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Yeshiva University Torah MiTzion Beit Midrash Zichron Dov

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לזכר נשמת הרב אפרים זלמן בן זאב וולף, לכבוד היאהרצייט, ד' תמוז  
ולשמחת סמיכת רב אפרים זלמן קליינברג, וטקס סיום של אורי אפרים שלמון המצטיין בכיתתו,  
בני דור שמיני של רב אפרים זלמן מרגליות, מחבר ספר מטה אפרים, מאת בני דורם

## Moshe's Staff: Fundamental Need or Dangerous Accessory? Rabbi Adam Frieberg

Doesn't the Torah command us, "Do not place a stumbling block before the blind?" Does not the Talmud (Avodah Zarah 6a-b) interpret this to mean that one may not cause someone to sin? If so, how are we to understand G-d's explicit command to Moshe to "Take the staff" (Bamidbar 20:8), the very item with which Moshe will sin, disqualifying him from ever entering the Holy Land?

To fully appreciate what the staff represents, and why it was crucial that Moshe bring the staff along, Rabbi Yitzchak Twersky emphasizes the political environment within which this episode occurred.

### Context: Korach's Rebellion

Korach's rebellion is fresh on everyone's mind. Remember his faction's rallying cry, "Why do you [Moshe and Aharon] exalt yourselves over the congregation of G-d?" Moshe responds (Bamidbar 16:5-7; 16:28-33) by creating multiple tests in which G-d will prove that Moshe has been chosen to lead, and more importantly, that G-d is running the show and Moshe is only His humble servant.

Unfortunately, despite seemingly clear signs that Moshe is strictly carrying out the Divine will - as seen from the burning of the people who brought incense, and the earth swallowing people alive - the nation struggles to grasp this concept. Not only do the Jews continue to complain, but they blame Moshe for the deaths of their kinsmen, saying, "You have killed the people of G-d." (ibid. 17:6) This is their tragic flaw: an inability to differentiate between G-d and His agents.

The same issue underlies the terrible sin of the Golden Calf. After Moshe fails to return on schedule, the people request that Aharon create a "god" for them, as they truly believe they have lost their god, "Moshe who brought us up from the land of Egypt." (Shemot 32:1) [See Rambam, Mishneh Torah Hilchot Avodah Zarah 1:1-2, for an argument that the same phenomenon led the world to idol worship.]

### Context: Miriam's Death

The context for Moshe hitting the rock also includes Miriam's death. The people witness the fact that a child of Amram and Yocheved is subject to G-d's will; perhaps this creates an opportunity for a paradigm shift, demonstrating the difference between the Creator and His agents.

### The speech and the staff

Keeping in mind the aftermath of Korach's rebellion, and Miriam's death, we can now truly appreciate the scene G-d has commanded Moshe and Aharon to create, and the role of Moshe's staff. Moshe is told to provide water to the thirsty nation, and to use only his speech; the lack of a physical action would demonstrate that Hashem is running the show, and Moshe and Aharon are only His spokesmen.

This is precisely why Moshe must bring his staff, for the staff itself conveys this message. From the moment we are introduced to Moshe's staff, and it is used for miracles before Pharaoh, the staff is a sign that Moshe is a Divinely appointed leader.

This idea is made clear by a mishnah (Rosh Hashanah 3:8) which describes

the role of staff in the war with Amalek. When Moshe's hands, which hold his staff, are raised, the nation is victorious; when his hands go down, so does their ability to fight. Regarding this, the mishnah declares, "Did the hands of Moshe make or break the battle? Rather, whenever Bnei Yisrael looked up to G-d... they were victorious, and if not, they fell." Similarly, when the Jews look up at Moshe's staff in Bamidbar 21, they are healed of their snakebites.

Moshe's staff, in conjunction with his lack of physical action at Mei Merivah, are supposed to provide this crucial message and inform the nation that Moshe is a leader, but not G-d. Yet the plan fails; perhaps even worse than striking the rock, Moshe and Aharon say, "Shall we bring forth water for you from this rock?" (Bamidbar 20:10) directing the attention away from G-d as orchestrator of the universe, and towards Moshe and Aharon themselves. Failing to change this theologically problematic issue is what made this mistake so fundamental, and that is why it costs Moshe and Aharon so much.

