

# Toronto Torah

## YU Torah MiTzion Beit Midrash Zichron Dov

Parshat Yitro

20 Shevat, 5779/January 26, 2019

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This issue of Toronto Torah is dedicated

by Helen and David Wm. Brown and Family, and Golda Brown and Harry Krakowsky and Family,  
in honour of the yahrtzeit of David and Golda's father, Al G. Brown אליהו גדליה בן ירוחם פישל ז"ל

### Greater than my son-in-law?

Rabbi Adam Friedmann

The Talmud teaches that when Yitro sets out to meet the Jewish people in the desert, he has already heard about the war with Amalek, the giving of the Torah, and the splitting of the sea, and decided to convert. With this conviction, Yitro appears at the camp and announces himself, Tzipporah, and Moshe's sons. (Zevachim 115a)

The biblical story of Yitro's subsequent time in the camp sounds like one of religious inspiration and transformation. Moshe greets his father-in-law and tells him about what G-d had done to the Egyptians because of their treatment of Bnei Yisrael, and about G-d's sustaining and saving the people in the desert. Yitro reacts to these stories with tremendous joy. He blesses G-d and offers sacrifices which the leaders of Bnei Yisrael eat with him.

It appears that Moshe's stories convince Yitro of the truth about Hashem. However, the talmudic passage we cited above argued that Yitro had already been set on joining before he came. Also, he had already known about the great things G-d did. If so, why was his time with Moshe so eye-opening? What is the nature of the inspiration described in the parshah?

Three textual observations can guide us to a sharper reading:

- When Yitro blesses G-d, he explains the reason for his excitement: Hashem is greater than all purported gods because He

punished the Egyptians for the evil they had done to Bnei Yisrael. (See Rashbam to Shemot 18:11.) This seems to refer to the story of the exodus – not the post-Egypt events described in the Talmud.

- When the sons of Moshe are introduced with Yitro's arrival, the reasons for their names are given. Gershom derives from ger sham ("a stranger there"), because he was a stranger in a foreign land. (Shemot 18:3). Eliezer's name ("My G-d is a help") expresses Moshe's gratitude that the G-d of his forefathers had helped him and saved him from Pharaoh. (ibid. 18:4) Assuming Rashi's interpretation (ibid.) that Eliezer was born while Moshe lived in Midian, the explanation of the boys' names here seems very out of place. Indeed, Gershom's name was already explained when he was born. (2:22) Further, introducing the names here seems to give them a second meaning. Moshe had originally been an Egyptian foreigner in Midian, but now the name "Gershom" could mean that he had been a Jewish foreigner in Egypt. Originally, Moshe had been grateful to G-d for saving him from Pharaoh after he had killed an Egyptian (2:11-12), but now Eliezer's name better describes the salvation of the entire people at the sea.
- Yitro's coming to the camp is oriented around Moshe. Moshe's name appears eight times in the six sentences that describe Yitro's approach. Yitro focuses on what "G-d did for Moshe and Israel" (18:1), and

that Yitro came "to Moshe in the desert where he was camped." (18:5) However, once Moshe speaks to Yitro, the emphasis shifts to Bnei Yisrael. Moshe describes everything G-d did "on account of Yisrael." (18:8) Yitro's joy is for "the good that G-d did to Yisrael." (18:9) He blesses "Hashem who saved you (i.e. Yisrael) from Pharaoh." (18:10)

These details indicate a change in Yitro's orientation. He had initially believed that the righteousness of his great son-in-law Moshe had instigated G-d's intervention in the events of Egypt and the desert. The scenes mentioned in the Talmud – Mount Sinai, the Sea, the war with Amalek, are all ones in which Moshe played a visibly central role. Yitro understood that Moshe was obviously aligned with a powerful G-d, and came to join his son-in-law. He presented Moshe's sons, whose names hearkened back to Moshe's personal suffering and faith, the basis for his greatness.

But Yitro came to understand that Hashem had not intervened because of Moshe's greatness. Rather, He had appeared as the G-d of justice to punish the Egyptians for their evil and uphold a promise to His people. Moshe too had transcended his personal story when he attached himself to Bnei Yisrael, as the new meanings of his sons' names indicate. Yitro came to understand what being part of Hashem's people really means, and this revelation enabled his true conversion.

