

Toronto Torah

Yeshiva University Torah MiTzion Beit Midrash Zichron Dov

Parshat Vayelech/Shuvah

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יהודה פסח בן גפתי הכהן ז"ל and רחל בת מרדכי ז"ל

All Together Now!

Rabbi Elihu Abbe

Two mute students lived in the neighborhood of Rabbi Yehuda HaNasi, a.k.a. Rebbe. Whenever Rebbe would enter the beit midrash to teach, they would sit in front of him and nod their heads and move their lips. One day, Rebbe prayed that their speech should be restored. When they were healed, it was discovered that they had become fluent in all of the Talmud and its laws, as well as in various volumes of midrash. (Chagigah 3a)

The Talmud relates this story in discussing who is obligated in the mitzvah of *hakhel*, in which the Torah is read publicly in the Beit haMikdash every seven years, on Succot. The Torah (Devarim 31:12) lists "learning" as one of the benefits of the mitzvah (*l'maan yilmidu*), and the Talmud derives from there that one who is mute is exempt. The Talmud then questions this derivation by relating the above story, which proves that one who is mute can certainly learn. It answers that *l'maan yilmidu* should be understood *l'maan yilameidu*; the benefit of the mitzvah is not to learn, but to teach. One who is unable to teach verbally and draw others into their studies is exempt.

As the Talmud sees it, Rebbe's two mute students may have known the entire corpus of Torah literature, but prior to their healing they would have been exempt from *hakhel*. The mitzvah, which Sefer haChinuch (612) describes as a communal celebration of Torah, is obligatory for men, women, and children. Everyone participates, regardless of their degree of Torah

knowledge. Nonetheless, one who is unable to share the Torah with others, or is unable to participate in the give and take of a Torah discussion with another person, is exempt. This is even if they know the entire Torah. The Torah is intended to come to life. It is intended to be transmitted. It is intended to be shared.

Each of the three festivals transmits this same message regarding the necessity of sharing our Torah knowledge and religious experience with others.

- The Passover Haggadah says, "Even if all of us are knowledgeable in Torah, it is nonetheless, a mitzvah to relate the story of the exodus from Egypt." Knowledge is not enough. It must be animated through discussion.
- At Shavuot we celebrate receiving the Torah, which is meant to be spoken, not only read. King David declares "How much do I love Your Torah! It is (the subject of) my speech all day (Tehillim 119:97)."
- On Succot we lift the lulav and etrog. In times of old, when one would exit court after a favorable verdict, one would hold branches as a sign of victory. Similarly, we take a lulav to symbolize having emerged victorious from the judgment of Rosh Hashana and Yom Kippur. (Midrash Rabbah Vayikra 30:2) Taking the lulav is making a statement, sharing our religious experience of the high holidays with others.

Orchot Tzaddikim is a classical, anonymous medieval work on personal growth. In discussing the trait of

arrogance, the author addresses a potential pitfall. A person working toward attaining humility may become so tempted to avoid receiving praise for his good deeds, that he will go out of his way to do everything in a subpar manner. He will pray as quickly as possible, never study Torah in public, and hide any positive character trait that he attains.

Orchot Tzaddikim describes such a tendency as fleeing from a small fire directly into the heart of a much larger fire. While G-d desires altruistic service, it is essential to avoid detracting from the communal promotion of serving Him that results from publicly visible endeavors. In fact, the Mishneh Berurah (1:6) advises that mitzvot should be performed publicly when there is a chance that others will learn from one's good example and devote themselves to performing mitzvot as well.

Jewish life is based on communal engagement and participation. We learn together, pray together, and help each other. May we all, together, merit a favourable judgment and a year of good health, happiness, and spiritual growth.

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Summary of the chapter

G-d commands Yehoshua to take twelve stones from the Jordan River and leave them where the Jews will camp that night. Yehoshua passes the instruction to the people, and explains to them that the goal is to create a monument to the Divine miracle of the crossing of the Jordan. This commandment is carried out, and Yehoshua adds another twelve stones that will remain in the Jordan itself, where the priests carrying the ark had stood.

