

# Toronto Torah

## Beit Midrash Zichron Dov

Parshiyot Behar-Bechukotai

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This edition of Toronto Torah is dedicated by Archie and Tobey Crandell for the yahrtzeit of Tobey's brother, Fivie, Shraga Feivel ben HaRav Alter Avrohom Aharon HaKohen z"l

This issue of Toronto Torah is dedicated by Brian and Robbie Schwartz in honour of our grandson, Chayim Yehuda Soroka ז"ל, on his recent bar mitzvah

### The Spirit of Shemithah

Rabbi Chaim Metzger

"Mah inyan Shemithah etzel Har Sinai?"  
"What are the laws of *Shemithah*, the Sabbatical Year, doing at Mount Sinai?"

When hearing this phrase in Canada or elsewhere outside of Israel, one expects the speaker to be referencing Rashi's question in his commentary to Vayikra 25:1, where the Torah specifies that Hashem taught the laws of *Shemithah* to Moshe at Sinai. Rashi answers that, "The laws of *Shemithah* and all its details were given at Har Sinai, as were the rest of the mitzvot in the Torah."

When I first heard the phrase spoken in Israel, shortly before my Bar Mitzvah, I was super-excited because I knew Rashi's answer. Much to my disappointment, my aunt said it was the Hebrew equivalent of, "What does that have to do with the price of tea in China?" to stop me from sidetracking a conversation.

The question, though, remains: why do we keep *Shemithah*, and how does it relate to Har Sinai? Commentators offer eight answers for the former question:

- Rambam (Moreh haNevuchim 3:39) offers two reasons: To be generous and gracious to all by sharing food; and so that the land will be able to rest before producing more afterward.
- Sefer haChinuch (Mitzvah 84) suggests four more reasons: To teach us the value of sharing; to

teach us that the land really belongs to G-d; to increase our faith in G-d; and to strengthen our belief that G-d created the world in six days and rested on Shabbat.

- Rabbi Avraham Yitzchak haKohen Kook, in the introduction to his halachic work on *Shemithah*, *Shabbat haAretz*, explains that *Shemithah* works like Shabbat, but on a larger scale – as a way for the whole nation to pause and discover their inner Divine radiance in all its glory.
- Rabbi Zvi Hirsch Kalischer expounds on Rabbi Avraham Ibn Ezra's suggestion (Devarim 31:10-12) that *Shemithah* allows us to throw off the yoke of the daily grind and devote ourselves to Torah study.

But how do these eight excellent reasons for *Shemithah* connect to Har Sinai?

[Rabbi Menachem Leibtag](#) suggests that the true goal of *Shemithah* is to create a year-long simulation of the Jewish People's experiences at Har Sinai and in the wilderness. There are many distinct aspects of that nation-forming journey that must be replicated to create a cohesive spiritual and national identity for the Jewish People. Only across an entire year of learning and experiential education, without being tied down by the agricultural and financial responsibilities that burden the mind and soul, can the aforementioned ideas be brought to fruition.

It should come as no surprise, then, that the crowning event of *Shemithah* is Hakhel. As described in Devarim 31:9-14, the words of the Torah are read to all – men, women and children. We are recreating *ma'amad Har Sinai*, the Revelation at Sinai, and everyone's participation, whether they be young or old, male or female, is needed to make that a reality.

Along the same lines, when Moshe retells the experience of Har Sinai in Devarim 4:9-14, his focus is not only on G-d revealing Himself to the nation, but also on the *Aseret haDibrot* and the laws of the Torah that were given. We are exhorted to remain faithful and to pass on what we have lived through to our children and grandchildren. Only when we finally make it into the Land of Israel does this message truly become clear.

Once we left the protective womb that was the experience in the desert, where G-d provided for our every need, were we exposed to the real world, which carries the danger of forgetting that G-d is the source of our success. The juxtaposition of *Shemithah* and Har Sinai defines both as moments when the Jewish People feel closest to G-d, inoculating them from the cold and harsh reality that can affect that relationship. By taking a break from our hectic lives to regain focus on what truly matters during the *Shemithah* year, we can relive the Har Sinai experience and continue growing as a nation united to serve G-d.

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## Summary

Following the completion of the building of the Beit HaMikdash, King Shlomo gathered the entire nation to Jerusalem during the month of Tishrei. The kohanim then brought the Ark and various other vessels into the Beit HaMikdash, while the nation brought various offerings. After the Ark was placed in the *Kodesh HaKodashim* ("Holy of Holies"), the Divine Presence immediately descended into the Beit HaMikdash. (8:1-11)

After words of introduction, Shlomo blessed the Jewish People, and then spoke at length. In his address, he recounted his father David's yearning to build the Beit HaMikdash, and thanked Hashem for allowing him to build it as He had promised David. Shlomo also asked Hashem to hear the prayers of those who come to pray at the Beit HaMikdash, and prayed for Hashem to be merciful to His people when they would encounter challenging circumstances. (8:12-53)

Following his impassioned speech/prayer, he once again blessed the Jewish People and encouraged them to follow the laws of the Torah. He then led an inauguration of the Beit HaMikdash and its courtyard, bringing a huge

number of sacrifices and offerings. (8:54-64)