Like our ancestors, we often fall prey to putting too much emphasis on G-d's messengers. As we grow tired from the constant recital of Tehillim for Gilad, Naftali and Eyal, we may find ourselves forgetting to pray and instead just checking the Internet for the latest updates, and relying on the IDF, G-d's messengers, to bring salvation. May we merit to value the messengers, but to never forget from where their messages come.

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### OUR BEIT MIDRASH

**ROSH BEIT MIDRASH**

RABBI MORDECHAI TORCZYNER

**SGAN ROSH BEIT MIDRASH**

RABBI BARUCH WEINTRAUB

**AVREICHIM**

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**Who is the prophet of our haftorah?**

Yeshayah (Isaiah) was a prophet in the period leading up to the exile of the ten northern tribes of Yisrael by the Assyrians. He lived in the southern kingdom of Yehudah, and he prophesied during the reigns of Kings Uziyahu, Yotam, Achaz and Chizkiyahu. According to the Talmud (Sotah 10a), he was a descendant of Yehudah and Tamar.

As the Talmud (Bava Batra 15a) informs us, the book of Yeshayah was compiled by King Chizkiyahu and associates of his. The prophecies of Yeshayah may be classified in two categories, Rebuke and Redemption; the former dominates the early chapters of the book, while the latter occupies the latter portion. The split is not clean, though; portions of the former include redemption, and portions of the latter include rebuke.

**What is the message of our haftorah?**

Our haftorah begins with a sharp rebuke to people who think that by observing the practice of ritual sacrifice they are licensed to continue with their evil ways. Hashem promises that He will take his revenge upon these sinners. Yeshayah then continues to describe the future redemption, and the happiness of those who are now mourning for Yerushalayim.

The redemption described is not a

peaceful one; as the prophet himself mentions, "those slain by Hashem shall be many." (66:16) The death toll will also serve as a reminder for the future. As Yeshayah says in the concluding verse, people who come to bow before G-d on Shabbat and Rosh Chodesh will "go out and see the corpses of the people who rebelled against Me, for their worm shall not die, and their fire shall not be quenched, and they shall be an abhorring for all flesh." (66:24)

**What is the connection to Rosh Chodesh?**

The immediate connection is the mentioning of "Chodashim" (new moons) as times when people will come to serve Hashem. Perhaps, though, another connection is in the "new heavens and new earth" that Hashem will make. (66:22) This theme is found in the beginning of our haftorah, too: "So said G-d, the heavens are My throne, and the earth is My footstool; which is the house that you will build for Me, and which is the place of My rest?" (66:1)

When Shlomo built the Beit HaMikdash, he knew well that "the heaven and the heaven of heavens cannot contain You; much less this house that I have erected." (Melachim I, 8:27) Yet, Shlomo hoped that a material house would enable people to

address G-d, and HaShem would thereby "dwell upon the earth." Indeed, that is the goal of our work in this world – to connect, through limited material acts, to the Divine.

Our haftorah describes what would happen if this vision were to fail. The people come to sacrifice, but do not reach HaShem: "Whoever slaughters an ox has slain a man." (66:3) With this failure, G-d is compelled to completely eradicate the world, and to create it anew. Evil will be defeated, but not converted, and to the end of days it will remain as a witness to our failure to give Hashem a place in the physical realm.

However, there are other visions of redemption in Yeshayah, such as in Chapter 60. Due to space limitations we cannot analyze them here, but it will suffice to say that the differences between these visions stem from the ultimate question: Has man succeeded in his quest of finding G-d in our world?

Rosh Chodesh, the birth of the new moon, resembles the final redemption that will come even out of total darkness. This haftorah is a comforting promise: Even if we will fail, G-d will still redeem us.