The crossing of the Jordan made Yehoshua a great leader in the eyes of the Israelites, and they revered him as they revered Moshe in his time. In addition, the stones placed in their camping place, Gilgal, would forever serve as a reminder, both for the Israelites and for other nations, of G-d's mighty hand.

For thought

In our chapter, Yehoshua seems to make a great effort in the hope of establishing an everlasting national memory for the crossing of the Jordan. Probably, this is how he understands G-d's command to him to take twelve stones from the Jordan and to put them where the Jews would camp. Therefore,

he adds another set of stones which will serve as a monument inside the Jordan itself. Rabbi Moshe Alsheich explains that these two sets of stones were supposed to supplement one another, so if the origin of the Gilgal monument would be forgotten, the stones at the Jordan would provide the answer. If the purpose of the stones at the Jordan would be forgotten, the stones at Gilgal would be a reminder of the crossing.

However, from where we stand today, it seems that Yehoshua's attempts were not very successful. It may well be that the stones located in the river, or at Gilgal, are still there, but we are not aware of them, and they do not serve as the memorials Yehoshua wanted them to be.

Indeed, when we look at G-d's commandment to take the stones, we may note that nowhere is it said that the stones will be used to remember the crossing of the Jordan. As a matter of fact, Rashi suggests that this commandment was meant to help the people establish an altar on Mount Eival and write the Torah on the stones, as G-d had commanded Moshe. (Devarim 27:1-4) The idea of

monuments, then, seems to be Yehoshua's own.

Our failure to remember the stones and their message is even more emphasized when compared with the memory of the Exodus from Egypt. The latter has neither physical props nor archaeological remnants, and yet, it is a lively and central event in our national memory. Maybe this is the conclusion we are expected to draw: that a memory based on mitzvah and education has a much higher chance of surviving through the generations than a memory based on even the largest stones.

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Law of the Land: Tithing Israeli Exports

Rabbi Yechiel Michel Epstein (1829-1908), in his *Aruch haShulchan* commentary on the Shulchan Aruch (Yoreh Deah 331:1), tells the reader that he has decided not to write about the laws pertaining to *terumot* and *ma'asrot* (agricultural tithes given to kohanim and leviyim) since they had no practical relevance in his day. Over a century later, there is no shortage of scholarly articles and consumer guides in both Hebrew and English about the application of these laws in Israel and abroad. The resettlement and re-establishment of sovereignty in the Land of Israel has enabled a thriving agricultural sector and booming export industry, placing the laws of *terumot* and *ma'asrot* into the practical arena.

Halachah requires a Jew to tithe his crop as follows: Approximately two percent is given to a kohen (*terumah gedolah*) who must consume it in a state of ritual purity; 10 percent of the remaining produce is given to a levi (*ma'aser rishon*); the levi gives 10 percent of his portion to a *kohein* (*terumat ma'aser*). In the first, second, fourth, and fifth years of the seven-year Sabbatical cycle, an additional 10 percent is separated and may only be eaten in Jerusalem or redeemed for money spent there (*ma'aser sheni*), and in the third and sixth years, it is given to the poor (*ma'aser ani*).

Rabbi Yosef Caro (1488-1575) in Shulchan Aruch and Rabbi Moshe Isserles (1530-1572) ruled that today, the obligation to separate *terumot* and *ma'asrot* in the Land of Israel is rabbinic. [See Toronto Torah 10:3 for more detail regarding this point.] Also, since kohanim are presently unable to maintain the ritual purity required for eating *terumah*, the portion separated may not be eaten by anyone and is to be

disposed of in a dignified manner (see "Instructions for Separating Terumah and Ma'aser" http://www.crcweb.org/kosher_articles/Terumah_Maaser_Separation_%28Dec%202016%29.pdf).

