

# Toronto Torah

## Beit Midrash Zichron Dov

Parshat Netzavim

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This issue of Toronto Torah is dedicated by Nathan Kirsh

יהודה פסח בן נפתלי הכהן ז"ל ורחל בת מרדכי ז"ל ז"ל  
 and his beloved brother Jerry Kirsh ז"ל ז"ל  
 בן-ציון בן יהודה פסח הכהן ז"ל ז"ל

### The Covenant for All Generations

Rabbi Jonathan Ziring

Parshat Netzavim opens with Moshe demanding that the Jews enter into a covenant with G-d. Shockingly, Moshe claims that while only one generation physically stands before him to accept this relationship with G-d and all that it entails, all future generations are similarly inducted. Presumably, the justification for Moshe to demand such a far-reaching consent stems from the closing verses of Parshat Ki Tavo, which immediately precede this speech:

*Moses called to all Israel, and said to them, You have seen all that Hashem did before your eyes in the land of Egypt to Pharaoh, and to all his servants, and to all his land; the great trials which your eyes saw, the signs, and those great wonders... I have led you forty years in the wilderness: your clothes have not grown old on you, and your shoes have not grown old on your feet. You have not eaten bread, neither have you drunk wine or strong drink; that you may know that I am Hashem your G-d. When you came to this place, Sihon the king of Heshbon, and Og the king of Bashan, came out against us to battle, and we struck them: and we took their land, and gave it for an inheritance to the Reubenites, and to the Gadites, and to the half-tribe of the Manassites. Keep therefore the words of this covenant, and do them, that you may prosper in all that you do. (Devarim 29:1-8, JPS translation)*

However, while at first glance these verses provide a strong basis for the faith required for the nation to bind all

future generations to the Torah and the consequences that follow from dereliction, a closer look complicates the issue. Moshe's speech is directed at the second generation; the generation who saw the miracles in Egypt had died out. Rabbi Shimshon Raphael Hirsch (29:1) responds that indeed there were many living who had witnessed the Exodus – those who left Egypt as young children, women, and Leviyim. Rabbi Avraham ibn Ezra (29:2), on the other hand, suggests that the reason the verses listed many miracles – those in Egypt, the years of wandering in the desert, and the recent victories against Sichon and Og – was so each group would have a miracle they had indeed seen, to ground their faith.

However, as Rabbi Moshe Weiner notes (<https://bit.ly/2kX3Q1q>), several verses in Tanach suggest a different direction. As Professor Amos Chacham notes in Daat Mikra to Tehillim 114 (discussed here: <https://bit.ly/2kpS0wq>), the "Exodus from Egypt" in Tanach lasted until the Jews entered the land of Israel. Hence, the psalm which discusses "when the Jews left Egypt" includes the splitting of the Jordan. In Tehillim 136, it is clear that all of the miracles discussed by Moshe in Parshat Ki Tavo are merely the continuation of the Exodus:

- Who hurled Pharaoh and his army into the Sea of Reeds, His steadfast love is eternal;
- Who led His people through the wilderness, His steadfast love is eternal;
- Who struck down great kings...and

slew mighty kings...;

- Sihon, king of the Amorites...;
- Og, king of Bashan...;
- And gave their land as a heritage, His steadfast love is eternal...

Thus, Moshe may have meant to say that the second generation indeed experienced the miracles of the Exodus, in its broader sense. Rabbi Weiner argues that this is part of Moshe's message: that the Jews should gain comfort that G-d is with them, from knowing that despite their sins, which led to the Exodus process being prolonged, G-d was true to His word and eventually fulfilled His promise to bring them into Israel. This should give them the confidence to enter into a covenant with G-d, even one that carried such dire consequences for sin.

It seems that another point emerges. The ability of this generation of Jews to accept obligations on behalf of their children emerges from the understanding that the experiences of the Jewish people cross time. While we may not have seen every step along the way, we are always part of the same process. Thus, if our ancestors lived through miracles that can justify their faith, we, and all future generations share in those national experiences, benefit from G-d's goodness, and are expected to reciprocate by accepting the demands that come from being G-d's people.

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**Summary**

The final chapter of the Book of Shoftim represents, in many ways, the worst degradation of the Jewish people in the period of the Shoftim.

