

# Toronto Torah

## YU Torah MiTzion Beit Midrash Zichron Dov

Parshat Ki Tisa

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in memory of our dear mother and grandmother, Erika Zauderer z"l ל"ע: "אסתר בת חיים ז"ל

### The Benefits of the Oral Torah

Rabbi Elihu Abbe

"Hashem said to Moshe: Write these words for yourself, **for according to these words** have I sealed a covenant with you and Israel." (Shemot 34:27, Artscroll translation) The Talmud (Gittin 60b) notes that the Hebrew words used for "according to" are *al pi*, literally meaning, "**by the mouth of**". This is understood as a reference to the Oral Torah. Rabbi Yochanan derives from here that Hashem established a covenant with the Jewish People so that we would engage in studying the Oral Torah.

While studying the Written Torah is essential as well, there are certain aspects of studying the Oral Torah that endow it with a significance that makes its students worthy of entering into a special relationship with Hashem.

#### 1: Effort

A midrash (Tanchuma, Noach 3) teaches that when the Jewish People accepted the Torah, they eagerly accepted the Written Torah. They were very hesitant, on the other hand, to accept the Oral Torah, with all of its complexities and the difficult nature of its study. This midrash continues to state that only one who loves Hashem, heart and soul, will devote himself to studying the Oral Torah. "Because of the effort that its study entails, the student is granted reward in the next world [where Hashem's reward is much greater and more significant], as it says 'The people who walked in

darkness saw a great light. (Yeshayah 9:1)' This is the light that Hashem created on the first day of creation and hid away for those who toil in Torah day and night, for in their merit the world exists."

#### 2: Divine Benefit

It is not only the effort and level of commitment involved that gives such inestimable value to the study of the Oral Torah. Rav Moshe Chaim Luzzatto, in Derech Hashem (Chapter 4, Torah Study), provides an additional explanation. He writes, "Of all of the emanations that come forth from Hashem for the benefit of His creations, there is one which is more elevated than all of the others. It is more precious and lofty than any other creation in existence... Hashem tied this emanation to a specific creation, and that is the Torah...The greater the degree of understanding of the Torah, the greater the level of emanation that will be drawn forth from it. One who understands only the wording of the sentences will not be equivalent to one who understands their intent. And one who understands their superficial intent will not be equivalent to one who delves into them further. And one who delves into them slightly will not be equivalent to one who delves deeply." The greatest level of Torah study is one who delves into the meaning of the Torah's sentences and what they are intended to teach us on the deepest levels. This is the paradigm of the Oral Torah.

#### 3: Comprehension

The Talmud (Bava Metzia 33a) states, "Those who study the Written Torah, it is a partial measure...Those who study Mishnah, it is a complete measure and they receive reward."

The Maharal (Chiddushei Aggadot ad loc.) explains that one who studies Mishnah understands the true parameters of the mitzvah they study. As a mishnah (Chagigah 10a) teaches, many expansive subjects of Torah have no more than a mere allusion contained in the Written Torah. Or as Rabbeinu Yonah writes at the start of Pirkei Avot, "The Torah states, 'Do not steal,' and all of the prohibitions of damages are included." One who limits his study to only the text of the Written Torah will be missing the understanding of their true and complete intent. It is the Oral Torah which teaches us the true meaning of the text.

One who has the privilege to study the Oral Torah derives these three benefits of study. The effort that one exerts demonstrates a love of Hashem. The spiritual emanation which attaches itself to one who learns Torah is magnified when one studies in depth. And the true intent and meaning of the Written Torah can only be understood through the study of the Oral Torah. May we renew and strengthen our commitment to the in-depth study of Torah!

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### Summary

Chapters 23 and 24 of Sefer Yehoshua take us through Yehoshua's departure from the people. Our chapter gives us his final speech, while the next chapter depicts Yehoshua's reenactment of Bnei Yisrael's covenant with G-d. In both chapters, Yehoshua demonstrates his position as "Moshe Rabbeinu's servant" (Yehoshua 1:1), following his teacher's steps in his own farewell from the people (Devarim 29-30). Specifically, in our chapter, Yehoshua emphasizes three major themes:

- 1) G-d is responsible for Israel's military victories, fulfilling His promises given in the Torah.
- 2) The Jews must strive to keep the covenant and avoid assimilating with the remaining Canaanites.
- 3) Consequently, if, G-d forbid, the covenant is not kept, G-d will stop helping the Israelites, causing their eventual demise and exile from the Promised Land.