What about Israel's exports? This question, originally addressed in a mishnah (Challah 2:1), stems from the Torah's passage regarding *terumah*, "[W]hen you arrive in the **land** to which I am bringing you" (Bamidbar 15:18)." Although, the Shulchan Aruch (Yoreh Deah 331:12) exempted exports from separation, Rabbi Yehudah Rosanes (1657-1727) in his *Mishneh leMelech* argued that produce grown in Israel requires separation regardless of where it is consumed. In a third view, Rabbi Shalom Mordechai Schwadron (1835-1911) said that if produce is grown in Israel specifically for export, *terumah* need not be taken.

The Chief Rabbinate of Israel relies on those authorities who do not require *terumot* and *ma'asrot* to be separated from produce consumed outside of Israel, although some exports are tithed; see <https://oukosher.org/blog/consumer-kosher/separating-terumah-and-maaser/>. Other authorities, including Rabbi Moshe Feinstein (1895-1986), follow the *Mishneh leMelech*, and require tithing for exported produce (*Igrot Moshe*, YD 3:127).

Israel's renewed prosperity has not only allowed people around the world to enjoy its fruits - it has also made it necessary for areas of Jewish law to be re-opened.

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Biography

Rabbi Yitzchak Hutner

Rabbi Adam Friedmann

Rabbi Yitzchak Hutner was born in 1906 in Warsaw, Poland, to a family with roots in both Chassidic and Lithuanian Jewry. He studied in the yeshiva in Slabodka and was part of a delegation of 150 students who traveled in 1924 to what was then the Mandate of Palestine to establish a branch of the yeshiva in Chevron. He studied there until 1929, when the yeshiva was forced to relocate to Jerusalem following the Chevron massacre. During his time in Israel, Rabbi Hutner forged a relationship with Rabbi Avraham Yitzchak Kook, who was then the Ashkenazi Chief Rabbi. The latter had a significant impact on Rabbi Hutner, and would write an approbation for his first book, though a significant philosophical distance would eventually develop between them. After leaving Chevron, Rabbi Hutner returned to Europe. He studied philosophy at the University of Berlin, and was married.

In 1935, Rabbi Hutner moved to Brooklyn, New York, and took up a teaching post at the Rabbi Jacob Joseph School. Eventually, he was offered a position at the high school of Yeshiva Rabbi Chaim Berlin. Rabbi Hutner would stay associated with the yeshiva for the rest of his life, eventually becoming head of the entire yeshiva. Initially, he worked on building up a post-high school beit midrash program for students, which eventually served hundreds of students.

Rabbi Hutner's best known books are the volumes of *Pachad Yitzchak*, in which he rewrote the contents of the *ma'amarim* [discourses] that he delivered on special occasions. Borrowing from Chassidic influences, these *ma'amarim* were spiritually charged discourses blending halachic and philosophical topics. They were accompanied by group singing, celebration, and, occasionally, instrumental music. The goal of these presentations was to arouse the students in a way that would enable them to properly absorb the profound messages. Though the speeches were delivered in Yiddish, *Pachad Yitzchak* is mostly written in modern Hebrew. The work draws extensively on the writings of the Maharal of Prague, as well as various halachic and kabbalistic sources.

Rabbi Hutner reared many illustrious and highly successful students, until his death in 1980.

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Torah and Translation

Prayer After the Verdict

Rabbi Y. Hutner, Pachad Yitzchak, Rosh HaShanah 26

Translated by Rabbi Adam Friedmann

ז. כשם דבבית דין של מטה אמרינן בגמר דין של מיתה דעצם הגמר דין מסלק ממנו שם "חי", ותיכף בשעת גמר דין נעשה לאין לו דמים ולגברא קטילא, כמו כן תופסים אנו בכל גמר דין של עונש בבית דין של מעלה... וממילא נמצא דצעקה לאחר גזר דין שלמעלה הוה כצועק על העבר...

