

FORUM IV

Jewish Communal Leadership: A View from the Sources

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There is an interesting concept found in the Talmud called the Seven Tovim of the City. The Seven Tovim of the City represent communal leadership, and they have the ability to make decisions that affect the quality of life of the city. They also have the power to sell communal institutions. It is interesting to note that the concept reflects the emergence of two types of community leaders. One is the authoritarian leader who makes decisions on his or her own, and the second is the leader who reflects the will of the people of the city. This article explores the concept of the Seven Tovim of the City as seen through the eyes of the medieval and modern Jewish commentators on the Talmud.

The mishnah in T. Megillah (4:1) records a hierarchy of values with regard to the sale of sacred objects.

The citizens of the City may sell the broad place of the City and buy with its money a synagogue, they may sell a synagogue and buy an ark, they may sell the ark and buy coverings for the Torah scroll. They may sell the coverings for the Torah scroll and buy books, they may sell books in order to buy a Torah scroll. But if they sold a Torah, they may not buy books, if they sold books, they may not buy coverings for the Torah scroll, if they sold coverings for the Torah scroll they may not buy an ark, if they sold an ark they may not buy a synagogue. If they sold a synagogue they may not buy a broad place of the City and the same is with any money which is left over in the sales transaction.

It is evident from this mishnah that one may sell an object and purchase something of more holiness. However, one may not use the money to purchase an object of lesser value. It is interesting to note that

the holiness value comes from the object's proximity to the Torah and the communal use of the object.

The Talmud in discussing this mishnah (see T. Megillah 26a) records a comment by the Amora Rava, who states that the intent of the mishnah is that the money from a synagogue that is sold may be used only to purchase an object with higher sanctity. He adds an interesting and unique law that if the synagogue is sold by the Seven Tovim of the City in the presence of the people of the city then the money can be used for any purpose, whether sacred or secular.

There are many questions that arise from this section of the Talmud. First of all, who are the Seven Tovim of the City? What is the nature of their responsibility? How are they elected or appointed? The halachic ruling of Rava seems to be accepted by all the talmudic sources. The Tosephta, a collection of rabbinic materials not included in the Mishnah, records the same halachah in the name of Rabbi Yehuda, who states that the monetary value of an object must be used for a higher sacred purpose only if the sale of the synagogue was not agreed upon by the officials of the City. If the officials of the City agreed to the sale then the money may be used for any purpose, including a secular purpose.

The Jerusalem or Palestinian Talmud also deals with this issue. In the Jerusalem Talmud it is written: Three members of a synagogue (who made an agreement on behalf of the synagogue) are tantamount to the synagogue as a whole. And seven townsmen are tantamount to the town as a whole (to act on behalf of the synagogue or town, respectively).

The medieval rabbis examined in depth the concept of the Seven Tovim of the City.

Their understanding of this concept generally reflects their ideas about the nature of communal leadership and is found in their comments on T. Megillah 26a.

The Meiri (Rabbi Menachem ben Solomon, 1245-1301) begins the discussion by indicating that the Seven Tovim of the City are those people in a city who take it upon themselves to operate on behalf of the good of the community without being formally appointed by the people of the city. They are good people who take upon themselves the obligation of voluntarily working on behalf of the needs of the entire Jewish community of a city. Since they do not have official legal standing and authority within the city, their actions must be taken in the presence of the people of the city itself. They do not have independent authority to buy and to sell communal property, but require the consent of the people of the city.

The Meiri is reflecting one view of communal leadership. This view states that community leaders voluntarily assume and accept their positions because they are interested in furthering the quality of Jewish life in a city. As volunteers, they may operate on behalf of the city itself and have the right to make certain decisions that will affect the quality of life of a city. Yet, since they have no legal standing within the city, they do not have the right to sell property or to engage in any transactions that are legal in nature.

Other opinions are found among the medieval commentators. The Rashba (Rabbi Shlomo ben Aderat, 1235-1310) maintains:

And I will provide you with a short introduction to the notion of the Seven Tovim of the City who are mentioned in the Talmud. These are people who are not known for their wealth, their knowledge, or their social standing but are seven people that the members of the city have elected as "parnassim" over the affairs of the city. These people act like guardians who are entrusted with the responsibility of maintaining and protecting the public good and public property. Therefore, if these seven people

desire to sell the synagogue or the broad places of the city, and do so with the assent of the people of the city, then they have the right to remove any aspect of holiness from community property. The Seven Tovim of the City may act independently of the people themselves because they have been chosen and duly directed by the members of the city.

It would seem from the comment of the Rashba that the Seven Tovim of the City have legal authority to act on behalf of the city itself with regard to legal transactions. Once the Tovim are elected they have independent authority and therefore may or may not represent the will of the people.

