

Toronto Torah

Beit Midrash Zichron Dov

Parshiyot Matot-Masei

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This issue of Toronto Torah is dedicated by Esther and Craig Guttman and Family
in honour of the upcoming yahrtzeit of Sheila Guttman ז"ל ו"ה שרה טובה בת יהושע ז"ל ו"ה

This is the last issue of Toronto Torah for the summer; we expect to return in Elul with Volume 15!

Why Do Chazal Support Intermarriage?

Rabbi Adam Friedmann

The end of Parshat Masei describes a plan for the division of Eretz Yisrael among the tribes. The heads of the families of the tribe of Menasheh approach Moshe with a challenge. They point out an apparent contradiction between G-d's command to distribute portions of land to particular tribes and His earlier instruction allowing the daughters of Tzeloachad to inherit. If these daughters marry men from other tribes, the land will pass permanently to their husbands' tribes. Moshe consults with G-d, who acknowledges the validity of the concern. G-d instructs that the daughters of Tzeloachad should marry within their own tribe. The same is true for any woman who inherits land. This way, land will remain with its original inheriting tribe.

The straightforward understanding of this passage suggests that these laws are applicable indefinitely (see Ibn Ezra, Bamidbar 35:8). However, the Sages restrict its application to very limited cases. They do so in a remarkable manner.

A mishnah (Ta'anit 4:8) states that Yom Kippur and the 15th day of Av are exceptional holidays for the Jewish people. The mishnah describes how unmarried women would meet potential husbands on these days. The mishnah compares the joy of the 15th day of Av to the joy of Shlomo HaMelech when he built the Temple.

The Talmud (Ta'anit 30b) raises the question of why the 15th day of Av is

significant. It offers various explanations, and the first suggestion is that this was the day when intermarriage between tribes was permitted again. Rashi (ad loc.) explains that only in the first generation did the Jews follow the straightforward interpretation of the passage from our parshah. Girls who inherited land were not allowed to intermarry with other tribes. But after that generation, on the 15th day of Av, the Sages declared that this passage should not apply going forward; there would be no problem with future intermarriage between tribes.

The Talmud (ibid.) links this ruling with a nuance in the Torah's text itself. But the logic behind ending tribal segregation is difficult; our parshah states explicitly that G-d approved of the claim of the heads of Menasheh! Perhaps the Sages understood the following: There is justification for the claim about transferring between tribes. But implementing the regulations described in the Torah would lead to a division between the tribes, preventing any woman who stands to inherit land from marrying out of the tribe. Effectively, this would result in each tribe marrying internally. The result would be a fragmented Jewish people, where each tribe would exist in isolation from the others. Halachah recognized a greater value that superseded this reality: the unity of the Jewish people.

Our mishnah's comparison of the joy of the 15th day of Av to the joy of building the Temple may allude to this. Rabbi

Chaim Cohen (*Hakitzu V'ranenu*, page 300) explains that the Temple can only arise from a sense of unity among the Jewish people. A disparate group of individuals do not build a home together. Only a family seeks a home. So too, the Temple, as our national home to meet with G-d, can only be constructed by a unified Jewish family. Once intermarriage was allowed and the division between tribes dissolved, we could live as one large family capable of building the Temple. This is the essence of the joy that permeates the 15th day of Av.

There is a lesson here for us. The Jewish people are inherently tribal, with different groups following diverse perspectives and ways of life. It is appropriate and justified for these groups to be accommodated. However, when we excessively focus on tribal existence, the cost is a loss of overall unity and a diminished sense of being one larger family. The Sages teach us that the ability to come together as one family is the overriding value. We must strive to respect each other's tribal identities. But at the same time we must stay focused on the ultimate goal. If we desire to witness the rebuilding of the Temple and experience the joy it brings, we must become one unified family.

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Summary

Our chapter is one of the best-known passages in Yeshayahu, because the first half is the haftorah for Parshat Ki Tetze and the second half comprises most of the haftorah for Parshat Re'eh. [In years when Rosh Chodesh Elul occurs on the Shabbat of Parshat Re'eh, many shuls read these sections as a combined haftorah for Parshat Ki Tetze.]