After wiping out most of the tribe of Binyamin (in retaliation for the molestation in Givah and the tribal failure to punish the criminals), the Jewish people gather in Mitzpah and take an oath not to marry off their daughters to surviving members of the tribe. Nevertheless, when the nation gathers together in Beit El, they express great remorse for Binyamin's tragic fate. Crying until the evening, the Jews wonder how such a tragedy could have happened.

The Jews in Mitzpah realize that by taking an oath not to let their daughters marry men from the tribe of Binyamin, they have effectively ensured the tribe's extinction. However, they find a "solution". Previously, they had sworn to execute anyone who did not join their war against Binyamin. Now, after investigating the population in Mitzpah and discovering that no inhabitants of Yavesh Gilead are present, the Jews decide to kill all the inhabitants of

Yavesh Gilead except for the unmarried women. Since the people of Yavesh Gilead had never joined the oath against marrying into Binyamin, their surviving daughters could serve as suitable wives for the surviving men of Binyamin.

Four hundred women survive from Yavesh Gilead, and the children of Israel marry them off to the survivors of Binyamin. However, two hundred members of Binyamin are still left without wives. To solve the problem, they advise the men of Binyamin to travel to Shilo and kidnap their women, who would go out to dance in the vineyards in celebration of an upcoming holiday. The children of Israel assure the men from Binyamin that if the men of Shilo would defend their daughters and sisters, they would describe to the men of Shilo the dilemma the men of Binyamin were facing. Additionally, they explain that the people of Shilo would not be in violation of the oath against marrying their daughters to men from Binyamin, since their daughters would not be married off by their families.

The men of Binyamin proceed to

kidnap women from Shilo and take them as wives. The tribes of Israel return to their ancestral lands. The chapter ends the book of Shoftim with the observation that there was no king in Israel and therefore "each man did what was straight in his eyes".

**Analysis**

This chapter emphasizes the chaos and corruption demonstrated throughout the book of Shoftim. Instead of rectifying their mistakes, each solution the Jewish people proposes creates additional problems. In their compassion for the people of Binyamin, the children of Israel massacre an entire community. They are more concerned about violating an ill-advised oath than kidnapping innocent women. It's not even clear that the men of Shilo bothered to defend their daughters! Without a king to guide them, the Jewish society has devolved into anarchy and barbarism. This sets the stage for the book of Shemuel, and the introduction of Jewish monarchy.

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**Holy Land Halachah: Authority of a Chief Rabbi**

The British Mandate's Chief Rabbinate was established in 1921, when the British High Commissioner appointed Rabbis Avraham Yitzchak Kook and Yaakov Meir as the first Ashkenazi and Sephardi chief rabbis, respectively. Even as the Chief Rabbinate was formed, it faced stiff opposition in the religious Jewish community. Opponents claimed that the Chief Rabbinate lacked any authority beyond that of the individual rabbis who composed it. Today, the Chief Rabbinate is empowered by Israeli law to oversee many religious matters in the country, including kashrut and the Jewish status of individuals. Rabbinate courts are authorized to adjudicate on matters of marriage, divorce, and conversion. Nevertheless, opposition persists from all sides of the Orthodox spectrum. This forces the question of what halachic authority the Chief Rabbinate holds.

In his book *Amud HaYemini* (sec. 6), Rabbi Shaul Yisraeli took on this question. He began by developing two models for rabbinic authority in the modern age:

1. The Talmud (Avodah Zarah 7a) rules that if one has received a halachic decision from a rabbi (e.g. that a certain food is kosher), one may not seek another ruling from a different rabbi. Some explain this rule as based simply on deference or respect for the original rabbi or the halachic system. Rabbi Yisraeli, however, notes that the medieval commentator, Rabbi Yom Tov Asvili (Ritva) explained that the first rabbi's ruling has binding legal authority. As long as the rabbi who issued the ruling is generally fit to do so, and has not missed explicit sources, the ruling *cannot* be overturned by another rabbi. This is true even if the latter feels the ruling is based on terribly mistaken judgement. This position is cited by Rama in Shuchan Aruch (Yoreh Deah 242:31),

though Rabbi Yisraeli notes some opposition to this position. The limitation of this rule is that it applies only to the specific item or event for which a ruling was requested. The initial ruling does not prevent another rabbi from ruling in a subsequent similar case. It also does not prevent a rabbi from pre-emptively ruling on matters, even when he knows that a colleague strongly disagrees with his position.