The Ran (Rabbi Nissim Gerondi, 1340-1350) holds a slightly different position. He argues that the Seven Tovim of the City are in reality the guardians of the community property of a city. For example, a synagogue building might be sold and then the public decides it would like to use the money for purposes that are inconsistent with the original sale of the synagogue. It is the task of the Seven Tovim of the City to ensure that the money is used for its proper purposes. In this case, the Seven Tovim of the City operate as an audit authority. They ensure that the members of the community will act in accordance with the will and desire of the entire community and with the wills and desires of Jewish tradition and Jewish law.

The Ramban (Rabbi Moshe ben Nachman, 1184-1270) explains that the Seven Tovim of the City must reflect the will of the people of the city. When the Seven Tovim of the City do not act within the framework of the will of the people, the people have the right to overturn the decisions. The people have the responsibility to review the decisions of the Seven Tovim of the City and to make sure that those decisions are in accordance with their stated values and desired will.

The later talmudic commentators, beginning in the seventeenth century, also reflect on the issue of the Seven Tovim of the

City. The Divré Chaim (Rabbi Hayyim Ben Leibush of Zans, 1703-1776) writes that the Seven Tovim of the City are duly appointed and elected members of the city. They represent a kind of town council. They have independent authority to act on behalf of the entire city, even though they may not be the wisest, the eldest, or the richest of the members of the city. Yet, they are entrusted with the responsibility of acting on behalf of the city and may do anything that is necessary for the public good. This may even include the sale of the synagogue or other actions that are necessary for the public good.

In the periodical *The Torah and the State*, Rabbi A. Karlin (1949) writes that, if the Tovim are duly elected officials, then they have the right to operate on behalf of the city and to make any laws, ordinances, and adjustments that are proper for the city. This comment is very relevant to the town councils that are currently operating in Israel. These town councils that are duly elected by the members of a city have the right to operate on behalf of the city and to make decisions on behalf of the people. This requires, of course, that the town council is elected by the members of the city.

The Ramah (Rabbi Moses Esserles, 1525-1572) writes that the Seven Tovim of the City have independent communal authority. They must make their decisions public, but the community does not have to ratify what the Seven Tovim of the City have decided. This model, of course, is used in current forms of community leadership among the federations of the United States. Although the federations and the federated community represent that certain segment of the community that has decided to organize, the boards of directors of the community institutions make decisions with regard to the allocation of dollars and with regard to the entire community. Yet, they do not always have to inform the members of the community of these decisions. It is the responsibility of the members of the federated community to

make their views known to the boards so that the decisions that are made reflect the will of the people and not only the membership of the board of directors of the federation.

Rabbi Zalman Druk (1972) writes about the authority of contemporary community leaders. He quotes a religious authority of the seventeenth century who states that contemporary community leaders have the right to manage the affairs of their individual communities. They are duly elected by the members of the community and have the right to carry out the will of the community even without consulting with the masses of the people as to their wishes and desires. In today's Jewish community, Rabbi Druk indicates, the duly elected leaders have independent authority because they both represent the will of the Jewish community and at the same time are recognized as Jewish leaders by the non-Jewish world. Rabbi Druk does remind us that the role of community leadership may change due to historical situations and circumstances.

At times, Jewish leadership represented a large political constituency, such as the time of the Council of Four Lands in Poland in the eighteenth century. At other times, Jewish leaders were appointed by the state, as in Germany, and functioned as state-appointed officials. Sometimes, Jewish communal officials simply functioned as heads of synagogues and had little political power.

As we consider the responsibilities of contemporary Jewish leadership, we are faced with the dilemma of our sages. Do the leaders of the current Jewish community reflect the consensus opinion of the entire Jewish community, or do they merely represent their own opinions vis-a-vis certain issues in Jewish life? Since there is no national Jewish leadership that is elected by the Jews of the United States, national and community Jewish leaders must reflect the will of the people. They act in a consensus relationship with the people of the city to determine what is best for the Jew-

ish community. The current leadership of the American Jewish community cannot act independently of the will of the Jewish people. Although there may be authoritarian leaders, the concept of democracy is too firmly entrenched in the American Jewish community to allow anyone to act independently.

On the local level, although the federated community reflects the will of those who choose to be federated with the community, the boards of directors of the Jewish welfare federations do not have the right to make independent decisions without reflecting the will of the entire Jewish community. Moreover, they do not represent the will of the entire Jewish community since not everyone in the city decides to become affiliated with the federated community. In the traditional sense, the leadership of the federated community would only be able to sell or dispose of that

property that has been given to the federation but not that property which is owned by the entire Jewish community, such as a synagogue.

Another interesting issue of Jewish communal leadership is whether leaders reflect the will of the people or create community priorities. Jewish community leadership has always operated on a thin line between reflecting the will of the people and directing the will of the people to certain conclusions. It is the task of all community leadership to both reflect the needs of the community and at the same time to give the community a sense of purpose and vision.

REFERENCES

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