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Rabbi brings Torah law from Israel to 5 Towns

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Rabbi Yosef Carmel

Serious Jewish legal discussions are not unusual in the Five Towns, and a triple-header of high-level Torah discourse exported from Israel came to enlighten a Tish in Cedarhurst, the Irving Place Minyan in Woodmere, and Congregation Beth Sholom in Lawrence, on Shabbat Bechukotai.

Rabbi Yosef Carmel, dean and av beit din of Eretz Hemdah, a seven-year post-smicha program in Jerusalem, discussed a range of topics with the Jewish Star, including the increased respect by both secular judicial authorities and Haredi rabbinical leaders accorded Mishpat VeHalacha BeYisrael, a network of eight rabbinical courts where he is a presiding judge.

“Even the secular courts are sending cases to us,” he said. “The civil courts are full [and] litigants have to wait three years.” Why are there so many lawsuits? “Since the days of Yitro Jews love to bring lawsuits,” Carmel explained, noting that Israel is “first place in number of lawyers and cases in court.”

His post-smicha program strives “to raise new generations of talmiday chachamim (Torah scholars) to find a solution to every problem not to find a problem in every solution,” he told The Jewish Star after Shabbat.

At the Irving Place Minyan, Rabbi Carmel asked whether a woman is permitted to donate her eggs to a woman who cannot otherwise become pregnant. On this, Israeli law has worked to resolve Jewish legal difficulties by combining secular and Torah law, making it “100 percent possible to do this,” he said.

At a gathering in a Cedarhurst home, Rabbi Carmel discussed one of the promises made by G-d in Bechukotai, that there would be no “evil animals in the land,” tying it to whether the third Temple will be built by the nation of Israel or will come down complete from Heaven. He said that the rabbis had different opinions, with the Rambam saying that until it happens we won’t know and Rashi saying that for now we should focus on the study of Torah.

Rabbi Carmel said that he came to the Five Towns lehafitz Torah (to spread Torah) as he does on trips around the world. “Next month we will have a seminar in Rome for all the rabbis of Italy,” he said. Mishpat VeHalacha BeYisrael is “an amazing institution,” said Rabbi Ariel Rackovsky, rav of the Irving Place Minyan, noting that Rabbi Carmel was able to “explain a complex subject cogently and coherently in 15 minutes” during his discourse on Shabbat.

“We’ve had Rabbi Carmel a number of times in our shul,” said Rabbi Kenneth Hain of Beth Shalom. “He’s doing wonderful, pioneering work dealing with modern realities, technologically, scientifically and socially in ways that allow halacha to be applied properly. He is particularly to be lauded for doing it in a way that brings consensus with all the different elements in the halachik world to arrive at a mutually agreeable position. I’m a big supporter.”

Eretz Hemdah, the post-smicha program, was founded in 1987 by Rabbi Shaul Israeli, zt”l, who survived the Shoah, escaped from Russia, came on aliyah, and pioneered the study of Jewish law related to modern agriculture and Jewish philosophy. He was a spiritual leader of religious Zionism for almost 60 years.

Its stated goal is to train “a new generation of leading Torah scholars imbued with loyalty to their people and their land, leaders with broad horizons who will work on uniting the nation through active rapprochement.” Part of the Zionist vision of restoring Jewish sovereignty is the concept of the Jewish state’s judicial system reflecting the principles of justice and wisdom of Jewish legal tradition.

Eretz Hemdah prepares students for certification as dayanim (rabbinic judges), as rabbis of cities, and as ramim (lecturers) and deans on college and graduate level yeshivot. Certification as a dayan is recognized as a Ph.D. equivalent. The goal of the program is to “raise Torah scholars who will be halachik decisors and heads of yeshivot for this generation. All segments of the Jewish community accept them,” Rabbi Carmel explained. “They very much value the very high level (of learning) at Eretz Hemdah.” The program focuses on the in-depth study of Talmud; halacha focusing on modern day questions; Jewish philosophy; Tanach and its relevance to solving today’s challenges; practical tools for communal rabbinic leadership, and how to deal with contemporary issues with sensitivity and open-mindedness in a manner suited to the needs of the current population. Eretz Hemdah accepts top graduates of Hesder yeshivot and their ordination programs when they have completed their military service and continue to serve in the reserves.

“There is also a program that resolves Torah questions for the whole world, specifically for rabbis around the world,” he said.

The website EretzHemdah.org, available in English, Hebrew and French, delineates the legal process with costs, stressing the requirement to conclude judgment in a timely, efficient and just manner, within 40 days. It also describes ethical guidelines for the judges.

Also on its site are a heter iska, dealing with loans and banking, and prozbul, a document necessary for the upcoming shmittah (sabbatical) year, preventing cancellation of debts by transferring them to the Jewish court.