Yeshayahu begins our chapter by addressing a barren woman as a symbol of Israel's desolate and afflicted state. He calls Israel to rejoice, as Hashem promises to enlarge their territory and bring restoration. The imagery of a tent expanding and the barren woman having many children signifies Hashem's intention to bless and multiply His people. (54:1-3)

Hashem assures His people of His everlasting love and faithfulness. He compares His love to that of a husband whose wife has sinned, but who nonetheless embraces her. Despite Israel's past unfaithfulness and exile, Hashem promises to show them compassion and gather them with great mercy. He declares that His covenant of peace will never be removed from them. (4-8)

Hashem promises never to be angry with His people again, assuring them that His unfailing love and covenant of peace will never be shaken. He uses the imagery of the flood during Noah's time, which Hashem swore never to repeat, to illustrate His commitment to the Jews. He emphasizes that He will not allow His anger to destroy His people as it did in the past. (9-10)

Yeshayahu describes the future peace, security and prosperity of the people of Israel and the restored city of Jerusalem. Hashem promises that no weapon formed against His people will succeed, and that they will be established via their righteousness. (11-17)

Insight

In 54:13, the prophet predicts that "all your children shall be disciples of the Lord, and great shall be the happiness of your children." (JPS translation) A well-known saying among the sages, found in various midrashim and the Talmud, suggests that this verse does not actually refer to all the children of Israel, but to the Torah scholars who will increase peace in the world. [See, for example, Berachot 64a, Keritut 28b, Nazir 66b, Tamid 32b, and Yevamot 122b.]

One might question how Torah students can bring increased peace in the world, considering that the Talmud and the Yeshiva environment are often filled with disagreements and disputes. Various explanations have been given, but I would like to offer an answer presented by Rabbi Yosef Chaim of Baghdad (the "Ben Ish Chai") in his commentary *Ben Yehoyada* on Berachot 64a. The Ben Ish Chai explains that the Torah students mentioned in this interpretation actually refer to all of us: every person should consider himself a student and view others as his teachers, individuals from whom they can learn. When we all attain that level of humility, when we learn to derive knowledge from every person we encounter, we will succeed in promoting peace in the world. Just as the Talmud says: "Rabbi Hanina said: I have learned much from my teachers and even more from my friends, but from my students I have learned more than from all of them." (Taanit 7a, Steinsaltz translation)

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Siddur Insights: Divided We Stand

The word *havdalah* literally means distinction or differentiation, and the purpose of the prayer is to differentiate between Shabbat and the rest of the week. The core structure of Havdalah is four prayers in sequence: 1. *Boreh pri ha-gafen* (wine), 2. *Boreh minei besamim* (spices), 3. *Boreh meorei ha-aish* (fire), 4. *HaMavdil bein kodesh l'chol* (differentiation).

Rambam (Mishneh Torah, Hilchot Shabbat 29:1) writes that the verbal recitation of Havdalah is included within the Divine command to "Remember Shabbat and sanctify it." (Shemot 20:8) Kiddush, which is also rooted in this verse, and Havdalah, thus serve as bookends for the day. But what of the rest of the blessings included in the rite?

Many early authorities (e.g. Tosafot Pesachim 102b *Rav*) say that the blessing over spices is recited to assuage ourselves for the loss of the second soul which we are imbued with over Shabbat. There is a real loss of quality between Shabbat and the rest of the week which we should be aware of. But Havdalah is not entirely about reminding ourselves of what we are losing in transitioning from the day of rest into the work week.

Rabbi Jonathan Sacks, in his commentary on the siddur, writes that Havdalah's deeper meaning, "Recalls the moment at which Adam and Eve, exiled from Eden because of their sin, prepared to enter, for the first time, the world outside, with its darkness and dangers. As a gift, G-d showed them how to make light. Hence the light of Havdala." Rabbi Sacks points out how this can be seen as an inverse of the myth of Prometheus who stole fire from the Greek pantheon and was punished for doing so. In Judaism G-d created light on the

very first day of creation and then gave it to humans so that even in a dark, imperfect world, we still act as His partners.

