

Toronto Torah

Beit Midrash Zichron Dov

Parshat Chukat

9 Tammuz, 5781/June 19, 2021

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This issue of Toronto Torah is dedicated by Rabbi Dr. Moshe & Esty Yeres on the yahrzeit of their daughter Batsheva a"h (9 Tammuz) לעילוי נשמת בת שבע בלימה בת הרב משה יוסף הלוי ואסתר and the yahrtzeit of Rabbi Yeres' mother Shaindel Yeres a"h (15 Tammuz) לעילוי נשמת חיה שיינדל בת אלכסנדר הלוי

This issue of Toronto Torah is dedicated for the third yahrtzeit (12 Tammuz) of Mr. Murray Zoltak z"l משה יהודה בן יצחק אייזיק, by his loving family

Seek Peace and Pursue It!

Rabbi Baruch Weintraub

Moshe Rabbeinu is described as "humblest of all men", "His faithful servant" and "man of G-d." (Bamidbar 12:3, Bamidbar 12:7, Devarim 33:1) It is unsurprising when we find the Torah say, as it does frequently in different forms, "And Moshe did as he was commanded by G-d." (Shemot 7:6 and many more) It is astonishing, then, to learn that on several occasions, Moshe acted upon his own volition without direct Divine decree. According to Rashi, one of these rare cases occurs in our parshah: "Israel sent messengers to Sichon the king of the Amorites, saying: 'Let me pass through your land. We will not turn into fields or vineyards, nor drink well water. We shall walk along the king's road, until we have passed through your border.'" (Bamidbar 21:21-22)

Who told Moshe that he should seek peace? An answer may be found in Rashi's commentary to Moshe's recounting of these events in Devarim 2. Moshe repeats G-d's command: "See, I have delivered into your hand Sichon the Amorite, King of Cheshbon, and his land. Begin to possess it, and provoke him to war." Moshe's peace emissary seems to contradict this explicit Divine order to provoke the Emorites into war! Indeed, Rashi comments, "Even though they were not commanded to offer them peace, they nevertheless sought peace from them." (Bamidbar 21:22)

Rashi's comment seems to be rooted not only in his reading of this specific

story, but also in his understanding of the laws of calling for peace, as they are presented in Devarim 20:10-18. Rashi reads the verses there to mean that calling for peace before waging war is required only in discretionary wars (*milchemet reshut*). In contrast, the war against Sichon was commanded by Hashem (*milchemet mitzvah*), and therefore did not require a call for peace.

Why, then, did Moshe add a call for peace without being commanded to do so? An answer may be found through an analysis of Rambam's codification of related laws. In his Book of Commandments, Rambam describes the mitzvah to call for peace as applying in discretionary war only. (*Sefer haMitzvot*, Positive Commandment 190) However, in his Mishneh Torah code of law, Rambam explicitly writes, "No war should be waged against any person in the world, until he is first approached for peace," and that includes even the Amalekites. (Hilchot Melachim 6:1, 6:4)

From Rambam's formulation we may deduce that calling for peace can serve in two different capacities:

1) **Fulfilling a commandment, in a discretionary war.** In such a war, with goals of expanding the power and territory of the Israelite kingdom (Hilchot Melachim 5:1), peace is the continuation of war, by other means. As the peace conditions include submission of the foreign nation to Am Yisrael, this ipso facto fulfills the aforementioned goals.

2) **Preventing violation of a prohibition, in a commanded war.** In such a war, with the goal of the utter defeat of the enemy – the seven Canaanite nations or Amalek – calling for peace does not fulfill the war's objective. Nonetheless, waging war against people who are willing to surrender is itself immoral, and must be avoided even at the price of not pursuing these goals.

As we saw above, Moshe Rabbeinu was explicitly commanded to wage war against Sichon, so their surrender without a fight would not have accomplished the mission. Nonetheless, Moshe knew that he must not wage war without giving the enemy the ability to surrender, which led to his call for peace.

Interestingly, Rashi himself (Devarim 2:26) justifies Moshe's calling for peace as rooted in G-d's action elsewhere in the Torah: didn't Hashem command Pharaoh to surrender, despite His will to strike him with the Ten Plagues? Moshe followed this example when he sought peace from Sichon, even though war would have better served him.

