

KESHER ISRAEL CONGREGATION
BY-LAWS
(adopted August 1978)
(incorporating amendments through June 2011)

ARTICLE I - CONGREGATION

SECTION 1: The name of the Congregation shall be The Georgetown Synagogue – Kesher Israel Congregation.

SECTION 2: This Congregation shall be operated as a strictly Orthodox Congregation with separate seating for men and women, and with a proper Mechitza. All religious services, prayers, and customs shall be in accordance with traditional Orthodox Rabbinic authorities.

ARTICLE II - MEMBERSHIP

SECTION 1: Subject to the other provisions of these By-Laws, any adult person of the Jewish faith shall be eligible for membership in the Congregation, except that no person shall be eligible for membership who is married to a person not of the Jewish faith. Any member who may enter into such a marriage shall forfeit his or her membership in the Congregation. Notwithstanding the foregoing, every person is welcome to attend services of the Congregation.

SECTION 2: All applications for membership shall be in writing on a form provided by the Board of Directors (hereinafter “Board”), which shall include a provision for halakhic approval, and shall be accompanied by such membership admission fees and other charges as the Board may establish.

SECTION 3: All applications for membership shall be considered at a meeting of the Board. Applicants shall be admitted to membership by a majority of the members of the Board present and voting. If an applicant is not admitted, any fees or charges accompanying the application shall be refunded.

ARTICLE III - DUES - ASSESSMENTS

SECTION 1: Dues, admission fees, and other charges shall be determined by the Board and shall be due and payable by all members in accordance with a schedule established by the Board.

SECTION 2: The Executive Committee may, in its discretion, waive or reduce the amount of any member’s dues, fees, or other charges.

SECTION 3: Only members who are current in their dues obligations, in accordance with the schedule established by the Board or the action of the Executive Committee, shall be deemed members in good standing. A member no longer in good standing may be reinstated as a member in good standing by payment of all monies due the Congregation, in accordance with the schedule mentioned above.

ARTICLE IV - CEMETERY PRIVILEGES

SECTION 1: Any person of the Jewish faith may be buried in a Congregational cemetery. All burials therein shall be conducted in accordance with accepted Orthodox rituals.

SECTION 2: The Board shall be responsible for developing and administering rules, practices and charges for the Congregational cemeteries and for the levying of a perpetual care assessment.

ARTICLE V - OFFICERS AND DUTIES

SECTION 1: The Congregation shall have the following Officers: President; First Vice-President; Second Vice-President; Treasurer; Financial Secretary; Corresponding Secretary; and Recording Secretary.

SECTION 2: The President shall preside at all meetings of the Congregation, the Board, and the Executive Committee. The President shall be the chief executive officer of the Congregation and provide for the implementation of these By-Laws. The President shall appoint all standing and special Committees with the approval of the Board. The President shall convene an annual meeting of the Congregation and prepare an annual report on the condition of the Congregation.

SECTION 3: The Vice-Presidents shall assist the President in the discharge of the President's duties, and shall be particularly responsible for overseeing the Congregation's operations and programming. In the absence of the President, the Vice-President next in line, who is present, shall assume the power and authority vested in the President.

SECTION 4: The Treasurer, or such other Officer or agent as may be designated by the Board, shall receive all revenues. All expenditures for and on behalf of the Congregation shall be made in accordance with Article IX, Section 1.

SECTION 5: The Financial Secretary shall review and check the financial records of the Congregation and shall submit a report to the membership at its annual meeting.

SECTION 6: The Corresponding Secretary shall maintain a current list of members in good standing and shall oversee all internal and external communications, including bulletins and general and special notices.

SECTION 7: The Recording Secretary shall keep an accurate record of the proceedings at meetings of the Board and the Congregation, shall serve as parliamentarian of the Board, and shall assist the Corresponding Secretary with the Congregation's communications.

