar Shabbetai Gidasey
Raul Green
Susan Jane Greenberg
Lisa Beth Hughes
Harvey Jaffe
Karol Lang
Arline Levine
Qingshui Ma

Marcia Weis Meyers
David Rosenthal
Lenore Levine Sachs
Marvin Sakin
Evan Schimpf
Bila Silberman
Leah Solomon
Abe Tauber
Regina Tauber
Randolph Tolk



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**NEXT Friday, August 24, at 6:45 P.M.,
join us for a
Musical Kabbalat Shabbat,
with Chazzan Eric Wasser,
Check your mail or
the Happenings page
of our website for details**

Our Annual William Golub Memorial
S'LICHOT CONCERT & DESSERT SOCIAL
Saturday night, September 1, at 9:00 p.m.
featuring the amazing one-man band,
TUVIA ZIMBER,
and his even more amazing
multilingual song repertoire!

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Shabbat ends tonight with havdalah at 8:36 p.m. DST