

# Toronto Torah

## YU Torah MiTzion Beit Midrash Zichron Dov

Parshiyot Vayakhel/Shekalim

25 Adar I, 5779/March 2, 2019

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### Haman, Achashverosh & the McNamara Fallacy Rabbi Baruch Weintraub

During the Torah reading this Shabbat, one may fill a strange sensation of *deja vu*. Do not worry, it is not your mind playing tricks on you; rather, it is our Torah-reading cycle, which once every few years puts Parshat Shekalim on the Shabbat immediately following the reading of the exact same verses as part of Parshat Ki Tisa.

Why should we read this parshah again? Our Sages give us two main reasons:

- As we approach Nisan, the sages wanted to remind the people to donate the half-shekel for the sake of use in the upcoming year. [See Mishnah Shekalim 1:1 and Rambam's commentary there.]
- As we approach Purim, when we were threatened by Haman's attempt to bribe Achashverosh into, *chas v'shalom*, murdering all of the Jews, Hashem wanted us to preempt him by donating our shekalim earlier. [See Megilah 13a.]

These two reasons may be not as different from each other, as they seem to be at first glance. In order to enable us to better appreciate the connection between them, we shall first try and analyze Parshat Shekalim in itself. As the Torah states explicitly, the half-shekel was used as a method of counting, in order to prevent the danger of plague which might be caused by a direct census.

However, the Torah does not explain why counting the people is so dangerous. Some commentators have

pointed out the dangers of *ayin hara*; others have emphasized the pitfall of hubris created by reviewing our overall national strength. I would like to focus on the approach of Rabbi Shaul Yisraeli, one of the leading Religious Zionist Rabbis of the last generation. He explained the problem as stemming from trading quality for quantity; from forgetting that G-d did not choose us because we were the most numerous of the nations, but rather because of His affection for our forefathers and their conduct. (*Amud HaYemini* 13)

This understanding of the prohibition against counting the people gives the half-shekel a new and special meaning – it is a shield in the struggle to prevent the individual from turning into a mere number.

Put this way, the contrast between Parshat Shekalim and Haman's shekalim cannot be any starker. Haman was a man who, in principle, did not give any respect to individuals except himself. Thus, "He scorned the idea of killing only Mordechai. Instead Haman looked for a way to destroy all of Mordechai's people, the Jews, throughout the whole kingdom of Achashverosh." We must not be surprised, then, that when Haman approached Achashverosh with his murderous plan, he suggested that the king consider the desirability of genocide through the lens of monetary value – "for the king has no profit in letting them be!"

Haman, of course, did not emerge in a

vacuum. The Persian culture exemplified by Achashverosh was bent towards measuring people by their externally visible wealth; a kingdom led by a man for whom the demonstration of splendour and glory meant a never-ending, hedonistic, boastful and excessive banquet.

The king, his *wazir* and the empire were sunk into what centuries later came to be called "The McNamara Fallacy". Named after Robert McNamara, U.S. Secretary of Defense (1961-1968), this fallacy involves making a decision based solely on quantitative observations, because quantities are the easiest to measure. McNamara believed that the measure for winning a war was simple – how many people were killed on each side. Nonetheless, he failed to take into account morals, endurance and ideology. Indeed, according to his metric the U.S. won the war even when the last helicopter rose above the American embassy in Saigon on April 29, 1975. [See Jonathan Baskin, *According to U.S. Big Data, We Won the Vietnam War*, Forbes July '14.] Alas, victory in war cannot be measured by bodycount, glory is not really gained by grand feasts or golden beds, and universal bowing is not a sign of real respect.

The mitzvah to use the money, given in the counting process, for G-d's service, comes to teach us exactly that – achievement is not measured by how much you have, but by what you do with what do you have, and the memory which will remain before Hashem.

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**Synopsis**

In the final chapter of the Book of Yehoshua, Yehoshua assembled the entire nation at Shechem for his final address. He recounted major events in their history, beginning from the time of Avraham and continuing to their present settling of the Land of Israel. Yehoshua reminded them of G-d's kindnesses to the Jewish people: redeeming them from Egypt, sustaining them in the wilderness, and delivering their enemies into their hands after crossing the Jordan River.