SECTION 8: In the event of the disability, death, resignation or removal of the President, the First Vice-President shall become President and, with the approval of the Board, that individual shall appoint a successor First Vice-President to serve until the next regularly scheduled election. In the event that the First Vice-President is unable to succeed to the office of President, the Second Vice-President shall become President and, with the approval of the Board, that individual shall appoint a successor Second Vice-President to serve until the next regularly scheduled election. In the event that the Second Vice-President is unable to succeed to the office of President, the Board shall designate a President to serve until the next regularly scheduled election. If any other office becomes vacant, or if any of the elected Directorships or the Directorship appointed in accordance with Article VI, Section 1 becomes vacant, the President, with the approval of the Board, shall appoint a successor to such office or Directorship to serve until the next regularly scheduled election.

SECTION 9: This Article is interpreted to allow a woman to hold any Board position set forth in these By-Laws, including President, in accordance with the Psak Halakha attached hereto as Appendix A.

ARTICLE VI - BOARD OF DIRECTORS

SECTION 1: Except as otherwise provided in these By-Laws, the affairs of the Congregation shall be governed by the Board in accordance with these By-Laws. The Board shall consist of the seven (7) Officers of the Congregation named in Article V; five (5) other Directors elected by the Congregation in accordance with Article VII, three (3) of whom shall each also have one of the three (3) specific portfolios of ritual matters, social programming, and educational programming; the three (3) Trustees in accordance with Article VIII; and three (3) most recent past President. In addition the Board shall include one Director appointed by the President with the approval of the Board, and shall serve until the next regularly scheduled election.

SECTION 2: Officers and Directors shall have terms of two years each, and shall be eligible for reelection for two additional terms.

SECTION 3: There shall be an Executive Committee composed of the President and the two Vice-Presidents. The Executive Committee shall act on behalf of the entire Board to conduct the day-to-day business of the Congregation in accordance with policies and guidance established by the Board.

SECTION 4: A quorum of the Board, consisting of nine eight (8) members, shall be necessary for the conduct of business at meetings of the Board. All actions of the Board

shall require a majority vote of those present, No absentee or proxy votes will be considered.

SECTION 5: The Board shall meet regularly at least quarterly and at such other times as the President or a majority of the Board shall determine. Except in unusual circumstances, notices of all Board meetings shall be provided to each member of the Board no less than five days prior thereto. Each member of the Board shall attend all meetings unless other arrangements are made with the President.

SECTION 6: All Directors shall be responsible for helping to oversee both the long-term strategic and the day-to-day operational activities of the synagogue, including but not limited to membership, development, programming, and physical upkeep.

ARTICLE VII - ELECTION AND REMOVAL OF OFFICERS AND DIRECTORS

SECTION 1: Election of Officers and Directors shall occur biennially at the annual meeting of the Congregation, beginning in 5772 (2012).

SECTION 2: The President, with the approval of the Board, shall appoint a nominating committee and designate the Chairman thereof for the purpose of nominating Officers and Directors for the ensuing term. The nominating committee shall, no later than twenty (20) days prior to an election, prepare and circulate to all the members a slate of nominees of Officers and Directors of the Congregation. Alternative nominations are to be submitted to the nominating committee in writing, including by email, no later than ten (10) days prior to the election meeting.

The nominating committee shall notify the members of any persons so nominated, whose names shall be displayed in a prominent location at the Congregation's synagogue building for a period of not less than seven days prior to the annual meeting during which elections shall take place (election meeting). Only those persons whose names have been submitted either (i) by the nominating committee not later than twenty (20) days prior to the election meeting or (ii) to the nominating committee by not later than ten (10) days prior to the election meeting shall be eligible for election.

SECTION 3:

Any person whose name has been so submitted may be nominated from the floor at the election meeting to any office regardless of the office for which such person's name was submitted. No other nominations may be made from the floor at the election meeting.