2. Elsewhere in Shulchan Aruch (Yoreh Deah 245:22), Rama rules that a rabbi may not issue rulings or take on authority in the domain of his fellow. This ruling is based on several talmudic accounts of rabbis who refrained from voicing opinions when visiting the cities of other rabbis, who held opposing views. We also find approval for the communities of particular rabbis to follow their permissive rulings, even when these were against the halachic mainstream elsewhere. This type of authority is absolute within the confines of the community, and prevents other rabbis from making contrary rulings, even pre-emptively.

Rabbi Yisraeli argues that since most of the Jews in Israel have accepted the halachic authority of the Chief Rabbinate, the second model grants them the right to issue rulings, even permissive ones, which cannot be contradicted, and which should not be pre-empted by other authorities. Even if this were not the case, the Chief Rabbinate's rulings should probably be respected after the fact, based on the first model.

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**Biography**  
**Rabbi Menachem**  
**Krakowski**  
Rabbi Baruch Weintraub

**Torah and Translation**  
**Praying for Our Nation**

**R' Krakowski, Arzei haLevanon, Netzavim 5685 (1925)**

**Translated by Rabbi Baruch Weintraub**

Rabbi Menachem Krakowski was born in 1868, in Valkaviskas, Lithuania (now Belarus). As a young boy he studied under Rabbi Eliezer Landau, the community Rabbi. After the age of bar mitzvah, he went to learn at the world-renowned Yeshiva of Volozhin. Upon his arrival, he was acknowledged as one of the brightest and sharpest minds, and was selected as one of the few students with whom the great Rabbi Chaim Soloveitchik prepared his shiur. Later he became a relative of Rabbi Soloveitchik, marrying Rabbi Eliyahu Feinstein's daughter, whose sister married Rabbi Chaim's son (Rabbi Moshe Soloveitchik). Rabbi Krakowski's first rabbinical position was in Timikovich, where he served for ten years. Although he was merely twenty-five when appointed, he soon was revealed not only as a master of Torah study but also as a popular speaker and a communal leader. We know, for example, that when an epidemic struck the city, Rabbi Krakowski created soup kitchens and other establishments to support those who lost their families.

From Timikovich he moved to Khoslovitz. He was already known throughout the European Jewish world as one of the generation's great scholars. Thus, when a group of French Rabbis tried to institute a certain condition in every marriage in order to avoid problems of *agunah*, Rabbi Krakowski was one of the Rabbis who responded to them. While he sharply opposed their suggestion on technical grounds, he also applauded their motivation, refuting those who viewed the French Rabbis as Reformers in disguise.

Shortly before his death, Rabbi Krakowski became a *Maggid* in Vilna, and printed *Arzei HaLevanon*, a collection of his sermons.

Rabbi Krakowski's life's work was not his *darshanut*, but his commentary on the Rambam – a project he began at the age of 18 and continued through the rest of his life. While he managed to complete the manuscript before his untimely death at the age of 59, his children were only able to print the first part in 1931. Ten years later the rest of his writings were burned by the Nazis, together with his daughter HY"D.

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עומדים הננו בפרשת התשובה ובעונת התשובה, והנהוג: להגיד לעם תוכחה ביום הזה, לעוררם לתשובה, ומי ידבר עוד על אודות המנהג הקדום פה: לפתוח את ארון הקדש ולשוב אל השי"ת?  
אבל לדאבון לבבי לא אדע מה אוכיח לעם כיום הזה? במה אתחיל ובמה אסיים? על מה אוכל להראות באצבע, כי דבר זה צריך תקון וחזוק, בשעה שכל הבירה דולקת מכל צד, עבר ופנה?...  
בא ודבר לעם ע"ד תפילין, ומזוזות וציצית - והביטו עליך כעל משוגע. בני הנעורים מחנכים מנעוריהם לבלתי הניח תפילין, בלי ציצית, וכשיגדלו — האם יביאו את עצמם בעול אז?  
בא ודבר ע"ד החנוך! אמור לעם, כי המה מגדלים דור כחש, דור אשר לא יהיה לו שום ענין, קשור ואגוד עם אבותיו, עם תורתו ועם ארצו — והיית לשחוק. יאמרו לך, כי מגדלים דור בריא, בעל אגרופים; דור יודע לדבר יהודית או עברית. והיה כי תאמר אליהם: מה יועילו כל הדברים הללו? הלא לא אמון בם! ואי אפשר ליהדות שתתקיים בשום אופן בלי תורת היהדות הרחבה והגדולה, וכמ"ש בשבת העברה — היית לשחוק...