### Insight

Our chapter brings to the fore what seem to be two conflicting claims found in Sefer Yehoshua regarding the conquest of the land and its

inhabitants. On the one hand, we find the assertion that "Yehoshua conquered the whole country, just as Hashem had promised Moshe... And the land rested from war" (11:23) reflected in our chapter in Yehoshua's insistence that the people must "Acknowledge with all your heart and soul that not one of the good things that Hashem your G-d promised you has failed to happen... not a single one has failed." (23:14)

On the other hand, however, we find a much less optimistic view in G-d's comment to Yehoshua: "You have grown old, you are advanced in years, and very much of the land still remains to be taken possession of." (13:1) Again, these words echo in our chapter's warning "not to intermingle with these nations that are left among you." (23:7)

Best illustrating this apparent contradiction is the difference between the opening sentence of our chapter, placing Yehoshua's speech "when Hashem had given Israel rest from all the enemies around them" (23:1), and Yehoshua's own declaration that: "G-d

Himself will thrust [the remaining nations] out on your account and drive them out to make way for you." (23:5) Was the nation at rest, or at war?

In truth, as Yehoshua neared the end of his days, his people found themselves in a dangerous position. Many parts of the land had been conquered, but many others had not been, and this carried a unique, double-edged risk. On the one hand, the nation might compromise on the final goal and become complacent with what had already been achieved. Conversely, the nation might fail to recognize the good already bestowed upon them by G-d, because of their national aspiration for the ultimate victory.

In his final words, Yehoshua was trying to teach a lesson - necessary in our days no less than in his - that while working toward any objective, one must acknowledge and be grateful for past success, but not ignore the hard work that is required on the journey to reach the final goal.

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## Law of the Land: Pikuach Nefesh and Police

Rabbi Alex Hecht

Jewish law requires violation of Shabbat in cases of threat to life [*pikuach nefesh*] or imminent danger. (Shulchan Aruch, Orach Chaim 329) However, halachic decisors have worked to determine guidelines for Jewish police and security personnel in Israel in situations in which there is no immediate threat to life, but where there is a possibility of danger in the future.

Rambam, based on a mishnah (Eruvin 44a), ruled that those who have completed a rescue mission on Shabbat may return to their original place - even if it is beyond the *techum* [Shabbat boundary] - and they may carry their weapons in a public domain. Rambam explained that even though no threat to life remains, those involved in the mission are permitted to violate Shabbat to return home, "so as not to cause them not to come in the future." (Mishneh Torah, Hilchot Shabbat 2:23) There is some debate regarding whether this even licenses violation of biblical law.

Based on Rambam's ruling, Rabbi Yitzchak haLevi Herzog addressed the following question: May a police officer bring into custody a thief who has been apprehended, but who must be brought into custody, or else he will run away?

Rabbi Herzog expressed doubt as to whether violation of Shabbat would be permitted within the Rambam's ruling, for two reasons:

1. Even though lack of police response would likely result in increased robberies on Shabbat, it is not sufficiently clear that the thieves are killers, because many would run away as soon as they were detected. Therefore, neither an imminent nor distant threat to **life** exists.
2. Even if increased robbery should be classified as *pikuach*

*nefesh*, the rationale that if we do not permit police officers to violate Shabbat to respond to robberies, they will not respond in the future, would arguably not apply to non-observant police officers, who would not refrain from responding in any event. (*B'Tzomet haTorah ve-ha-Medinah*, III, pp. 13-14)

Rabbi Shaul Yisraeli disagreed with Rabbi Herzog's assessment, based on Shemuel's opinion in the Talmud, that one may extinguish a lump of fiery metal in the public domain so that no injury should come to the public. (Shabbat 42a) Rambam understood Shemuel as maintaining that all [potential] injury to the public is considered like a danger to life. Therefore, Rabbi Yisraeli argued, "It seems that this is based on the idea that whatever concerns public welfare or removal of hazards, it is all regarded as *pikuach nefesh*. For everything connected to public welfare has an indirect element of *pikuach nefesh*." (*Amud haYemini*, pg. 146)

Similarly, Rabbi Shlomo Zalman Auerbach is cited as ruling that violation of Shabbat may be permitted for those responsible for public security, even if potential danger is very remote. Therefore, Rabbi Auerbach ruled that a soldier must decode all messages, "for they deal with matters relevant to national security, even though the same degree of danger in the case of a private person would not be regarded as *pikuach nefesh*." (Rabbi Menachem Mendel Farbstein, *Assia* LIII-LIV, 1994, p. 100).

(For more on this topic, see <https://www.etzion.org.il/en/uncertain-pikuach-nefesh-and-public-policy>)

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## Biography

### Rabbi Ben-Zion Uziel

Rabbi Mordechai Torczyner

Rabbi Joseph Raphael Uziel was the head of the beit din [community court] of the Sephardic community in Jerusalem at the end of the nineteenth century. His son Ben-Zion Meir was born in 1880, and was married in 1893. Several months later, the elder Rabbi Uziel passed away.