Officers shall be elected either individually in the order set out in Article V, Section 1, or, without objection, as a slate. In addition, five (5) individuals shall be elected to serve as Directors either, without objection, as a slate (together with or separate from any slate of

Officers) or by the following process: Eligible members will vote for up to five (5) of the persons nominated, and the five (5) nominees receiving the most votes shall be elected.

Only those persons who are members in good standing and who have signified their willingness to serve if elected shall be eligible for election. Once elected or appointed, only members in good standing are eligible to continue to serve on the Board of Directors.

SECTION 4: A majority of members in good standing present and voting shall be sufficient to elect. Abstentions shall not be counted as a vote. In the event of a tie vote, or if no nominee receives a majority vote, further ballots shall be taken until a nominee is elected. In the event there are more than two nominees for an office, only the two nominees with the higher number of votes shall be considered in a second ballot.

SECTION 5: Each individual membership shall confer one (1) vote, and each family membership shall confer one (1) vote per member of the family over the age of eighteen (18), with a maximum of two (2) votes per family membership.

SECTION 6: The installation of the Board members shall take place biennially on July 1, beginning in 2012.

SECTION 7: All Board members shall serve until their successors are elected and installed and shall surrender to their successors all papers, documents and property pertaining to their office.

SECTION 8: In the event a Board member fails to perform the duties of his or her office in accordance with these By-Laws, his or her removal from office may be recommended to the Congregation by a two-thirds (2/3) vote of the Board present at a regular or special meeting called to consider member's removal. A two-thirds (2/3) vote of members in good standing present at a regular or special meeting of the Congregation is required to effect removal.

ARTICLE VIII - TRUSTEES AND DUTIES

There shall be three (3) Trustees who shall, orally or in writing, advise the President and the Board on any of the affairs of the Congregation. The Trustees shall be voting members of the Board. Notwithstanding the provisions of Article VI, the Trustees shall hold, retain and protect all funds and other assets held, retained and protected by them under written agreements approved by the Board. Funds presently being administered by the Trustees shall continue under their administration until written agreements shall be approved by the Board and by the Trustees. The Trustees shall issue quarterly reports of the accounts and income of any of the funds they hold, to the Board. The Trustees shall have six (6)-year terms staggered at two (2)-year intervals. Each Trustee shall serve until a successor has been qualified. At the end of a Trustee's term, or in the event of

disability, death or resignation of a Trustee, the two remaining Trustees shall promptly designate a successor Trustee, and so notify the President. The designee of the Trustees shall be submitted to the Board for ratification. The Board may veto the designee by a two-thirds majority of the Board at a special meeting duly called for that purpose within thirty (30) days after receipt of notice of designation by the President. In the event that the two remaining Trustees fail to designate a successor Trustee within sixty (60) days of the creation of a vacancy, whether by expiration of term or otherwise, the Board shall elect a successor Trustee by majority vote. A Trustee may not serve as an Officer or as one of the elected or Presidentially-appointed Directors of the Congregation..

ARTICLE IX - EXECUTION OF LEGAL DOCUMENTS

SECTION 1: Payment of Money. All checks, drafts and orders for the payment of money shall be signed by no less than two designated Officers or Trustees of the Congregation. The Officer(s) and Trustee(s) having such authority shall be designated by the Board.

SECTION 2: Contracts and Other Instruments. When the execution of any contract, conveyance or other instrument has been authorized by the Board or Executive Committee, the President or any person(s) designated by the Board may act as an agent to execute the same on behalf of the Congregation.

ARTICLE X – MEETINGS OF THE CONGREGATION

SECTION 1: The Congregation shall meet at least once a year in the month of June, and at such other times as the President shall designate.

SECTION 2: The conduct of meetings shall be governed by Robert’s Rules of Order.

SECTION 3: Notice of all meetings of the Congregation shall be posted on the bulletin board, mailed to all members and e-mailed to the Keshet Israel community e-mail list at least one (1) week in advance thereof.