אלא שכל זה הוא ביחיד, אבל בציבור, שלעולם זה הוא הכלל שאין ציבור מת, ואין שום ציור של "אין לו דמים" ו"גברא קטילא" לגבר ציבור... ממילא בגזר דין של עונש על הציבור. הרי הציבור נעשה רק עומד לעונש, אבל בשום אופן אין אנו רואים את הציבור כנענש... ומכיון דאין הגזר דין על הציבור פועל אלא שיהא הציבור נחשב כעומד להיות נענש, ממילא שהצעקה שלו הוה כצועק לעתיד. ובדאי הוה צעקה מעליא של תפילה.

ח. ועל זה מוסיפה הסוגיא ואומרת דבעשרת ימי תשובה גם צעקתו של היחיד מועילה אפילו לאחר גמר דין. ובהתאם להדברים שנתבאר לנו באות הקודמת, אין פירושו של ענין זה אלא כך... כתב על זה המהר"ל דפירושה של המלה "תשובה" הוא חזרה אל ההתחלה. וההתחלה היא המצב שלפני החטא. ובשעה שאנו עוסקים בתשובה של כלליות ישראל, הרי החזרה היא למצב של לפני החטא הקדמון, שהוא המצב של אדם הראשון לפני החטא. ונמצא דבעשרת ימי תשובה, שהוא הזמן המיוחד לתשובתה של כלליות כנסת ישראל, הרי עשרת הימים הללו נתונים הם תחת שלטונו של ציור אדם הראשון קודם החטא. ובשעת שליטתו של ציור זה, כל אחד ואחד קורן הוא באורו המופלא של ציור זה. ומצד ההקרנה הזו, מופיעה היא תמונת של האדם המופקע מהעדר וממיתה. בפנימי פנימיות ובמעמקי מעמקים כובשת היא תמונת אדם זו את תמונתו של האדם ההולך ונוסע אל בית עולמו, הלך ונסוע יומם ולילה. ומצד ההבחנה הזו עומד הוא גם היחיד בשעה זו כשהוא מעוטר בעטרה זו של הציבור, שאנו אומרים בו אין ציבור מת.

death. At the most internal levels and in the deepest depths, this image of man conquers the image of the man who walks and travels to his death, walking and traveling day and night. And as part of this distinction during this time, when the individual stands crowned in the crown of the community, we say regarding him as well that the "community" does not die. [Therefore, we may pray even after Rosh HaShanah's verdict.]

7: ...Just as with the earthly court we say regarding a death sentence, that the sentence itself removes the convict's status of being alive, and immediately with the sentence he is converted into someone whose execution does not carry blood-guilt and he is considered to have been executed, so too, we understand, is the case with every death sentence in the heavenly courts....Therefore we find that crying out after the heavenly sentence is like crying out about the past...

However, all of this is regarding the individual, but regarding the community the rule is always that the community cannot die, and there are no circumstances in which we say "lacking blood-guilt" or "considered to have been executed" regarding the community... Therefore, even after a sentence of punishment for the community, the community is only awaiting punishment, but we never view the community as having been punished [already]... And because the sentence on the community works only to cause the community to be considered "awaiting punishment", perforce its prayers are considering to be praying for the future. And they are certainly valid cries of prayer.

8: Upon this basis the Talmud adds and says that during the Ten Days of Repentance the cries of an individual also work even after the sentence. In accordance with the matters that were clarified in the previous section, the explanation must be as follows... The Maharal wrote about this that the word "teshuvah" means to return to the beginning. And the beginning is the state of affairs before the sin. When we are engaged in the teshuvah of all of Israel, the return is to the state before the primordial sin, which is the state of Adam before the first sin. We find therefore that during the Ten Days of Repentance, which is the time set aside for the repentance of all of Israel, that these ten days are under the dominion of the image of Adam before the sin. And when this image has dominion, each individual radiates with the wondrous light of this image. And on account of this radiating, there emerges the image of a person who is removed from lacking and