While still in his twenties, Rabbi Ben-Zion Uziel founded a yeshiva, Machazikei Torah, for Sephardi students. In 1911 he was appointed Sephardic Chief Rabbi of Yafo, and in that position he welcomed Rabbi Avraham Yitzchak Kook's arrival as Ashkenazi Chief Rabbi of the city. Throughout his career, "Love truth and peace," from Zechariah 8:19, was framed and hung in his office.

During World War I Rabbi Uziel lobbied the Ottoman government so persistently that they exiled him to Damascus. He remained politically active, becoming President of Mizrahi in 1919. He represented Jewish Mandate Palestine in various causes, such as the founding of the Jewish Agency. He joined delegations to the League of Nations (1926), Iraq (1927) and the US (1929). In 1939 he joined protests against the British plan to convert the Mandate into a bi-national Jewish/Arab state.

Rabbi Uziel left the Holy Land to become Chief Rabbi of Salonika for three years in the 1920's, before returning to become Chief Rabbi of Tel Aviv. In 1939 he was appointed Sephardic Chief Rabbi of Mandate Palestine. He continued in this post through the end of the British Mandate, and until his death on the 24th of Elul in 1953 he served as Sephardic Chief Rabbi of the State of Israel.

The religio-social challenges of the Mandate and early State periods were of great interest to Rabbi Uziel. He supported women's suffrage, and he worked on a unified form of prayer for Ashkenazim and Sephardim. He published responsa on every major issue of his time.

Rabbi Uziel published extensively in newspapers and periodicals, and he won the Rav Kook Prize for Torah scholarship in 1944. Rabbi Uziel ordained Rabbi Ovadia Yosef, who would go on to become a giant in Israel's Sephardic community. Rabbi Uziel's responsa were published in the *Mishpatei Uziel* series of books, and his general writings appear in many more books.

## Torah and Translation

### An Enduring Redemption

Rabbi Ben-Zion Uziel, Derashah, Shabbat HaGadol 5695

Translated by Rabbi Adam Friedmann

אבל כל שלמות בגרותית זו היא בת חלוף בטבע הויתה, אחרי הבגרות והבחרות באים ימי הזקנה והירידה, וכל כח פיזי ושלמות מדעית עלולים להיות נשברים בכח מאורגן וחזק ממנו וכל המדע השכלי והראציונלי, והאומנות היפה והמחשבת גם הם ערכין משתנים כוכבים נופלים ועוממים עלים נובלים וציץ יבש. קנינים חצוניים אלה שאינן מתעצמים עם האדם הם בבחינת לבושין לגופא שהם עלולים להפרד ממנו ולהשאיר את לובשם במצב ערום ועריה. אבל אינם גופים לנשמתין שהם אחוזים זה בזה בקשר בלתי נפרד כגחלת משלהבת. אבל בגדי חופש וגאולה לאומית הם אלה שהם נצחיים ותדירים, והם גלויי הנפש וצורות המחשבה המתלבשת בפעולות עצמיות שהם החיים עצמם ונותנים חיי גאולה ונעימות בלתי פוסקת לכל העם לדורות עולם.

כאן מתברר ההבדל שבין גאולת העמים לגאולת ישראל.

שגאולתם של העמים בשטח המדיניות והטריטוריאליות או בשדה הדעות והאמנות, היא בשפיכת דמים, הריסת השקפת עולמם, ובטול ערכי החיים של העמים הנכבשים, וכל העמים נגאלו בדמם של אחרים ובחרבנם של עולמות העמים הכבושים תחת ידם. אבל גאולתם של ישראל היא לא בשפיכת דמים של אלה ששלטו עליהם, ולא בהשלטת דעותיהם ואמונותיהם על החלשים המנוצחים, אלא בהחייאת עצמיותו שמביא אחריה החייאתם והתרוממותם של הנכבשים מתוך אהבה והכרת אמת. וגאולה זו אינה פוסקת לעולם ואינה משתנה בשנוי המצב והמעמד המדיני, אבל היא נצחית והולכת ומתגברת. "ואומר לך בדמיק חיי" בשעת הגאולה, "ואומר לך בדמיק חיי" לנצח נצחים ודור דורים.

But every complete maturation, in its nature, is made to pass on. After the maturation and the adolescence come the days of old-age and decline, and every physical force and intellectual perfection is bound to be destroyed by a better organized and more powerful force. All rational-intellectual science, and beautiful and carefully thought-out art, too are shifting values, stars that fall and grow dim, leaves that wither, buds that dry up. These surface acquisitions which do not unify with man are like clothing for the body which are bound to depart from it and leave the wearers naked and bare. But they are not like bodies to the soul which grasp each other with an inseparable bond like an ember and flames. But the clothing of freedom and national redemption are those which are eternal and constant. They are those revelations of the soul and ways of thinking which are clothed in the actions of the self [and] which are life itself and give the life of redemption and unending pleasantness to the whole nation for all generations.