Peace, then, should be sought not only as a means of achieving other goals, but also pursued as a goal in itself.

bweintraub@torontotorah.com

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Summary

As Yeravam ben Nevat, king of the breakaway northern kingdom of Yisrael, was burning sacrifices on the altar he had erected in Beit-El, Ido the prophet came from Judah. (13:1, Rashi ad loc.) Ido addressed the altar. He predicted that in the future, Yoshiyahu, a descendant of King David, would slaughter the priests who had burned sacrifices upon it and their bones would be burned. Furthermore, he declared that the altar would be torn apart, spilling its ashes. (13:2-3) When Yeravam heard Ido's prophecy he extended his arm to signal to his servants to seize Ido. However, Yeravam's arm stiffened, and he could not retrieve it. (13:4, Metzudat David ad loc.) The altar broke apart and spilled its ashes, just as Ido had predicted. (13:5) Yeravam asked Ido to pray to Hashem to heal his arm. Ido obliged and Yeravam retrieved his arm. Yeravam asked Ido to dine with him at his house, where he promised to award Ido with a present. However, Ido refused because Hashem had commanded him not to eat, drink, or return on the same route he used to travel to Beit-El. (13:6-10)

A false prophet heard about what Ido

had done at Beit-El, pursued Ido, and found him sitting under a tree. The elderly false prophet invited Ido to dine with him. Once again Ido refused, citing the instructions he received from Hashem not to eat or drink in that place. However, the false prophet told Ido that an angel had spoken to him in the name of G-d, telling him to invite Ido and feed him. Ido followed the false prophet home. As they ate, Ido received a prophecy from Hashem declaring that because Ido had disobeyed Hashem's instructions, his corpse would not be buried with his fathers. After Ido finished eating, he rode away on a donkey the false prophet gave him. A lion attacked Ido on the road and killed him. Ido's corpse was left slumped on the road, while the lion and the donkey stood next to Ido's body. (13:11-24, Rashi ad loc.)

Word spread about the grotesque scene of Ido's death. When the elderly prophet heard what had happened to Ido, he traveled to the location where Ido's corpse laid next to the lion and donkey. The false prophet carried Ido's body home, buried it, and eulogized him. He instructed his sons to bury him in the same grave as Ido. The false

prophet hoped since his bones were buried next to Ido's, they would not be burned as a punishment for his sacrificing on Yeravam's altar. (13:25-32, Radak ad loc.)

Despite the miracles he had witnessed, Yeravam failed to repent and continued hiring priests to burn sacrifices on the altars he had erected in Beit-El and Shomron. His sin would cause the destruction of Yeravam's entire household.

Insight

Radak (13:18) suggests that Hashem punished Ido for disregarding his true prophecy without determining whether the false prophet was legitimate. Therefore, he received the penalty of "death at the hands of Heaven", the punishment for disobeying a true prophecy.

sbergman@torontotorah.com

The Israeli Farmer: Shemita Oil in the Chanukiah?

See Rabbi Moshe Taragin for a [conceptual overview](#) of this issue, and Rabbi Yoel Friedman for a [summary of modern positions](#).

A question that will affect many farmers - as well as others during shemita - is whether oil made from olives with *kedushat shevi'it* (shemita sanctity) may be used for the *chanukiah*. The problem is as follows: shemita produce may only be used for eating and equivalent activities. (Mishnah Shevi'it 7:2) However, since one may not benefit from the light of the *chanukiah*, burning oil in the *chanukiah* is not analogous to eating it, and so using shemita oil would seem to be forbidden. Indeed, this was the position of many authorities, such as Rabbi Meir Arik (Imrei Yosher 1:100), Rabbi Yaakov Dovid Wilovsky (Beit Ridbaz 5:9), Rabbi Yisrael of Shklov (Peat HaShulchan 5:9), Rabbi Ovadia Yosef (Yabia Omer Yoreh Deah 3:19), and others.

Some permit use of shemita oil for technical reasons. For example, Rabbi Ezra Altshuler (Kerem Tzion p 52) argues that using a *shamash* solves the problem. Rabbi Moshe Taragin summarizes this line of reasoning as follows:

"The Taz explains that that the prohibition against deriving benefit from Chanukah candles is not essential in nature, but rather based on peripheral reasons:

1. Deriving benefit will demean the mitzvah of *hadlaka* (*bizuy mitzvah*), or
2. A bystander will witness this benefit and assume that the candles were lit for personal use, thereby undermining the *pirsumei nisa* (publicizing the miracle) component of the mitzvah.

Hence, by lighting a *shamash*, one does not completely ignore the mitzvah, nor will the average bystander misunderstand

the intentions behind his lighting. At this point, then, no prohibition exists against using Chanukah candles for benefit."

Others, however, permit for more fundamental reasons. Rabbi Shlomo Zalman Auerbach (Minchat Shlomo 1:42) argues that:

1. Several early authorities argue that the prohibition against using the *chanukiah* for benefit is not absolute. Thus, one may use the light, and so this use of shemita oil would be permitted as analogous to eating.
2. During shemita, certain kinds of actions are permitted because they are **usually** done for permitted benefit. Thus, lighting candles for light, even in a specific case when benefit is forbidden, is permitted.
3. In general, publicizing the miracle of Chanukah may be a permitted reason to use shemita oil.