He repeatedly reinforced the message that their success in settling the land was an unearned gift from G-d: "I gave you a land for which you did not labour and cities that you did not build, yet you occupied them; vineyards and olive groves that you did not plant, yet you are eating from them." (24:13, Artscroll translation)

Finally, Yehoshua exhorted the people to commit to following G-d and the Torah, and to destroy remnants of idolatry in the land. The people agreed and made a covenant, symbolized by a large stone placed inside the Tabernacle in which the Book of Yehoshua was

inserted. (24:23-27)

The Book of Yehoshua ends with Yehoshua's death at the age of 110, with the burial of Yosef's bones in Shechem, and with the death of Elazar son of Aharon.

**Insight**

Rabbi Yaakov Choli (1689-1732), in *Me'am Lo'ez*, suggests three explanations for Yehoshua's insistence that the people make a new covenant even after they had exclaimed, "We will serve Hashem, our G-d, and we shall heed His voice." (24:24):

- Yehoshua was worried - based on their confidence - that the people thought remaining faithful to G-d would be easy. They did not realize how much effort it would take to guarantee that they and their children would never stray from G-d and His Torah. Therefore, he demanded a greater investment.
- Recognizing the people's sincerity, Yehoshua asked them to enter a new covenant to help ensure that the enthusiasm of the moment would never be lost or forgotten.
- Yehoshua wanted each person to develop his own personal belief in

the truth of Torah. "He did not want them to believe in Torah just because their parents and teachers told them to, for that is not true faith. He wanted every Jew, in every generation, to recognize the greatness of G-d and His boundless mercy and kindness. He wanted each one to see these things with his own eyes and implant them firmly in his heart." (*Me'am Lo'ez* p. 487)

Yehoshua wanted to strengthen the people's devotion to G-d as they entered their next phase in the Land of Israel. From then on, they would have to succeed - physically and spiritually - without overt miracles. Therefore, an act demonstrating their loyalty to G-d and to His Torah was necessary for fortifying their commitment.

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**Thank G-d,  
we have completed Yehoshua!  
We look forward to  
beginning Shoftim next week.**

**Law of the Land: The Shoftim v'Shotrim System**

The Torah (Devarim 16:18) commands us to set up "judges (*shoftim*) and bailiffs (*shotrim*) in all of our gates". Our Sages understood this mitzvah as legislating a comprehensive judicial and law enforcement system.

The Talmud (Sanhedrin 16b) explains that the judicial system is meant to be tiered. Small towns must appoint courts of three judges. Larger towns and regions must appoint courts of twenty-three. Matters of dispute would ascend through the system until they reached the highest court, the Sanhedrin, which ideally sat just outside the Beit HaMikdash. In tandem with this system of courts, the Torah also mandates *shotrim*. These were agents of the court who were responsible for enforcing court orders and general halachic observance among the masses.

Rambam (Sefer Hamitzvot, Aseh 166) writes that the primary purpose of the *shoftim/shotrim* system is to "compel the observance of the mitzvot of the Torah, and to return those who are straying from the true path back to it against their will." In consonance with this end the judges are to "command [the people] to do good and repent from evil," and the bailiffs are to "circulate in the city, in the markets and streets and observe the conduct of the people as they go about their business." In the Mishneh Torah (Hilchot Sanhedrin 1:1) Rambam details additional tasks of the *shotrim*. They are empowered to execute corporal punishment (pursuant to judicial warrant), and they can also arrest people and bring them to the courts for judgment.