SECTION 4: A quorum of the Congregation, consisting of eighteen (18) members eligible to vote and in good standing, shall be necessary for the conduct of business at meetings of the Congregation.

SECTION 5: No absentee or proxy votes will be considered.

ARTICLE XI - DEFINITIONS

SECTION 1: A person of the Jewish faith shall mean anyone who is either born of a mother of the Jewish faith or is converted in accordance with traditional Orthodox Rabbinic authorities.

SECTION 2: Adult shall mean any female over the age of twelve (12) years and any male over the age of thirteen (13) years, according to the Hebrew calendar.

ARTICLE XII - AMENDMENTS

SECTION 1: Amendments to these By-Laws may be proposed in writing by (a) a majority of the Board, or (b) no less than one-third (1/3) of the members in good standing. The Board shall mail any such proposed amendment with its recommendations to all members at least thirty (30) days in advance of a general meeting called for action on the proposal.

SECTION 2: Amendments shall be adopted by a two-thirds (2/3) vote of the members in good standing of the Congregation present at the meeting, provided that Article I, Section 2; Article II, Section 1; Article IV, Section 1; Article XI, and this proviso may not be changed as long as ten (10) members in good standing of the Congregation oppose the change.

Appendix A: Psak Halakha

From the Perspective of Halakha, may a woman be nominated/elected as President of Keshet Israel congregation?

As part of the process of revising the synagogue's by-laws, the board of Keshet Israel Congregation approached me with the question of whether or not a woman could serve as President of the synagogue. Recognizing that this is and should be a halakhic and therefore rabbinic decision, but also wishing to memorialize that decision in the by-laws as a reflection of the congregation's sense of itself, it was agreed that this psak in the form of a responsum would stand as an appendix to the by-laws that would be referenced in the by-laws themselves.

I applaud this procedure as a proper and fully appropriate partnership between rabbinic leadership and lay governance for an Orthodox synagogue and am proud and honored to provide this statement of the halakha as God has granted me to understand it.

Methodologically we will proceed chronologically from Bible to Rabbinic literature to later authorities as I trace the law and its rationale as I believe it applies to this very important issue.

The Bible

The *locus classicus* for our discussion are these two verses:
Deuteronomy 17:15, 20

שׁוֹם תִּשְׂמֵם עֲלֶיךָ מֶלֶךְ אֲשֶׁר יִבְחַר יְיָ אֱלֹהֶיךָ בּוֹ מִקְרֵב אֶחָיִךְ תִּשְׂמֵם עֲלֶיךָ מֶלֶךְ לֹא תִּוְכַל לִתֵּת עֲלֶיךָ אִישׁ נָכְרִי אֲשֶׁר לֹא אֶחָיִךְ הוּא:
לְבַלְתִּי רוּם לְכַבּוֹ מֵאֶחָיו וּלְבַלְתִּי סוּר מִן הַמִּצְוָה יְמִין וּשְׂמֹאל לְמַעַן יֵאָרֶיךָ יָמִים עַל מַמְלַכְתּוֹ הוּא וּבְנָיו בְּקֶרֶב יִשְׂרָאֵל:

You shall set him king over you, whom the Lord your God shall choose; one from among your brothers shall you set king over you; you may not set a stranger over you, who is not your brother...

That his heart be not lifted up above his brothers, and that he turn not aside from the commandment, to the right hand, or to the left; to the end that he may prolong his days in his kingdom, he, and his children, in the midst of Israel.

(The underlined words are particularly important to our discussion here and throughout)

These verses speak to the appointment of a king but many see the rules that pertain to the king as binding for the appointment of at least some communal officials.

One of our earliest Rabbinic texts, the Sifrei, explains that the word “king” in Deut. 17:15 is to be understood as “king but not queen,” thereby excluding women from positions of

authority that follow the rules of the investiture of a king.¹ It is here that those who prohibit women from serving as synagogue presidents and even on synagogue boards find their authority. One obvious question that we will explore is whether a synagogue president falls into the category of being a “king.”