Rabbi Mordechai Eliyahu (Techumin 21) argues that during shemita, the relevant prohibition is against destroying shemita produce, and use for a mitzvah is not considered destructive and is thus permitted.

Rabbi Shmuel Wosner, who prohibits the use of shemita oil for the *chanukiah* (despite offering several arguments in favour of leniency), notes that the issue is more complicated when it comes to *sefichin*, wild vegetation for which the prohibition is only rabbinic. This may involve several other leniencies as well that may be relevant. In the end, he is unsure how to rule and leaves it as an open question.

jziring@torontotorah.com

Biography

Rabbi Saadia Gaon

Rabbi Mordechai Torczyner

At the start of the ninth century, the primary Jewish authorities outside of Israel were the political Exilarch, and the Gaonim who headed Babylon's central yeshivot. Now, contact with Islam and anti-rabbinic Karaism, economic strain between farmers and merchants, unrest due to the Jewish community's internal taxes, and tension between Jewish leaders in Baghdad and Jerusalem, all challenged the structure of the Diaspora Jewish community.

Into this world came Said al-Fayyumi, born in Egypt in 892. He used his birth name, Said, in his introduction to the *Agron* Hebrew dictionary he wrote at the age of 20, but later he switched to Saadia. "Al-Fayyumi" refers to his birthplace, Fayum, in northern Egypt. His family claimed descent from the biblical Yehudah, as well as Rabbi Chanina ben Dosa, a miracle-working sage from the period of the Mishnah.

Rabbi Saadia Gaon's lifelong mission was to end Jewish ignorance of Judaism, and to lead with absolute integrity; both pitted him against powerful opponents. At the age of 23, Rabbi Saadia began his battle against Karaism, with a published polemic. In 921, at the age of 29, Rabbi Saadia - living in Aleppo, and not yet a Gaon - was the primary voice against a calendar coup led by Aharon ben Meir in Israel. Rabbi Saadia became aware that Aharon ben Meir intended to shift Rosh HaShanah by a day. Rabbi Saadia published numerous scrolls arguing for the authority and accuracy of Babylonian calculations. After a two-year battle, Rabbi Saadia was victorious.

Rabbi Saadia gained the title of Gaon when he became head of the yeshiva in Sura, Babylon, in 928. However, in 930 he became involved in a dispute with the exilarch, David ben Zakkai, refusing to authorize a probate document he felt was illicit. David ben Zakkai replaced Rabbi Saadia Gaon; only in 937 was Rabbi Saadia Gaon officially reinstated. He continued to serve as Gaon until his death of illness in 942.

Aside from his dictionary, Rabbi Saadia Gaon's writings include Hebrew and Arabic polemics defending Judaism from intellectual challenges; his great *Emunot v'Deiot* philosophical work; an Arabic translation of and commentary to Tanach; a work on the legal principles of the Talmud; a *siddur*; religious poetry, and more. Rabbi Saadia Gaon's yahrtzeit is the 26th of Iyar.

torczyner@torontotorah.com

Torah and Translation

Why Did I Write this Book?

Rabbi Saadia Gaon, *Emunot v'Deiot*, Introduction

Translated by Rabbi Chaim Metzger

[*Emunot v'Deiot* was originally written in Judeo-Arabic; this Hebrew text is Rabbi Yosef Kapach's translation.]

Why did I write this book?

Once I understood these foundational [problems] and their negative outcomes, my heart trembled for the various types of men [of insufficient knowledge of G-d], and my soul cried out for our nation, Bnei Yisrael, due to what I have seen in my time, that many of the religious believers' faith isn't clear and their knowledge is incorrect, and many of the false believers boast in vain, and others glorify themselves above men of truth but are lost.

And I have seen men like these drown in the sea of doubts, inundated by the waters of uncertainty.

I am not a diver capable of raising them from their depths,
Nor a swimmer to hold their hand until it passes,

What I have in my hands of what has been taught to me by my G-d will assist them,

With the abilities I've been graced with I will help support them,

I saw upon myself an obligation to aid them,

and it behooves me to guide them.

Akin to what the pious one [Yeshayahu] said:

"My Lord G-d has given me a skilled tongue, to know to teach the exhausted words, to awaken them each morning, rousing my ears to listen like a student." (50:4)

Although I recognize my wisdom is short of reaching perfection, and admit my ignorance and incomplete knowledge, and that I am no wiser than the men of my generation, but according to my abilities and my intellectual grasp [I will explain], as was said by the pious one [Daniel]:

"It is not that my wisdom is greater than other beings, rather the secrets have been revealed to me [by G-d] so that I may make known to the king what his thoughts are." (2:30)

Therefore I ask from before G-d, may He be exalted, to give unto me and grant accordingly me as it is known before Him what my goals and thoughts are that I desire with my whole will, not because of by intellectual breadth and capabilities, like the other pious one [King David] said: "I know G-d that You test the heart and desire uprightness."