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**Outline**

In Chapter 18, Yehoshua commissioned a survey to determine the tribal lots available for the last seven tribes; in Chapter 19 we find out who received which lot. [The city names do not quite match up with the analogous lists in Divrei haYamim I 4; Malbim attempts to match up the listed cities.]

- 19:1-9 - We begin with Shimon, who received cities within Yehudah's portion. We'll discuss this further below.
- 19:10-23 - We continue with Zevulun and Yissachar, who occupied a block of land north of the land taken by Menasheh and Ephraim. Zevulun is listed first, supporting the midrash which suggests that Zevulun has priority over Yissachar because Zevulun supported Yissachar's Torah study. (Bereishit Rabbah 72:5) Zevulun is described as a seafaring tribe, but this chapter (19:11, 19:29) sounds like he did not actually reach the shore; the Vilna Gaon suggests that a thin sliver of shoreline went to Zevulun.
- 19:24-48 - We conclude the list of tribes with three families who camped together in the wilderness: Asher, Naftali and Dan. Asher and Naftali received the northernmost sections in

Israel, west of the Jordan. Dan started out with land in the west, just north of Yehudah, but Shoftim 18 records that they later expanded to take land in the northeast, in Bashan, as predicted by Moshe. (Devarim 33:22)

Finally, Yehoshua received a portion on Har Ephraim, separate from that which was given to his tribe of Ephraim. (19:49-50) The chapter concludes with a valedictory declaration that the distribution of land was complete.

**Insight: Yehudah and Shimon**

Assigning Shimon cities within Yehudah seems odd; why didn't they have their own portion of land in Israel?

On a simple level, Shimon's fate may be seen as fulfillment of Bereishit 49:7, in which Yaakov cursed the violent temperament of Shimon and Levi, and decreed, "I will split them up in Yaakov, and scatter them in Israel." Thus, neither of them received a proper portion of land in Israel.

On another level, though, the choice of Yehudah as host for Shimon may reflect a unique dynamic between their

ancestors. Twice, Yehudah protected Shimon: First, Shimon sought to kill Yosef, and Yehudah suggested that they sell him instead. (Rashi to Bereishit 42:24) Second, Yehudah freed Shimon from his Egyptian prison, by bringing down Binyamin.

We may suggest that now, as well, Yehudah sheltered Shimon. During the wilderness years, Shimon declined from 59,300 soldiers to 22,200 soldiers, and so they needed to find protection from the Canaanites as part of a larger tribe - and Yehudah took them in. [For more on Shimon's decline, see Rashi to Bamidbar 26:13 and Rabbeinu Bechaye to Bamidbar 1:20, and see Sifri Devarim 348 as well.]

We may even add another element to Yehudah's protection of Shimon. Had Shimon received land outside of Yehudah, they would likely have been part of Yisrael, the northern kingdom exiled by the Assyrians as the "Ten Lost Tribes". Instead, as part of Yehudah, they were not exiled. [Indeed, the term "ten lost tribes" is a misnomer. See Divrei haYamim II 30:18, Radak Melachim II 23:19 and Ritva Gittin 36a v'eino.]

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**Law of the Land: Renewing a Sanhedrin in Israel**

**Ezer Diena**

Traditionally, the Sanhedrin has been the supreme halachic court for the entire Jewish people, to which the Torah gives power to render important rulings and to punish wrongdoers according to biblical law. However, since the dissolution of the original Sanhedrin over the years following the destruction of the Second Beit HaMikdash, there has been no universal halachic authority.

One of the innovative attempts to utilize Halachah in the modern State of Israel was the process to renew the Sanhedrin. Although there were various previous attempts, two tries in particular stand out:

- In 1949, Rabbi Yehudah Leib Maimon proposed converting the Israeli Rabbanut into a Sanhedrin
- In 2004, a number of rabbis, led by their appointed *nasi* (leader), Rabbi Adin Steinsaltz, attempted to renew the Sanhedrin outside of the Rabbanut framework

Both of these attempts failed to gain recognition from the general Jewish population, including many Orthodox communities, and were unsuccessful at making the sort of impact that those leaders had hoped for.