The Rambam provides specific examples of the work that the *shotrim* do:

- During Yom Tov, when the population is inclined towards

merrymaking, the *shotrim* circulate through fields and river banks to prevent mixed parties from eating and drinking together in a way that may lead to inappropriate behaviour. (Hilchot Yom Tov 6:21)

- The *shotrim* would enforce court-regulated prices for goods in the marketplace, and prevent purchases for forbidden inflated/deflated prices. They would also enforce the prohibitions against imprecise scales and balances. The *shotrim* were authorized to execute punishments for these transgressions. (Hilchot Mechirah 14:1, Hilchot Genevah 8:20)

The system of *shoftim/shotrim* raises interesting theological and halachic questions:

- Judaism values a service of G-d which is ideally motivated purely by love. Is a system which is intended to compel religious observance at odds with this goal? [See Sefer HaChinuch 491, who takes up this issue.]
- The State of Israel, like all modern states, requires police to enforce the law and maintain public order. Is the system of *shotrim* a suitable framework for this? Or should we regard this system as relating to religious issues only, and leave matters of general law and order outside the purview of religious courts?
- To the extent that the *shoftim/shotrim* system is implemented, who qualifies as a judge or bailiff? Should halachic parameters be applied to police conduct?

This topic is a complex one which requires further careful analysis.

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## Biography

### Rabbi Y. M. Toledano

Rabbi Mordechai Torczyner

Born in Tiberias in 1880, Rabbi Yaakov Moshe Toledano was ordained in his father's yeshiva there. During World War I, the Ottomans exiled his family, among 800 Jewish Galileans who held French citizenship. They stayed in Corsica, where Rabbi Toledano helped establish local Jewish institutions.

After the war, Rabbi Toledano returned to Tiberias, before joining the Chief Rabbinical Council in Tangiers in 1926. There he established and headed the Rabbinical Court, as well as a yeshiva. In 1928, Rabbi Toledano became head of the Rabbinical Court in Cairo; between then and 1942 he also served in other Chief Rabbinate and Rabbinical Court roles in Egyptian communities. In 1942, Rabbi Toledano became Chief Sephardic Rabbi of Tel Aviv-Yafo; he held this position until 1958, when he became Minister of Religion. He occupied this role until his passing in 1960.

Already in his youth, Rabbi Toledano was a dynamic political figure; he joined the City Council of Tiberias, headed the local Mizrahi branch, and corresponded with Theodor Herzl and Nachum Sokolov. To strengthen Jewish life in the Galil, Rabbi Toledano moved to Pekiin for four years, and established a Jewish school there. Starting in 1913, Rabbi Toledano spearheaded a committee to establish a settlement, Maimonidiya, near Rambam's grave.

Rabbi Toledano wrote extensively on the halachic basis of Zionism, and dealt with practical issues in his responsa *Yam haGadol*. He argued against selling arms to non-Jewish neighbours without a peace treaty (#57), and argued for a contemporary mitzvah of settling Israel (#97). During World War II, Rabbi Toledano joined Ashkenazi Chief Rabbi Isser Yehudah Unterman on a special Rabbinical court to address war-related cases of *agunah*. He published *Bat Ami* on these cases.

Rabbi Toledano was also a researcher of ancient manuscripts, mainly from Gaonim of Spain and North Africa. His most celebrated find is the Arabic manuscript of Rambam's Commentary to Mishnah. In 1950, Hebrew University sent him to represent them in uncovering manuscripts in Morocco.

Rabbi Toledano was awarded the Rav Kook Prize in 1956-1957; today, the Religious Council of Tel Aviv awards "The Rabbi Toledano Prize" for outstanding Torah literature in his name.

## Torah and Translation

### Teaching Self-Defense in Yeshiva

Rabbi Yaakov Moshe Toledano, *Yam haGadol* 97

Translated by Rabbi Mordechai Torczyner

...לולא שהשואל אלצני לזה. ולולא שראיתי ג"כ שרבים הם מגדולי רבנינו בדורות הקודמים ובדורנו זה טעו והטעו את בני עמנו ההמון הפשוט לחשוב שכל זמן שאנו ב'גלות החל הזה', אסור לנו להרים ראש כי אם מצוה עלינו לכפוף את עצמנו לכל עריץ ומושל ולתת 'גיוונו למכים ולחיינו למורטים'...