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## 613 Mitzvot: #388, 391

### Guard the Temple!

Rabbi Mordechai Torczyner

The Levites – members of the tribe of Levi who are not Kohanim – are commanded to guard the Mishkan, and then the Beit haMikdash. This instruction first appears when the families of Levi are assigned to care for various parts of the Mishkan (Bamidbar 3), and then it is reiterated in the wake of Korach's rebellion. (Bamidbar 18) The mitzvah is presented with an active commandment to guard the Sanctuary (Mitzvah 388) and a prohibition against failure to do so. (Mitzvah 391)

The Talmud (Tamid 27b-28a; Middot 34a) notes that the Levite guards were subject to rounds of inspection. If a guard was found to be sleeping, his clothing could be burned by the inspection patrol. As explained by Rabbi Yosef Shaul Nathanson (Shoel uMeishiv I 1:228, based on Rosh to Middot 34a), Jewish courts are empowered to remove a person's property from him and to destroy it, based on the need at hand. [See Chayim Sha'al 1:23, as well.]

Most commentators explain that the goal of guarding the Sanctuary is to ensure that people do not accidentally enter spaces they are not qualified to enter. However, *Sefer haChinuch* (388) adds a dimension: "This guarding is in order to honour, elevate and glorify [the Sanctuary]; it is not out of any fear of an enemy, G-d forbid... As Sifri Zuta 18:4 says, 'This makes the Temple great, that it has guards. A *palterin*

that has guards does not resemble a *palterin* that does not have guards.' It is known that *palterin* is a reference to the Sanctuary... " In other words, guarding an entity highlights and reinforces its significance.

Given that the ultimate goal is to develop and demonstrate respect for the Sanctuary, this mitzvah may be seen as fleshing out an earlier one, *mora hamikdash* – to revere the Sanctuary (Mitzvah 254). That mitzvah affects our every action on the site of the Sanctuary; for example, we are not to cross the space as a shortcut, wear shoes there, or carry money while there. One may enter the Temple Mount only for the sake of performing a mitzvah. (Mishneh Torah, Hilchot Beit haBechirah 7:2)

Today, we treat our synagogue as "mikdash me'at," a miniature version of the Beit HaMikdash, and we apply many of the rules of the Beit HaMikdash to the sanctuaries of our synagogues. For example: One should not cross through the sanctuary in order to reach the other side of the building, one should not discuss mundane matters while in the sanctuary, and one may enter a sanctuary only to perform a mitzvah. (Mishneh Torah, Hilchot Tefilah 11:8)

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## Biography

**Rabbi Moshe Shternbuch**

**Rabbi Netanel Javasky**

Born in London in 1926 and orphaned at a young age, Rabbi Moshe Shternbuch spent his formative years learning in yeshivot in both England and Eretz Yisrael. For many years, he was a rabbi in Johannesburg, South Africa, where he delivered acclaimed Torah lectures on business ethics. His renown grew while there, and he returned to Jerusalem to join the Beit Din of the Eidah haChareidit, on which he has served as the Av Beit Din. He also serves as Rabbi of the "Gra Synagogue" in Har Nof.

A proud descendant of the Gra [the Vilna Gaon, Rabbi Eliyahu of Vilna], he compiled what is considered the authoritative book on his ancestor's minhagim and rulings, "Hilchot haGra uMinhagav." Additionally, he has written many other works; he is most renowned for Moadim uZmanim, a set of books discussing the Jewish holidays. His book of responsa, Teshuvot uMinhagim, is also widely quoted.

Though an anti-Zionist, Rabbi Shternbuch believes that there is a mitzvah in moving to the Land of Israel. He is also known to quote his father that it is better to live in the Diaspora and dream of the Land than to live in the Land and dream of the Diaspora.

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## Torah and Translation

### May One Buy a Lottery Ticket?

**Rabbi Moshe Shternbuch**

**Teshuvot v'Hanhagot 4:11**

**Translated by Rabbi Josh Gutenberg**

אמנם דבריו תמוהין מאד, שכאן לא שייך לאסמכתא כלל, דאסמכתא שאסור להמחר היינו אם אומר "כשיהיה דבר פלוני אקנה" או "אתן", ובוזה הוה אסמכתא ולא קנה. אבל כאן קונה כרטיס שווה עכשיו בשוק כמה דולרים, ויכול למכור אותו עכשיו ולקבל את שויו, ונכנס בזה להשקעה כמו בכל עסק. ורק אם ההגרלה היא באופן שמי שמפסיד צריך לשלם מכיסו תשלום נוסף אחר שהפסיד, בזה לא סומך דעתו ולא מועיל. אבל כאן, קנה עכשיו דבר שיתכן שיבוא לו מזה רווח גדול ויתכן שלא, הוה ככל עושה עסק או משתתף בו שאין בזה שום חשש אסמכתא...