The question of re-appointing a Sanhedrin is a complicated halachic question. Since the time that a Sanhedrin was last in power, true *semichah* (rabbinic ordination, which was passed down from teacher to student, and originated with Moshe) has been lost, and it is prohibited for a court to issue punishments unless their judges have been granted such ordination. (Rambam, Hilchot Sanhedrin 4:1-8) It would seem that it would then be impossible to reinstate a Sanhedrin, but Rambam suggests that if "all the wise men in

the land of Israel would agree" to confer *semichah* on someone, it seems to him that it could be binding. He is tentative with this ruling, and writes that "the matter requires a final decision." (ibid. 4:11)

Based on this tentative ruling, in 1538, Rabbi Yaakov Beirab gathered the leading Rabbis of Tz'fat, who formally ordained him. This ignited a large controversy, with many rabbis (especially those living in Jerusalem, led by Rabbi Levi ibn Chabib) opposed to the ordination, and unaccepting of it, for the following reasons:

- Ramban (Sefer HaMitzvot, Aseh 153) disagrees with Rambam's ruling that *semichah* may be reinstated in such a manner, and Rambam himself was unsure., so we should be stringent and follow Ramban;
- Rambam requires all the scholars of Israel to be involved, and the Rabbis of Jerusalem were excluded;
- The restoration of Sanhedrin may only take place at the time of the redemption;
- If valid, this would require restoration of the classic Jewish calendar, which was not being implemented.

Although Rabbi Beirab and his supporters (most notably, Rabbi Yosef Karo) responded to these claims, similar issues were still debated each time a group attempted to restore *semichah* and a Sanhedrin, all the way to the most recent effort. While many later authorities have weighed in on this, practically speaking, no Sanhedrin renewal has become universally accepted, and therefore this cannot be utilized for enforcing halachah in Israel today.

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## Biography

### Rabbi Eitam Henkin

Rabbi Baruch Weintraub

Eitam was born in 1984, to his parents Rabbi Yehudah Herzl Henkin and Rebbetzin Chana Henkin, both important Torah scholars and educators in the Israeli Religious Zionist world. He was a descendant of Rabbi Yosef Eliyahu Henkin (1881-1973), who was a prominent American rabbinic authority.

He learned in Yeshivat Nir in Kiryat Arba, and served in the army as a sergeant. During his military service he married Naama, a graphic designer by profession. After he completed his service, Eitam began to learn for his rabbinic ordination, receiving it in 2011. He then moved to learn in the Institution for Settlement Rabbis, located in Kiryat Arba, and he began to teach in Midreshet Nishmat for women. During these years, he and his wife produced four children.

Rav Eitam was a very skilled editor; he edited and was responsible for a variety of periodicals and books, enhancing them in a notable way. Under his care, the yearly publication of Yeshivat Nir, *Alonei Mamre*, became an important periodical of rabbinic writing.

Rav Eitam Henkin was always interested in history, and for a few years he learned and wrote about recent rabbinic history as an autodidactic, independent researcher. His abilities showed themselves through his articles, and Professor David Assaf of Tel Aviv University convinced him to begin academic studies. He finished his M.A. in History with outstanding marks, and received a special fellowship for his doctoral writing. His subject was to be a critical biography of the Chafetz Chaim.

But the dreams of this promising young Rabbi and his wife were not to be fulfilled. On the 18th of Tishrei, 5776, they and their children were driving on the road between Itamar and Alon Moreh. They were ambushed by Arab gunmen from nearby Shechem. After shooting the car off the road, the murderers closed in and killed Eitam and Naama from close range, before the eyes of their children.

The brutal murder shocked the Jewish people, diminishing the happiness of Sukkot. The loss of any Jewish soul is the utmost tragedy, and all the more so when it is also a loss for the worlds of Torah and Mada (general scholarship) alike.

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## Torah and Translation

### Honesty and Accuracy in History of Psak

Rabbi Eitam Henkin, *Facts and Myths in the Shemithah Debate and Leftover Gleanings in the Shemithah Debate*

Translated by Rabbi Jonathan Ziring

...אני מוצא כהזדמנות להעלות לשולחן הדיונים קבוצת הנחות, קביעות ותפיסות באשר לתולדות פולמוס השמיטה, הרווחות בחלקים שונים של הציבור. אין כוונתי לעצם הדיון ההלכתי-ציבורי בשאלת הפעלת היתר המכירה בדורנו, נושא אשר הינו רחב מני ים וזוקק במה מיוחדת... כוונתי לחלק ההיסטורי של המאמר...