(Divrei HaYamim I 29:17)

מדוע חיברתי את הספר?
וכאשר עמדתי על יסודות אלו ורוע
ותוצאותיהן, לבי יחיל על מיני מין האדם,
ותהמה נפשי לאומתנו בני ישראל, ממה
שראיתי בזמני זה אשר רבים מן
המאמינים אין אמונתם צרופה ודעותיהם
בלתי נכוונות, ורבים ממאמיני השווא
מתפארים בהבל, ויש שמתפארים על בעלי
האמת והם התועים.

וראיתי בני אדם כאלו טבעו בים הספקות
וכבר הציפו אותם מימי הפקפוקים,
ואין אמודאי שיעלם ממעמקייהם,
ולא שוחה יחזיק בידיהם שיעברום,
ויש בידי ממה שלמדני אלקי מה שאסעדס
בו,

וביכולתי ממה שחנני מה שאסמכם בו,

וראיתי שחובה עלי לעזרם בכך,

ומוטל עלי להנחותם לכך.

וכעין מה שאמר החסיד:

ד' אלקים נתן לי לשון למודים לדעת לעות
את יעף דבר יעיר בבקר בבקר יעיר לי און
לשמוע כלמודים.

על אף שאני מכיר קוצר חכמתי מלהגיע
לשלמות, ומודה בחוסר ידיעתי מלהיות
תמה, ואיני יותר חכם מבני דורי, אבל כפי
יכולתי וכפי השגת שכלי, וכמו שאמר
החסיד:

ואנא לא בחכמה די איתי בי מן כל חייא
רזא דנה גלי לי להן על דברת די פשרא
למלכא יהודעון ורעיוני לבבך תנדע.

ולכן אשאל מלפניו יתעלה שינחני ויחנני
כפי שידועה לפניו מטרתני ומחשבתי בכל
רצוני, לא כפי השגי ויכולתי, וכמו שאמר
חסידו האחר:

וידעתי אלקי כי אתה בחן לבב ומישרים
תרצה.

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All times ET. Classes are free & open to all, unless otherwise noted.**

SPECIAL PROGRAMMING

7:00-8:30 PM Monday June 21: Medical Ethics

Rabbi Mordechai Torczyner, End of Life Care: Withholding, Withdrawing and MAiD
CME accredited; Laypeople welcome; Free; Register at <https://torontotorah.com/cme>

10:00 AM Wed. June 23: Giants of Sephardic Jewry, a 4-part series

Rabbi Mordechai Torczyner, Week 4: Don Isaac Abarbanel and Dona Gracia Mendes
Free of Charge; Register at <https://torontotorah.com/sephard>

7:30 PM Wed. June 23: Religious Zionism, a mini-series

Rabbi Sammy Bergman, Land for Peace?

8:00 PM Wed. June 23: Jewish Art, a mini-series

Rabbi Chaim Metzger, The Menorah

DAILY

Mon-Thu 10 AM to Noon, Seder Boker with Rabbi Moshe Yeres, via ZOOM (men)

Mon/Wed: Gemara Succah, Orot haTeshuvah

Tues/Thurs: Parshah, Tanach: Melachim

WEEKLY

Shabbat June 19

After minchah at Shaarei Shomayim, Pirkei Avot, R' Sammy Bergman

After minchah at BAYT, Gemara Ketuvot, R' Mordechai Torczyner (men)

Sunday June 20

9:20 AM Contemporary Halachah: The Three Weeks, Netanel Klein

10:00 AM Gemara Shabbat, Rabbi Aaron Greenberg (University) (last shiur before the summer)

Monday June 21

8:30 PM Gemara Shabbat, Chap. 15, Rabbi Moshe Yeres

Tuesday June 22

1:30 PM Megilat Ruth, Rabbi Mordechai Torczyner

7:30 PM Shemuel Ch. 3, Rabbi Mordechai Torczyner (men)

Wednesday June 23

6:15 AM Talmud Eruvin, Rabbi Sammy Bergman

Thursday June 24

8:30 AM Daniel, Rabbi Chaim Metzger (University)

1:30 PM Shemuel Ch. 20, Rabbi Mordechai Torczyner (women)

7:15 PM Gemara Bava Metziah, Rabbi Sammy Bergman (University women)

8:00 PM Gemara Beitzah, Ezer Dena (men, advanced) - Ezer Returns!

Friday June 25

8:30 AM Parshah, Rabbi Sammy Bergman (University)

10:30 AM Shemitah! with Rabbi Sammy Bergman and Rabbi Mordechai Torczyner

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