Interestingly, even when it comes to the monarchy itself there is one reading of the Sifrei that would allow for a queen to rule.

R. Chaim Hershensohn (1857-1935) looks at the Sifrei in context.² It reads:

מת! מנה אחר תחתינו. מלך, ולא מלכה.
Should he die! Appoint another in his stead. A king but not a queen.

He suggests that this source does not prohibit a woman from serving as monarch. It only tells us that should the king die there is a requirement for immediate replacement; whereas if the queen dies, there is no such requirement. Read this way, not only does this source not preclude women from serving as regent – it endorses the idea.

Nonetheless most do not read the text as R. Hershenson does but rather as precluding a woman from the role of monarch and perhaps from other roles as well. This is particularly true because some Sifrei texts end this very same section with the words:

האיש ממנים פרנס על הציבור ואין ממנים האשה פרנסת על הצבור
A man may be appointed leader over the community but a woman may not be appointed leader over the community.

On the other hand R. Hershenson is helped by two Biblical characters and by three Biblical sources. In 2 Kings 11:3 and 2 Chronicles 22:12 we are told about Athalia's, (a woman's) reign.

ועתליה מלכת על הארץ
But Athalia rules over the land

And more famously in Judges 4:4 we meet:

ודבורה אשה נביאה אשת לפידות היא שפטה את ישראל בעת ההיא
And Deborah a female Prophet, the wife of Lapidus, she judged Israel at that time

We will return to Deborah when we discuss the opinion of early medieval sages but at this point even if a woman can't be a king she certainly seems historically to have been able to serve as a judge even as some of our sources tell us she cannot fill the role of “leader.”

¹ Sifrei Deuteronomy, Parshat Shofetim, par. 156

² Malki ba-Kodesh II:4

The Talmud

The Babylonian Talmud mentions this issue very rarely, but where it does, it does not provide us with complete clarity.

The verse in Deuteronomy that [in the eyes of some Rabbis] teaches that women may not hold some important communal offices also precludes converts from serving as king and in these same communal positions as well. As a result, any restriction preventing a convert from serving also prevents a woman from being involved.

The Babylonian Talmud in two locations Yebamot 45b And Kiddushin 76b precludes converts from holding positions such as inspectors of weights and measures, supervisors of irrigation and tax collectors in a Jewish state. But these positions are extensions of the power of the government (the king), and not communal leaders such as synagogue board presidents.

On the other hand rabbinic literature tells us about and seems to have no problem with Hilni the Queen,³ Barzila the Queen,⁴ Shlomzion the Queen⁵ - all mentioned in our sources.

Much as in the Biblical period, the superficial reading of the more legalistic sources does not seem to match with the history that those same texts tell.

The Medieval Period

Our issue begins to come to a resolution in the 12th-14th centuries as Mamonides (1138-1204) codifies the law and others work to reconcile that codification with the reign of Deborah as Judge.

Rambam (Laws of Kings: 1:4-5) says:

אין מעמידין מלך מקהל גרים ... עד שתהיה אמו מישראל, שנאמר לא תוכל לתת עליך איש נכרי אשר לא אחיך הוא, ולא למלכות בלבד אלא לכל שררות שבישראל, ... ואין צריך לומר דין או נשיא שלא יהא אלא מישראל, שנאמר מקרב אחיך תשים עליך מלך כל משימות שאתה משים לא יהו אלא מקרב אחיך.
אין מעמידין אשה במלכות שנאמר עליך מלך ולא מלכה, וכן כל משימות שבישראל אין ממנים בהם אלא איש.

We do not appoint a king from a community of converts... until his mother is a Jewess, as it says: You may not place a foreigner who is not from your brethren over you. And not just kingship alone, but also any authority position in Israel ... certainly a judge or a patriarch must come only from Israel as it says from among

³ Cf. M. Nazir 3:6

⁴ Cf. Geirim 2:3

⁵ Cf. B. Shabbat 16b, her name appears with several variant spellings in different sources.

your brethren place a king upon you. All “placings” that “you place” shall not be except from among your brethren.