Rabbi Sacks also notes that the root of the word *havdalah* appears no fewer than five times in the first chapter of Bereishit. This teaches a very important lesson about the importance of differentiation in our lives. In his words, "G-d invites us to create worlds. Creation involves the ability to make distinctions, to rescue order from chaos, to respect the integrity of creation. Havdala is thus not only a human blessing over the end of the day of rest, but as it were a divine blessing over the days of work. The Creator invites us to be creative – but always and only in ways that respect differences and distinctions, the laws of nature and moral law. The message of Havdala is: if we respect the integrity of boundaries, we can turn chaos into order, darkness into light."

If we respect the rules G-d gave us, and the very real differences that exist in the world, then we can work within that context to make the world a truly better place and utilize the unique tools that we have access to towards that end. If we do so in the right way, then we can truly embrace the teaching of Rav Avraham Yitzchak Kook to make the old new and to make the new holy.

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Biography

Rabbi Yaakov Lorberbaum Rabbi Baruch Weintraub

Rabbi Yaakov Lorberbaum was born in 1770 in Galicia, to a renowned rabbinic family; his great grandfather was the Chacham Tzvi, Rabbi Tzvi Ashkenazi. His father, Rabbi Yaakov Moshe Lorberbaum, passed away before young Rabbi Yaakov was born, hence the identical name. He was raised in the home of a relative, Rabbi Yosef Teomim, and continued his learning under Rabbi Meshulam Igra.

At the age of thirty, Rabbi Yaakov became the Rabbi of Kalosh, and in 1809 he moved to Lissa, Prussia (today in Poland), where he became the Chief Rabbi. He was already famous as a great scholar, and the yeshiva in Lissa grew, with hundreds of students eager to hear his Torah. After leaving the town for personal reasons, his return was impossible because he was a foreign citizen. He was forced to return to Kalosh, and he eventually became the Rabbi of Stryi, where he died at the age of 72.

Rabbi Yaakov is known to this day for his scholarly books, which cover almost every subject in the Torah. Many of them are now basic for any serious discussion. His halachic works are considered authoritative by later authorities, especially in Yoreh Deah (*Chavot Daat*) and Choshen Mishpat (*Netivot HaMishpat*).

Rabbi Yaakov communicated with other Torah scholars of his generation, among them Rabbi Akiva Eiger, the Chatam Sofer, and Rabbi Arie Leib HaCohen Heller, author of *Ketzot HaChoshen*. Per Rabbi Baruch Epstein (*Mekor Baruch* vol. 3 p. 627), it was Rabbi Yaakov who caused the *Ketzot haChoshen* to become famous, by commenting on it so much in his *Netivot haMishpat* – even though his comments are usually in disagreement. Rabbi Heller wrote a defense of his work, *Meshoveiv Netivot*, and Rabbi Heller then added comments on that, too, in a later edition of his *Netivot haMishpat*.

Rabbi Yaakov was not only a halachic authority for later generations; he also led his contemporaries. During his lifetime, Judaism began to face many modern crises, such as a decline in Jewish commitment and the rise of Reform movements, against which he fought strongly.

Rabbi Yaakov Lorberbaum's yahrtzeit is the 24th of Iyar.

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Weekly Halachah: Tefillat HaDerech

Rabbi Jared Anstandig

We are currently in travel season. No matter our mode of transportation, the Gemara tells us (Berachot 29b) that before each trip we are obligated to recite Tefillat HaDerech, a prayer that we reach our destination safely.

When to say it?