ישנם רבים האומרים לנו, כי עתה עלינו לאמר, כמו שאומרים בפרוץ תבערה... איש לאהליך! הצל את ביתך ואת רכושך! הצל את בניך ובנותיך, וכל אשר תוכל...

אבל, אחי ועמי! לדעתי אין אנו רשאים לאמר כן בשום אופן; אין אנו רשאים להתיאש מן הדור. אוי לנו, אם, חלילה, נאמר כך!  
והנה, אחי! חילוק גדול יש: אם מחנה גדול קורא איזה דבר אף שאינו שואג כל כך בקול רם, בכל זאת קולו נשמע מפני רבוי הקוראים; משא"כ, אם המחנה אינו גדול כ"כ ורוצים שיהיה קולם נשמע — עליהם לאמץ כוחותם בקריאתם למען ישמע. רבותי! גם לפניכם נהגו פה לפתוח ארה"ק ולומר פסוקי דרחמי; ומכ"ש עכשיו, שאין המחנה גדול — עלינו לפחות לפתוח ארה"ק ולהרים קולנו בכל כחות הנפש.

We stand now in the parshah of Teshuvah and in the season of Teshuvah, and it is customary to rebuke the people on this day and inspire them to repent, and who will speak about the ancient custom [practiced] here to open the Ark and return to G-d?

But to my heart's sorrow I do not know how I should rebuke the people nowadays? Where should I begin and end? Where can I point my finger as needing repair and improvement, when the whole house is on fire from every direction, side and corner?

Come and speak to the people regarding tefillin, mezuzah and tzitzit, and they look at you like at someone who is insane. The youth are educated from a young age not to wear tefillin or tzitzit, and when they grow up – will they then bring this yoke upon themselves?

Come and speak about education! Tell the nation that they are raising a generation of deniers, a generation who will have no interest or connection with its ancestors, Torah and land – and you will be a laughingstock. You will be told that they are raising a healthy generation who has fists; who knows how to speak Yiddish or Hebrew. And when you will say, "What will be gained by these? They are faithless! It is impossible for Judaism to exist in any way without the great and expansive Jewish Torah – and as we read last week, you will be mocked (Devarim 28)..."

Many tell us that now we must say the same thing which is said when a fire breaks out... "Everyone to his own tent! Save your own house and property! Save your own sons and daughters, and everything you are able..."

But my brothers and nation! In my opinion we are not allowed to say so in any way; we are not permitted to give up on the generation. Woe to us, if, G-d forbid, we shall say so!

Behold, my brothers! There is a great difference: if a great camp cries out – even when not roaring in a very loud voice – nonetheless they would be heard because of their great number. On the other hand, if the camp is not so large and yet they still want their voice to be heard – they need to gather their strength in their calling, so they will be heard.

My masters! In the past they also used to open the Ark and recite verses about

mercy; even more so now, when our camp is not great – at least we should open the Ark and raise our voice with all of our spiritual strength.

Last week we saw Sefer haChinuch’s approach to avoiding violating the Torah’s prohibition against jealousy; this week we will see two more ideas.

Rabbi Avraham ibn Ezra (Shemot 20:14) suggests that one should discipline himself against desiring that which is associated with other people, and the intellectual will triumph over the emotional. “Know that a villager with proper perspective, who sees an attractive princess, will not desire her for himself. He knows it is not possible.”