אמינא ולא מסתפינא שבמחילת כבודם, גרמו בזה לאיבוד כמה נפשות וכמה קהלות בישראל, שהיו לפעמים רבות יכולים להציל את עצמם מהריגה ואבדון, אילו גדוליהם ורבני הדור הורו להם שחייבים הם לעמוד על נפשם נגד הקמים עליהם וכדון "הבא להורגך השכם להורגו", והם לא כן עשו כי אם הצדיקו עליהם את הדין ומסרו עצמם 'כצאן לטבח יובל'. וכ"ז גרם להם הדעה הנפסדת וההרגל הגלותי הנזכר לחשוב את עצמם כאבן דומם וכזוחלי עפר וכאין ואפס, מבלי להבין ולהשכיל שכל מה שנכתב בתורה ובנביאים ובתלמוד דברים כאלה, כמו, "ורדו בכס שונאיכם", ... הם רק בתור קללות ועונש לשעה, ולא חיובים וגזרות...

וזהו שארו"ל בכתובות קי"א "אריב" ג' שבועות דכתיבי בשיה"ש למה? אחת שלא יעלו ישראל בחומה ואחת שהשביע הקב"ה את ישראל שלא ימרדו באומות, וא' שהשביע הקב"ה את האומות שלא ישתעבדו בהם יותר מדאי, הנה שהשבועה היתה רק שלא ימרדו, לא שיהיו שפלים ונבזים לפני האומות, ואף בגלות מצרים שנאמר בה "ועבדום וענו אותם" בדרך גזרה וחיוב... ראינו שמרע"ה כשראה איש מצרי מכה איש עברי מאחיו על מגן, הרג אותו, כי ידע שאין זה בכלל השעבוד...

ומכלל דברינו אלה אתה מוצא תשובה לשאלת השואל השנית, אם אין איסור ללמד את בני"ק קשת טכסיסי גבורה וסדרי הגנה וכו' שעפ"י האמור לא בלבד שאין איסור בדבר אלא גם מצוה וחובה על כל גדולי ישראל ומנהיגיו לקבוע לימודים כאלה בבתי הת"ת והשיבות שעה קבועה ליום, למען יהיו התלמידים והבחורים מוכנים לקרב על כל צרה שלא תבוא...

[I would not write about this] if the questioner had not pressed me to do it, and if I had not seen that many of our great Rabbis of previous generations and our own generation erred and misled our nation, the simple masses, into thinking that as long as we are in the exile of this nation, we may not raise our head, but we are commanded to bend ourselves to every tyrant and ruler, to give our jaw to those who strike and our cheek to those who would tear'...

I say without fear, with their honour's forgiveness, they have caused the loss of many lives and many communities in Israel, which often could have saved themselves from murder and destruction, had their leaders and the rabbis of the generation ruled that they must defend their lives against those who rise against them, as in, "When one comes to kill you, rise early to kill him. (Berachot 62b)" They did not do thus; rather, they justified the Divine verdict and gave themselves like sheep led to the slaughter. And all of this was caused by the aforementioned erroneous idea and Diaspora habit of thinking of themselves like a silent stone, a dirt-crawler, nothing and null, without understanding that all such things recorded in Torah, Prophets and the Talmud, like "And your enemies will rule over you"... are only curses and temporary punishments, not duties and decrees...

This is what our Sages said, "Rabbi Yosi bar Chanina said: What are the three oaths mentioned in Song of Songs? One that Israel may not ascend as a wall, one that G-d made Israel swear not to rebel against the nations, and one that G-d made the nations swear not to enslave them too much." The oath was only not to rebel, not to be lowly and degraded before the nations. Even in the Egyptian exile, when it said "And they will subjugate them and oppress them" as a decree and duty... we see that Moshe Rabbeinu, when he saw an Egyptian beating his Jewish brother for nothing, killed him – for he knew that this was not included in the subjugation...