על אף שתיאורו מקיף מקורות רבים, נפלו בו לעניות דעתי אי דיוקים מהותיים, שנבעו ככל הנראה ממגמתו של הכותב, ומהסתמכותו היתירה על מקור אחד מסויים. באופן כללי יש להעיר שאי דיוקים מסוג זה, המופיעים תדיר במאמרים הנכתבים בדורנו בנושא השמיטה, היו יכולים להימנע אילו היו הכותבים – המנסים למצוא באירועי העבר צידוק להשקפתם בהווה – נמנעים מ'להמציא את הגלגל' בכל פעם מחדש...

הרי כבר ייתכן שהקורא שואל כעת את עצמו, אם כן מה היוצא מכאן, בעד או נגד היתר מכירה? שאלה זו אינה רלוונטית לנכתב כאן. דעתו הפרטית של כותב שורות אלו בנוגע להיתר המכירה, כסוגיה הלכתית כלל-ציבורית, אינה מעלה ואינה מורידה כהוא-זה. המסר כאן, כמו גם במאמרים הקודמים שכתבתי בנושא זה, הוא אחר: את העובדות יש לברר בצורה מדויקת ומהימנה ככל האפשר, ולהיזהר מהטייתן בכוונה או שלא בכוונה על מנת שישרתו את העמדה הרצויה – כפי שניתן למרבה הצער למצוא בחלק גדול מהחומרים שנכתבו (ועודם נכתבים) בנושא השמיטה. המציאות נוטה מטבעה להיות מורכבת, וממילא הנטייה לתאר את הנתונים ההיסטוריים כאילו כולם עד האחרון שבהם אמורים לתמוך בעמדה הרצויה בהווה, הריהי רחוקה מרחק רב מבקשת האמת הראויה.

...I am taking this [publication of an article by Rabbi Dr. Chaim Simons on the *Heter Mechirah*, the formal sale of the land of Israel to non-Jews to allow certain involvement in agriculture during the *Shemithah* year] as an opportunity to bring to the negotiating table a set of assumptions, givens and perceptions regarding the history of the *Shemithah* controversy, which are prevalent in various parts of the community. I am not referring to the public halachic/policy discussion regarding the use of the *Heter Mechirah* in our generation, a subject which is wider than the sea and requires a special platform... My intention is to the historical part of the article...

Although his description encompasses many sources, in my humble opinion, there were fundamental inaccuracies, which apparently stemmed from the author's goal, and from his excessive reliance on one particular source. In general, it should be noted that inaccuracies of this sort, which appear frequently in the articles written in our generation on the subject of *Shemithah*, could have been avoided if the writers – who are trying to find a justification for their current view in past historical events – refrained from 'reinventing the wheel' each time....

It is possible that the reader is now asking himself, if so, what emerges from this? [Is the author] in favor or opposed to the *Heter Mechirah*? This question is not relevant for what is written here. The private opinion of the author of these lines regarding the *Heter Mechirah*, as a communal halachic issue, does not add or diminish anything. The message here, as well as in the previous articles I have written on this subject, is different: the facts must be investigated as accurately and reliably as possible, and to be careful of intentional or unintentional biases that serve the desired position – as unfortunately one can find in many of the materials that have been written (and are still being written) on the topic of *Shemithah*. Reality, by its nature, tends to be complex, and as a result, the tendency to describe the historical data, up to the most recent [data], as if they support the desired position in the present, is far from the proper search for truth.

Shemot 20 commands, “You shall not hold the gods of others before Me.” Sefer haChinuch counts this as the Torah’s 26<sup>th</sup> mitzvah. This law prohibits not only worship, but also belief. However, since this is a thought-based mitzvah, no human court can punish its transgression; only G-d enforces this mitzvah. (Minchat Chinuch 26:1)

This commandment is also one of the “Noachide” mitzvot, which apply to all human beings; a non-Jew is not permitted to believe in other gods. However, based on a talmudic discussion (Sanhedrin 63a), many authorities contend that a non-Jew may believe in other gods along with Hashem. On this basis, Tosafot (Bechorot 2b *shema*)

contends that a Jew is allowed to enter an agreement with a non-Jew in which the participants swear by their belief systems, even if that means the non-Jew will invoke a deity which combines G-d with other beings.