Rabbi Yosef Dov HaLevi Soloveitchik (Beit haLevi to Shemot

20:14) offers a different approach: develop fear of wrongdoing. He writes, “It is clear that if one would desire something to the greatest extent, each person according to [the desires of] his nature, and he would even come close to achieving it, and he would pursue it, the *yetzer hara* burning like fire within him, but his path was upon a frozen river, and while running his foot would slip on the frost and he would be on the verge of falling – then at that instant when his foot slipped and he began to fall, the entire desire would cease from him as result of his fear of falling. This is what the Creator established within the nature of all creations, that a little fear entering a person’s heart will remove all of the forces of desire.”

**Weekly Highlights: Sept. 28 – Oct. 4 / 28 Elul – 5 Tishrei**  
***Most of our classes do not meet this week, but there are opportunities to learn!***

Time	Speaker	Topic	Location	Special Notes
<b>שבוע Sept. 27-28</b>				
<b>10:30 AM</b>	R’ Alex Hecht	Parshah Analysis	Clanton Park	<b>After Hashkamah</b>
<b>Before Avot</b>	Ezer Diena	Daf Yomi	BAYT	<b>Rabbi’s Classroom</b>
<b>After minchah</b>	R’ Mordechai Torczyner	Gemara Avodah Zarah	BAYT	<b>Simcha Suite</b>
<b>Sun. Sept. 29 Erev Rosh HaShanah</b>				
<b>8:15 AM</b>	R’ Eitan Aviner	Shofar: Microphones, Hearing Aids, Implants	Yeshivat Or Chaim	
<b>Mon. Sept. 30 Rosh HaShanah Day 1</b>				
<b>כתיבה וחתימה טובה!</b>				
<b>Before minchah</b>	Ezer Diena	Daf Yomi	BAYT	<b>Rabbi’s Classroom</b>
<b>Tue. Oct. 1 Rosh HaShanah Day 2</b>				
<b>May we be inscribed and sealed for a wonderful year!</b>				
<b>Before minchah</b>	Ezer Diena	Daf Yomi	BAYT	<b>Rabbi’s Classroom</b>
<b>After minchah</b>	Ezer Diena	Tzom Gedaliah & Teshuvah	BAYT	<b>Main Shul</b>
<b>After minchah</b>	R’ Alex Hecht	Rebuke, or Mind Your Own Business?	Clanton Park	<b>Main Shul</b>
<b>Wed. Oct. 2 Fast of Gedaliah</b>				
<b>6:00 AM</b>	Ezer Diena	Gemara Succah	BAYT	<b>WW Classroom 2</b>
<b>6:20 PM Minchah Shiur, Maariv Dairy dinner</b>	<b>R’ Sammy Bergman</b>	<b>What does Gedaliah have to do with Teshuvah?</b>	<b>BAYT</b>	<b>University Students, with JLIC</b>
<b>Thu. Oct. 3</b>				
<b>10:40 AM</b>	<b>Ezer Diena</b>	<b>Positive Agent of Change</b>	<b>TanenbaumCHAT</b>	<b>Yom Iyun</b>
<b>1:30 PM</b>	R’ Mordechai Torczyner	Pre-Yom Kippur Shiur	49 Michael Ct.	<b>Women</b>
<b>5:30 PM</b>	<b>R’ Mordechai Torczyner</b>	<b>Kapparot: The Good, the Bad, and the Beautiful</b>	<b>Yeshivat Or Chaim</b>	<b>Grandparents Mishmar (other family welcome)</b>
<b>8:30 PM</b>	Ezer Diena	Gemara Beitzah	ediena@torontotorah.com	<b>Men, Advanced</b>
<b>Fri. Oct. 4</b>				
<b>10:30 AM</b>	R’ Sammy Bergman	Bava Metzia	Yeshivat Or Chaim	<b>Advanced</b>

**For University Men, at Yeshivat Or Chaim**  
**8:30 AM Wednesday, Ezer Diena, Mishlei**  
**8:30 AM Friday, R’ Mordechai Torczyner, Parshah**

**WOMEN’S BEIT MIDRASH for University and Adult Women, at Ulpanat Orot, Coming Soon**

**Seder Boker for Men with Rabbi Moshe Yeres, at Yeshivat Or Chaim**  
**10:00 AM to Noon, Wed. Masechet Megilah, Orot of Rav Kook, Chovot haLevavot**  
**10:00 AM to Noon, Thu. Parshanut on the Parshah, Sefer Yehoshua, Pninei Halachah**