We do not establish a woman in the position of ruler as it says, a “king and not a queen,” and so too any “placings” in Israel, we only appoint a man.

Nachmanides (1194-1270) then comments on the historical reality of Deborah as judge against this statement of Mamonides.⁶ He says two similar things.

First, it was not that she was actually the queen, but that people treated her with the customs of a queen. This would mean that even if halakha somehow precluded a woman from being a queen (or a synagogue president), the people can still agree to treat a woman as a queen (or a synagogue president). As such the queen can rule, sit on the throne, command loyalty and obeisance because people have accepted those customs in their relationship with her. So too, a female synagogue president can be the chief lay-officer, can preside at meetings, etc., if the community has accepted the idea that they will treat her as is customary for that position. In that regard if the synagogue by-laws allow for a woman to serve as president by the process described above, the vote to accept those by-laws establishes this treatment of a woman synagogue President as the custom of the community.

Ramban’s second answer is even stronger. The verse precludes appointing a woman as queen. It does not preclude the people accepting her in that role. The problem is not her serving in that role—it is that she can’t be imposed on the people. But, a president is not imposed. She or he is elected and that election constitutes willful acceptance and not imposition. As such, an elected queen (if such a thing exists), or an elected synagogue president, presents no problem for halakha.

Rashba (Rabbi Shlomo b. Aderet 1235-1310) adds further support:⁷ Normally, a relative of one of the litigants may not serve as a judge in a court case. But, if both litigants accept that relative as judge the case can go forward.⁸ So too argues Rashba, the acceptance by the Jews, of a woman as judge (i.e. Deborah), is completely in keeping with Jewish law, and logically, the acceptance, by election, of a woman as synagogue President is halakhically acceptable as well.

Ritvah (R. Yom Tov b. Abraham Ishbili, 1250-1330) adds yet another supportive comment to this position.⁹ The Bible, in speaking of Deborah, says:

וַיַּעֲלוּ אֵלֶיהָ בְּנֵי יִשְׂרָאֵל לְמִשְׁפָּט

“and the Jews went up to her for judgment.”

This suggests that since the Jews went to her they accepted her rule.

⁶ Hidushei ha-Ramban, Shavuout 30a

⁷ Hidushei ha-Rashba ad. loc.

⁸ Cf. M. Sanhedrin 3:2

⁹ Hidushei ha-Ritvah, Shavuout 30a.

All of this adds an additional element. Kings have coercive power as reflected by the words.

שׁוֹם תְּשִׁים עָלֶיךָ מֶלֶךְ

You shall place upon you a king.

This coercive role may be precluded by halakha from being granted to a woman but synagogue presidents do not have coercive powers. Again, this would mean that no halakhahic problem exists in allowing a woman to be synagogue president.

Tosefot (12th-14th centuries) would seem to have the most restrictive opinion about Deborah among medieval scholars.¹⁰ In four places they describe her role as teaching the law and not actually adjudicating it.¹¹ Tosefot, in this opinion, does not allow a woman to be a judge under any circumstances.

However, the very restrictiveness of the opinion creates its own leniency. Tosefot is very specifically dealing with a woman serving as a judge, which he finds unacceptable; but, “judging” is not the role of a synagogue president. Therefore, this opinion would appear to be irrelevant to the discussion.