As we noted regarding the mitzvah of belief in G-d, the 8<sup>th</sup> century Baal Halachot Gedolot contended that the Divine declarations of “I am the Lord your G-d” and “You shall not hold the gods of others” are not mitzvot at all. Rather, these were G-d’s way of introducing the Torah’s laws to the Jewish nation. (Cited in Ramban’s *hasagah* to Mitzvah Aseh #1)

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**Weekly Highlights: Jan. 26 – Feb. 1 / 20 Shevat – 26 Shevat**

Time	Speaker	Topic	Location	Special Notes
<b>שבת Jan. 25-26</b>				
<b>Fri. 4:45 PM</b>	Ezer Diena	Naaseh v’Nishma	BAYT	<b>Parshah &amp; Kugel</b>
<b>8:50 AM</b>	Ezer Diena	Ten “Commandments”?	BAYT	<b>Pre-Shacharit</b>
<b>10:30 AM</b>	R’ Alex Hecht	Post-Hashkamah Parshah	Clanton Park	
<b>Before minchah</b>	Ezer Diena	Daf Yomi	BAYT	
<b>After minchah</b>	R’ Mordechai Torczyner	Gemara Avodah Zarah	BAYT	<b>Simcha Suite</b>
<b>6:45 PM</b>	R’ Elihu Abbe	Parent-Child Learning	Shaarei Shomayim	
<b>Mon. Jan. 28</b>				
<b>8:30 PM</b>	R’ Mordechai Torczyner	Theology of Illness 3: Balancing Emunah & Anxiety	Shomrai Shabbos (Upstairs)	<b>Men</b>
<b>Tue. Jan. 29</b>				
<b>1:30 PM</b>	R’ Mordechai Torczyner	Yeshayah: Chapters 9-10	Shaarei Shomayim	
<b>7:30 PM</b>	R’ Mordechai Torczyner	Yehoshua: Chapter 19-20	129 Theodore Pl.	<b>Men</b>
<b>Wed. Jan. 30</b>				
<b>10:00 AM</b>	R’ Mordechai Torczyner	The Strange Story of Daniel #4: The Lions’ Den	Beth Emeth	<i>www.torontotorah.com/daniel to register</i>
<b>7:30 PM</b>	R’ Alex Hecht	20 <sup>th</sup> Century Controversies	Shaarei Tefillah	
<b>7:30 PM</b>	Ezer Diena	Ripped from the Headlines	BAYT	
<b>Thu. Jan. 31</b>				
<b>1:30 PM</b>	R’ Mordechai Torczyner	Shemuel: Chapter 7	49 Michael Ct.	<b>Women</b>
<b>8:30 PM</b>	R’ Alex Hecht	Gemara Beitzah	<i>ediena@torontotorah.com</i>	<b>Men, Advanced</b>
<b>Fri. Feb. 1</b>				
<b>10:30 AM</b>	R’ Elihu Abbe	Kiddushin	Yeshivat Or Chaim	<b>Advanced</b>

***For University Men, at Yeshivat Or Chaim***

**10:00 AM Sunday, Rabbi Aaron Greenberg, Gemara Shabbat**  
**11:00 AM Sunday, Contemporary Halachah: Ezer Diena: Yichud in the Classroom and Workplace**  
**8:30 AM Tuesday, Ezer Diena, Stories and She’eilot**  
**8:30 AM Friday, R’ Mordechai Torczyner, Parshah**

***For University and Adult Women, at Ulpanat Orot***

**9:30 AM Tuesdays, Mrs. Eliana Abbe: Sefer Devarim**  
**9:30 AM Tuesdays, Mrs. Eliana Abbe: Thursdays: Tefillah**

***Seder Boker for Adult Men with Rabbi Moshe Yeres***

**10:00 AM to Noon, Mondays/Wednesdays - Masechet Megilah and Eim haBanim Semeichah**  
**10:00 AM to Noon, Tuesday - Parshanut on Parshah and Pninei Halachah**  
**10:00 AM to Noon, Thursday - Rabbi Alex Hecht, Parshanut on Parshah and Pninei Halachah**