ועוד נראה שאסמכתא דלא קנה היינו משום שסומך שהדברים יסתדרו כרצונו ולטובתו, וכשלא מצליח הוה אסמכתא, אבל כאן הלא יודע מעיקרא שהסכויים שלו לזכות הם קלושים מאד, ומ"מ כיון שסכום הזכיה הוא גדול מאד, והסכום שדורשים עבור הכרטיס הוא פשוט, סומך דעתו לכך, וכה"ג לא נקרא אסמכתא...

ומעכשיו נראה פשוט שהקונה כרטיס הגרלה אין בזה חשש אסמכתא, ולא שונה הדבר מכל השקעה שקונה ומקוה שיהיה מוצלח, אבל אין לו שום בטחון, ואם בסוף הפסיד ודאי לא נקרא אסמכתא, ואף כאן קנה כרטיס בתקוה בעלמא שירוויח, ומשום שהסכויים קלושים מאד המחיר בזול מאד, אבל סומך דעתו ומוכן באמת גם להפסיד...

עכ"פ נראה שבקניית כרטיס לא שייך אסמכתא, והיינו בין לאשכנזים ובין לספרדים.

here, he knows from the outset that his odds of winning are very slim. Nevertheless, since the jackpot is very large, and the sum required to buy a ticket is small, he commits [to give up his money], and such a case is not considered an *asmachta*...

Therefore, it seems obvious that buying a lottery ticket raises no concerns of *asmachta*. It's no different from any investment which one purchases and hopes will succeed, but has no faith [that it will certainly succeed]. If in the end it fails, it's certainly not considered an *asmachta*. Here, too, he bought the ticket with the hope that he would make a profit, and since his chances [of winning] are very slim the [ticket] prices are very cheap, but he has every intention [to pay the money] and he is prepared even to lose...

In any case, it seems that buying [lottery] tickets does not constitute an *asmachta*, neither for Ashkenazim nor for Sephardim.

[Note: *Asmachta* is an agreement contingent on the unlikely outcome of a future event. The Talmud states that a transaction based on an *asmachta* is not valid because the one who has to give up the money or object is not doing so wholeheartedly, since he never thought the future event would occur. This *teshuvah* deals with the question of whether buying a lottery ticket constitutes an *asmachta*.]

Indeed, Rabbi Ovadia Yosef's words [forbidding Sephardim from purchasing lottery tickets] are shocking, since *asmachta* is not at all relevant in our case, for the *asmachta* that Rabbi Yosef Karo forbade is if one states "when X occurs I will sell" or "I will give." That is an *asmachta* which is not binding. But here he purchases a ticket with a market value of a few dollars, and he can sell it now for full value. He enters the investment like in any business. Only if the lottery is done in a way that the one who loses must pay from his pocket an additional payment after he loses [is it problematic], since he doesn't fully commit [to giving the money] and it doesn't work. But here, he bought something now that could possibly lead to a large profit and possibly not, which is like anyone who engages in business or is a partner in it, regarding which there is no concern of *asmachta*...

It further appears that *asmachta* is not binding because one thinks that the events will work out in his favour and to his benefit, and when he does not succeed then it's called *asmachta*. But

**This Week in Israeli History: 1 Tammuz, 1996 - Netanyahu's First Knesset**      **Rabbi Mordechai Torczyner**

*The 1st of Tammuz is Sunday*

On November 4, 1995, Israeli Prime Minister Yitzchak Rabin was murdered. His replacement, Shimon Peres, called for early elections to certify the political mandate for his vision. Peres was making his fourth attempt to win the office of Prime Minister; Binyamin Netanyahu, his opponent, was running for the first time.