The Talmud describes that this prayer is recited on the road and must be said for a *parsah* beyond city limits. The meaning of this last expression is debated. Some authorities, such as Bahag (quoted in Rashi Berachot 30a, *ad parsah*), suggest that to warrant this prayer one must **intend to travel one *parsah***. Others, such as Rashi (ad. loc.) suggest that one must **recite this prayer within the first *parsah*** of the journey. Shulchan Aruch (Orach Chaim 110:7) rules in accordance with the interpretation of Bahag, while Rama adds that ideally one should follow Rashi's opinion and recite Tefillat HaDerech within the initial *parsah*.

How far is a *parsah*?

Mishnah Berurah (110:31) observes that a *parsah* is the distance of 4 *mil*, which translates roughly to four kilometers. Mishnah Berurah (110:30) suggests that a *parsah* reflects a level of danger of the journey. Meaning, once one passes the *parsah* threshold beyond the city, one is in a dangerous territory. Accordingly, whether one travels by foot, boat or by what Mishnah Berurah calls an iron track (that is, by rail), one recites Tefillat HaDerech within the distance of one *parsah* of the city.

Fear Factor

Rabbi Yosef Zvi Rimon in a recently written responsum (<http://tiny.cc/rimon>) argues that there is another crucial element in determining when one recites Tefillat HaDerech. Based on a passage in Beirur Halacha (110 d.h. *ve'in le'omrah*), Rabbi Rimon argues that an overarching question is: does one feel a subjective fear of danger regarding this trip? He explains that any trip that is more than a *parsah*, presumably, is a dangerous one and therefore merits Tefillat HaDerech. But, if one is traveling less than a *parsah* beyond the city, yet one feels nervous about it, according to Rabbi Rimon, one should still make a berachah. Taking this to its logical conclusion, there are indeed some who argue that if one is not particularly afraid, one would not recite Tefillat HaDerech even for a trip beyond a *parsah*. See *Nefesh HaRav* page 149 where it is noted that Rabbi Soloveitchik would not recite Tefillat HaDerech on his frequent trips between Boston and New York.

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Sefer haChinuch #34: Murder

By Rabbi Mordechai Torczyner

Mitzvah 34 prohibits killing an innocent person. The Sefer haChinuch ties this law back to Hashem's initial instruction to His creations, "Produce fruit and multiply." Hashem told the world that He is interested in seeing it filled with life, and we are instructed not to act against His desire.

One might be surprised that the same Torah could prohibit taking a life and yet allow for capital punishment, but the Sefer haChinuch's linkage to "Produce fruit and multiply" provides a justification: Certain criminal actions work against Hashem's stated desire to see the world filled with life, and so Hashem declares that for those cases, execution actually supports Hashem's overall mission.

Hiring a murderer and causing a death indirectly are included within this prohibition, although the penalties vary. (Mishneh Torah, Hilchot Rotzeiach 2:2)

As the Talmud explains, wounding one's self is also prohibited. (Bava Kama 90b, Mishneh Torah, Hilchot Chovel uMazik 5:1 and Hilchot Rotzeiach 2:2-3; Sefer haChinuch 34; Code of Jewish Law Choshen Mishpat 420:31) This includes ending one's own life to avoid pain and suffering, although Halachah recognizes that there can be no blame, after the fact, for acts performed under great duress. (Shulchan Aruch Yoreh Deah 345:3) Enabling someone to end his own life is also prohibited, as one may neither lead others to sin nor assist them in doing so.

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Shabbat July 15

After hashkamah R' Yehuda Mann, Halachah from the Parshah, Clanton Park

After minchah R' Mordechai Torczyner, Gemara Ketuvot, BAYT (Milevsky Bais Medrash) (men)

After minchah, Idan Rakovsky, Halachah in the Parshah, Shaarei Tefillah

Sun. July 16

9:00 AM R' Zev Spitz & R' Yehuda Mann, Semichat Chaver, Clanton Park (men): Hilchot Seudah

2:30-3:15 PM Thursday July 27, Tishah b'Av

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Parshah (Rabbi Yehuda Mann and Rabbi Noah Sonenberg)

Journey Through Tanach (Rabbi Mordechai Torczyner)

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