Here we see the difference between the redemption of the nations and redemption of Israel.

The redemption of the nations at the national and territorial levels, or on the field of ideas and beliefs, comes through the spilling of blood, [and] the destruction of the world-view, and nullification of the values of the conquered nations. All the [other] nations were dirtied through the blood of others and the destruction of the worlds of the nations which they conquered. But the redemption of Israel is without spilling the blood of those who are ruled over, and without [Israel] imposing its ideas and beliefs on the weak and defeated. Rather [the redemption occurs through] the revival of [the Nation of Israel's] essence which brings with it the revival and elevation of those conquered, through love and a recognition of the truth. This redemption never ceases and does not change even as the situation and national status [of Israel] changes. Rather, it is eternal and constantly gets stronger. "I said to you through your blood shall you live (Yechezkel 16:6)" – at the time of the redemption. "I said to you through your blood shall you live" for all eternity and throughout all generations.



## Weekly Highlights: Feb. 23 – Mar. 1 / 18 Adar I – 24 Adar I

Time	Speaker	Topic	Location	Special Notes
שבת Feb. 22-23	<b>"All That Glitters" Shabbaton at Aish Thornhill!</b>			
After Hashkamah	R' Moshe Yeres	Roadmap for Forgiveness	Aish Thornhill Community Shul 949 Clark Ave. W	
Derashah	R' Mordechai Torczyner	Calves & Canaan: Fallout		<i>Main Shul</i>
After Moo-saf	Ezer Diena	Did Aharon Really Sin?		
After Moo-saf	Mrs. Michal Horovitz	Are We Still Worshipping the Golden Calf?		<i>Women</i>
After Moo-saf	R' Mordechai Torczyner	Jews & Calves Don't Mix		
After Moo-saf	R' Moshe Yeres	So How Do You Worship a Calf?		
Seudah shlishit	Hillel Horovitz	Falling from Great Heights		
<b>8:50 AM</b>	Ezer Diena	Whitewashing Leaders	BAYT	<b><i>Pre-Shacharit</i></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><i>Room TBD</i></b>
<b>7:15 PM</b>	R' Elihu Abbe	Parent-Child Learning	Shaarei Shomayim	
<b>Mon. Feb. 25</b>				
<b>8:30 PM</b>	R' Mordechai Torczyner	<i>R' Asher Weiss on Marriage 1 Shidduch Precedence: Was Lavan Right?</i>	Shomrai Shabbos	<b><i>Men</i></b>
<b>Tue. Feb. 26</b>				
<b>1:30 PM</b>	R' Mordechai Torczyner	Yeshayah: Chapter 11	Shaarei Shomayim	
<b>7:30 PM</b>	R' Mordechai Torczyner	Yehoshua: Chapter 22	129 Theodore Pl.	<b><i>Men</i></b>
<b>8:00 PM</b>	<b>R' Alex Hecht</b>	<b>Matanot la'Evyonim: Must We Give to Everyone?</b>	<b>Marlee Shul</b>	
<b>Wed. Feb. 27</b>				
<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. Feb. 28</b>				
<b>1:30 PM</b>	R' Mordechai Torczyner	Shemuel: Chapters 8-9	49 Michael Ct.	<b><i>Women</i></b>
<b>8:30 PM</b>	Ezer Diena	Gemara Beitzah	ediena@torontotorah.com	<b><i>Men, Advanced</i></b>
<b>Fri. Mar. 1</b>				
<b>10:30 AM</b>	R' Elihu Abbe	Kiddushin	Yeshivat Or Chaim	<b><i>Advanced</i></b>

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

***10:00 AM Sunday, Rabbi Aaron Greenberg, Gemara Shabbat***

***11:00 AM Sunday, Beit Midrash Rotation: Contemporary Halachah, R' Alex Hecht: Chalav Yisrael***

***8:30 AM Tuesday, Ezer Diena, Stories and She'eilot***

***8:30 AM Friday, R' Mordechai Torczyner, Parshah***

***WOMEN'S BEIT MIDRASH***

***For University and Adult Women, at Ulpanat Orot, with Mrs. Eliana Abbe***

***9:30 AM Tuesdays: Sefer Devarim***

***9:30 AM Thursdays: Tefillah***

***Seder Boker for Adult Men***

***10:00 AM to Noon, Monday/Wednesday - R' Moshe Yeres: Masechet Megilah and Eim haBanim Semeichah***

***10:00 AM to Noon, Tuesday/Thursday - R' Moshe Yeres: Parshanut on Parshah and Pninei Halachah***