In addition, Tosefot, in yet another discussion, also mentions the idea that Israel accepted Deborah’s power of adjudication, which opens the door to the more permissive opinion discussed above.¹²

Another aspect of the persona of a king also differentiates him from the role of president. Sefer Hahinukh (13th century) points out that essential to the institution of royalty, was its dynastic, hereditary transfer of power.¹³

Beginning with the verse cited at the beginning of our discussion that reads:

לְמַעַן יִאָּרֶיךָ יָמִים עַל מַמְלַכְתּוֹ הוּא וּבָנָיו בְּקִרְבֵּי יִשְׂרָאֵל

In order that he lengthen his days in his rule he and his sons in the midst of Israel

To the eternal Davidic dynasty, royal authority passes from generation to generation.¹⁴

Sefer Hahinukh adds that this is true for all appointments in Israel and at one time- and perhaps today for some positions- that remains the case. Since synagogue presidencies do not pass to the next generation through inheritance, it is again clear that they are not

¹⁰ Radbaz (R. David ben Solomon ibn Avi Zimra, 1479-1573), Hilkhoh Melahim 1:5 takes a similar position.

¹¹ Yevamot 45b, sv. Mi lo Tavla le-Niddata, Nidah 50a sv. Kol Hakasher Ladun, Shavuot 29b sv Shevuat Haedut, Gittin 88b sv Lo Lifnei Hetyotot

¹² Baba Kama 15a sv. Asher Tasim.

¹³ Mitzvah 497. The authorship is debated. Suggestions include R. Aharon Halevi and Rabbi Pinhas Halevi.

¹⁴ R. Ya'akov Levinson, Shivayon ha-Nashim mi.Nekudat ha-Halakha, New York, 1920, points to this verse as indicating that the king is given a lifetime appointment, again that distinguishes the position of a king from that of a synagogue president.

covered by the verse that requires appointment of a man and not a woman, since it is that same text that sees the appointment as hereditary.

Contemporary Authorities

Finally, in contemporary times Rav Ben Zion Meir Hai Uziel, Sephardic Chief Rabbi of Israel from 1939-1954, discusses the question of women holding office in the state of Israel that was born during his tenure.¹⁵

He takes the position discussed above that an election- meaning the choice and acceptance of the people- mitigates any halakhic concerns. Further, he says that women are only precluded from appointed positions, meaning positions appointed by the Sanhedrin; but elected positions simply do not raise any concern.

Rav Uziel also discusses the question of whether a woman in a leadership position violates proper modesty. He rejects that idea completely and points out that women and men gather for discussions of serious matters every day all over the world and modesty standards are appropriately maintained.

R. Moses Feinstein takes up the question of a woman serving as a *maschgiha* supervising *kashrut*.¹⁶ Since that is a position of authority doesn't it fall afoul of the prohibition of appointing a woman in that role?

R. Feinstein has two answers that are both helpful to us here. The first is simply that the prohibition we are discussing is limited only to a king and does not apply to a *kashrus* supervisor, which certainly allows for a woman to serve as a synagogue president.

Second, he says that the prohibition applies only when the woman, by her own volition, may act coercively in relating to those she serves. While a *maschgiyah*(*ha*) has coercive power in that he or she can compel the owner of a food establishment not to sell a particular product, that power does not derive from her but from the rabbi or the supervisory agency who she represents. It is those entities that have the coercive power and not the *maschgiyah*(*ha*). This, I would add is different than the tax collector or irrigation inspector mentioned above who would have some measure of individual discretion that no *maschgiyah*(*ha*) is ever given. As a result, a woman can serve as a *kashrut* supervisor. Once again, since a synagogue president has no independent coercive power a woman can serve in that position.

Conclusion

In conclusion, while some in halakhic history think that a woman cannot serve as a synagogue president, it is clear that the significant majority of our sources support the position that there is no halakhic problem with a woman accepting that role. It is my opinion that it is halakhically permissible for the board and membership of Keshet Israel

¹⁵ Responsa Mishpatei Uziel, Hoshen Mishpat 4:6

¹⁶ Responsa Igrot, Moshe Yoreh Deah, 2:42.

to nominate and elect a woman president whenever their collective wisdom leads them to do so.

Rabbi Dr. Barry Freundel

May 25, 2011