From these words of ours you find the answer to the questioner's second question, of whether there isn't a prohibition to teach Bnei Yisrael the bow and tactics of might and means of defense, etc. Based on what has been said, not only is there no prohibition in it, but there is a mitzvah and duty for all leaders of Israel to establish such studies in the schools of Torah and yeshivot, a set hour each day, so that the students and youths will be ready for battle for any trouble, that should not happen...

## The 613 Mitzvot: #30 - Becoming (Too) Personal with G-d Rabbi Mordechai Torczyner

The Torah uses anthropomorphic language to describe Divine actions and moods, and encourages us to develop an emotional relationship with Hashem. One benefit of this approach is that it lays the groundwork for a sense of personal investment in our mitzvot; these activities are more than dry ritual or supernatural currency, they are demonstrations of love and loyalty. However, this approach also risks drawing us into treating G-d with less than total respect, contending that G-d will lovingly overlook our wrongs. (Bava Kama 50a)

Shemot 20:7 combats this concern by building a barrier to

prevent overfamiliarity, instructing us, “Do not take the Name of Hashem, your G-d, for naught.” We may not invoke Hashem’s Name for a false or vain oath; Sefer haChinuch counts this as the Torah’s 30<sup>th</sup> mitzvah.

The term “vain oath” includes taking oaths affirming well-known facts, or swearing to perform impossible acts. The issue is not falsehood; the problem is that taking such an oath demonstrates a lack of respect for the Name of G-d, and therefore for Hashem directly.

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### Weekly Highlights: Mar. 2 – Mar. 8 / 25 Adar I – 1 Adar II

Time	Speaker	Topic	Location	Special Notes
<b>Shבת Mar. 1-2</b>				
<b>10:30 AM</b>	R' Alex Hecht	Post-Hashkamah Parshah	Clanton Park	
<b>After minchah</b>	R' Mordechai Torczyner	Gemara Avodah Zarah	BAYT	<b>Room TBD</b>
<b>7:30 PM</b>	R' Elihu Abbe	Parent-Child Learning	Shaarei Shomayim	
<b>Mon. Mar. 4</b>				
<b>8:30 PM</b>	R' Mordechai Torczyner	<i>R' Asher Weiss on Marriage 2</i> The Bissli Wedding Ring	Shomrai Shabbos	<b>Men</b>
<b>Tue. Mar. 5</b>				
<b>10:00 AM</b>	<b>R' Mordechai Torczyner</b>	<b>The Real Esther: A Psychological Thriller</b>	<b>Adath Israel</b>	<b>Women; there is a fee info@adathisrael.com</b>
<b>1:30 PM</b>	R' Mordechai Torczyner	Yeshayah: Chapters 11-12	Shaarei Shomayim	
<b>7:30 PM</b>	R' Mordechai Torczyner	The Book of Yehoshua	129 Theodore Pl.	<b>Not this week</b>
<b>Wed. Mar. 6</b>				
<b>10:00 AM</b>	R' Mordechai Torczyner	Mysticism and Mitzvot 1: Kabbalah & Kashrut	Beth Emeth	<b>Fee; register at torontotorah.com/kabbalah</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>Not this week</b>
<b>8:00 PM</b>	<b>Ezer Diena</b>	<b>Pre-Purim: Halachot of Dressing Up on Purim</b>	<b>BAYT</b>	<b>Rabbi's Classroom</b>
<b>Thu. Mar. 7</b>				
<b>Rosh Chodesh Adar II</b>				
<b>1:30 PM</b>	R' Mordechai Torczyner	Shemuel: Chapters 8-9	49 Michael Ct.	<b>Women</b>
<b>8:30 PM</b>	Ezer Diena	Gemara Beitzah	ediena@torontotorah.com	<b>Men, Advanced</b>
<b>Fri. Mar. 8</b>				
<b>Rosh Chodesh Adar II</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, Beit Midrash Rotation: Contemporary Halachah, R' Elihu Abbe: A Neighbour's Rights***

***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 - Masechet Megilah (R' Hecht) and Jewish Thought (R' Abbe)***

***10:00 AM to Noon, 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***