The korban pesach symbolizes our rejection of Egyptian lamb-worship and our acceptance of Hashem and the covenants Hashem made with Avraham and Sarah. One of those covenants is the brit milah. Therefore, an *arel* (an uncircumcised male) may not eat from the korban pesach, as specified in Shemot 12:48. Sefer haChinuch counts this prohibition as the Torah’s 17th mitzvah. Indeed, when the Jews arrived in Israel under Yehoshua, they needed to circumcise those who had not undergone brit milah in the wilderness, before they could perform the korban pesach. (Yehoshua 5)

The korban pesach and brit milah also share another link. These are the only two commandments for which one who abstains is punished with Divine *kareit* [ex-communication]. (Mishnah Keritot 1:1)

According to most authorities, the disqualification even includes someone who is uncircumcised due to health

concerns. [See Yevamot 70a-b, and Mishneh Torah, Hilchot Korban Pesach 9:8-9; for a dissenting view, see Minchat Chinuch 17:1.] The disqualification also includes the father of a minor *arel*. (Mishneh Torah, Hilchot Korban Pesach 5:5) Interestingly, the talmudic sage Rava (Yevamot 71b) contended that an *arel’s* mother may not eat from the korban pesach, even though only the *arel’s* father is obligated to circumcise him. Maharsha explained that this is because the brit milah requirement for korban pesach is not a law of brit milah at all. The brit milah criterion here is a function of the korban pesach, a requirement that we confirm our commitment to the brit of Avraham before we may participate in our national redemption. [See, too, Minchat Chinuch 2:2 and Tzitz Eliezer 2:11.]

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Weekly Highlights: September 15—22 / 6 Tishrei — 13 Tishrei

Time	Speaker	Topic	Location	Special Notes
שבת Sept. 15				
10:30 AM	R’ Alex Hecht	Post-Hashkamah Parshah	Clanton Park	
Derashah	Ezer Diena	Derashah	BAYT	Main Shul
5:15 PM	Ezer Diena	Daf Yomi	BAYT	Rabbi’s Classroom
After minchah	R’ Mordechai Torczyner	Avodah Zarah	BAYT	Simcha Suite
Tue. Sept. 18				
10:00 AM	R’ Mordechai Torczyner	Kiddushin: Who’s Out?	Yeshivat Or Chaim	Advanced
Wed. Sept. 19 Yom Kippur				
After Hashkamah Shacharit	R’ Elihu Abbe	Judging Favourably	Shaarei Shomayim	
2:00 PM	Ezer Diena	Annual Expectation, or Unique Opportunity?	BAYT	Gruda Bais Medrash
After musaf until minchah	R’ Mordechai Torczyner	Trei Asar: Twelve Prophets of Judgment, Teshuvah and Return	BAYT	Milevsky Bais Medrash
5:00 PM	Ezer Diena	Daf Yomi	BAYT	Rabbi’s Classroom
שבת Sept. 22				
After minchah	Ezer Diena	Topic TBD	BAYT	Simcha Suite

For University Men, at Yeshivat Or Chaim

11:00 AM Sunday, Contemporary Halachah: R’ Alex Hecht, Medicine on Yom Kippur

8:30 AM Monday, R’ Elihu Abbe, Midrash on the Parshah

8:30 AM Friday, R’ Mordechai Torczyner, The Book of Yeshayah—not this week

For University Women, at Ulpanat Orot—In Formation

Seder Boker for Adult Men with Rabbi Moshe Yeres!

10:00 AM to Noon, Mondays/Wednesdays - Masechet Rosh HaShanah and Sefer Yonah

Weekly Tanach Classes Starting After Succot!

1:30 PM Tuesdays at Shaarei Shomayim: The Book of Yeshayah: Reckoning is Coming!

7:30 PM Tuesdays at 129 Theodore Pl.: The Book of Yehoshua (for men)

1:30 PM Thursdays at 49 Michael Ct.: The Book of Shemuel (for women)

Our “Elul Zman” semester ends with Yom Kippur; “Choref Zman” begins October 8

G-d-willing, Toronto Torah will return for Shabbat Bereishit!