Shimon Peres was aligned with the Labour Party, and Netanyahu with the Likud Party, but that was not directly relevant for the election of Prime Minister; in 1996, for the first time, Israelis voted directly for Prime Minister rather than assign the position to the leader of the party holding the majority of the seats in the Knesset.

Early in the campaign, Peres drew strong support as heir to Yitzchak Rabin. However, the tide turned due to rabbinic support for Netanyahu and a strong national reaction to a string of terrorist attacks. Election-eve polls still declared a 2% lead for Peres, but Netanyahu won, taking 48.1% of all valid votes cast, compared to 47.1% for Peres.

The system of splitting party votes from Prime Minister votes caused a significant political shift; voters could support a smaller party for Knesset without damaging their chances of electing the Prime Minister they wanted. As a result, only 56% of Peres voters cast ballots for Labour, and only 51% of Netanyahu votes cast ballots for the Likud-Gesher-Tzomet alliance. Netanyahu's Likud-Gesher-Tzomet lost eight seats, and Labour lost ten. New party Yisrael ba'Aliyah, headed by Natan Scharansky, took seven seats, and a new Arab party, United Arab List, took four.

Netanyahu was forced to build a coalition of Likud-Gesher-Tzomet-Shas-National Religious Party-Yisrael ba'Aliyah-United Torah Judaism-The Third Way. He presented his new government to the Knesset on the first of Tammuz (June 18), 1996. His period in office was riddled with coalition issues, related to the economy as well as regional peace talks. Early elections were called in 1999; Netanyahu was defeated by Ehud Barak, but he returned to the Prime Minister's office ten years later.

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**Highlights for June 28 – July 4 / 30 Sivan – 6 Tammuz**

***Many of our shiurim are now on summer hiatus, but opportunities remain!***

Time	Speaker	Topic	Location	Special Notes
<b>SHABBAT JUNE 28      Rosh Chodesh Day 1</b>				
<b>After hashkamah</b>	R' Josh Gutenberg	Minchat Chinuch: Is My Presence an Action?	BAYT	
<b>Derashah</b>	R' Adam Frieberg		Shaarei Tefillah	
<b>Before minchah</b>	R' Mordechai Torczyner	Daf Yomi	BAYT	
<b>Before minchah</b>	R' Adam Frieberg	TBD	Shaarei Tefillah	
<b>After minchah</b>	R' Mordechai Torczyner	Gemara Avodah Zarah: Honey, Musk and Gelatin	BAYT	
<b>SUNDAY JUNE 29      Rosh Chodesh Day 2</b>				
<b>8:45 AM</b>	R' Josh Gutenberg	Contemporary Halachah: Redeeming Captives	BAYT	
<b>9:15 AM</b>	R' Shalom Krell	Kuzari	Zichron Yisroel	<b>With light breakfast</b>
<b>7:30 PM</b>	R' Baruch Weintraub	Contemporary Halachah in Israel: Hitchhiking in Halachah On-line shiur in Hebrew: <a href="http://www.torontotorah.com/online">http://www.torontotorah.com/online</a>		
<b>MONDAY JUNE 30</b>				
<b>10:15 AM</b>	R' Mordechai Torczyner	Chabura: Times of Davening	Yeshivat Or Chaim	<b>Not this week</b>
<b>TUESDAY JULY 1</b>				
<b>1:30 PM</b>	R' Mordechai Torczyner	Talmud Yerushalmi: Sheviit	Yeshivat Or Chaim	<b>Not this week</b>
<b>WED. JULY 2</b>				
<b>10:00 AM</b>	R' Mordechai Torczyner	Origins of Prayer	Yeshivat Or Chaim	<b>Not this week</b>
<b>7:30 PM 8:00 PM</b>	R' Mordechai Torczyner R' Yehoshua Weber	Business Ethics: Lending	Yeshivat Or Chaim	<b>Not this week</b>
<b>THU. JULY 3</b>				
<b>10:15 AM</b>	R' Aaron Greenberg	Laws of Shabbat	Yeshivat Or Chaim	<b>University students</b>
<b>FRI. JULY 4</b>				
<b>10:30 AM</b>	R' Mordechai Torczyner	Contemporary Halachah	Yeshivat Or Chaim	<b>Advanced</b>