Shlomo then held a fourteen-day holiday - seven days of festivities for the inauguration of the Beit HaMikdash, followed by the seven days of Succot - which culminated on the 22<sup>nd</sup> day of Tishrei. The people returned home happy the following day. (8:65-66, Divrei HaYamim II 7:10)

## Insight

In Shlomo's prayer asking Hashem to accept the prayers of those who come to the Beit HaMikdash to appeal to Hashem, he separately addresses the cases of Jews and non-Jews. For Jews, Shlomo asks Hashem to: "render unto every man according to all his ways, whose heart Thou knowest — for Thou, even Thou only, knowest the hearts of all the children of men." (8:39, alhatorah.org translation)

Malbim (commentary to 8:38-42) points out, based on the nuances of the text, that Shlomo asked G-d to grant Jews their requests based on a) their previous actions and b) what they would do if that request were granted. Only in cases where the Jew is truly worthy of being answered, and granting the request would not lead to

any harm, should Hashem give the person what they are requesting.

For non-Jews, however, Shlomo asks that Hashem grant everything they ask, without considering their "ways" or "heart". Why does Shlomo request that non-Jewish prayer be so much more effective than Jewish prayer, so much so that (at least according to Malbim's interpretation) non-Jewish sinners who are out to harm others would have their wishes granted?

Rashi (commentary to 8:43) explains that the Sages expected a fundamental difference between the attitude of a Jew and non-Jew if their prayers were not answered by G-d. A believing Jew would attribute the failures to themselves being on an improper spiritual level, and try to better themselves as a result. A non-Jew, however, may, G-d forbid, attribute the failure to the Jewish G-d. [See also Rashi to Rosh HaShanah 4a *kan*.]

Hopefully, if we show this Jewish attribute in our prayers and continue to better ourselves when we are not answered, we will soon merit the rebuilding of the Beit HaMikdash, speedily in our days!

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## The Israeli Farmer: Heter Mechirah: Problem or Solution?

Rabbi Alex Hecht

One of the most controversial contemporary Shemitah issues is the acceptability of *heter mechirah*, in which Jewish-owned land is sold to a non-Jew during the Shemitah year, permitting the land to be worked. *Heter mechirah* relieves farmers of the financial loss from leaving their land fallow. *Heter mechirah* has been supported by prominent halachic authorities, and vigorously opposed by others. In his book on the laws of Shemitah, Rabbi Yosef Zvi Rimon provides an overview of the arguments favouring and opposing *heter mechirah*. (*Shemita*, English ed., pp. 378-435)

At the outset of his analysis, Rabbi Rimon notes that *heter mechirah* is based on the assumption that we follow the majority of early authorities who maintained that currently - when, among other reasons, the majority of Jews do not dwell in Israel - the laws of Shemitah are rabbinically mandated, as we would not rely on this type of leniency in matters of biblical law. (pp. 378-382)

Additionally, proponents of *heter mechirah* assume that land acquired by non-Jews in Israel loses its legal sanctity, and is therefore no longer subject to various agricultural mitzvot. Rabbi Rimon (p. 390) notes that this assumption has been a subject of debate:

- In the sixteenth century, Rabbi Yosef Karo (*Responsa Avkat Rochel* 24) and Rabbi Moshe di Trani (*Responsa Mabit* 1:11, 21, 217, 336) debated this point, with the former maintaining that land acquired by non-Jews loses its legal sanctity, and latter maintaining that it does not.
- In the twentieth century, Rabbi Yechiel Michel Tucazinsky testified that common practice follows the lenient view

(*Sefer haShemita* 10, 2, 2), whereas Rabbi Avraham Yeshayah Karelitz advocated for the stringent view (*Chazon Ish*, Sheviit 20:7).

- Rabbi Rimon (p. 393) cites the position of *Sefer haTerumah* that when the laws of Shemitah are only rabbinic, it is permitted to plow and plant in land belonging to a non-Jew, even according to those who maintain that, in general, non-Jewish ownership does not nullify legal sanctity. (*Hilchot Eretz Yisrael*, p. 63)

Even if land sold to a non-Jew is not subject to Shemitah restrictions, may we sell the bulk of Israel to non-Jews? The Talmud (*Avodah Zarah* 20a) would seem to prohibit that.

- Rabbi Rimon (p. 400) cites Rabbi Avraham Yitzchak Kook, who maintained that if a sale is for a limited amount of time, it is not subject to the prohibition. (*Mishpat Kohen* 60, 63)
- Additionally, Rabbi Yitzchak Elchanan Spector contended that the prohibition does not apply to sale to monotheists. (cited in *Mishpat Kohen* 9, 63)
- However, Rabbi Rimon (p. 399) notes that Rabbi Naftali Zvi Yehudah Berlin disagreed. (*Meshiv Davar* 2:56)

In his final analysis, Rabbi Rimon rules in accordance with Rabbi Kook, that there is a basis to rely on *heter mechirah*, and that it is preferable to purchase *heter mechirah* produce rather than purchase produce from elsewhere. Nevertheless, he maintains that *heter mechirah* is not ideal, and that farmers should seek other solutions, such as [Otzar Beit Din](#). (pp. 432-33)

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## Biography

### Rabbi Yitzchak Arama

Rabbi Josh Gutenberg

Adapted from a biography  
written by Rabbi Adam Frieberg

Rabbi Yitzchak Arama was born in Spain in 1420. After serving as head of a rabbinical academy in Zamora, Spain, he became a community teacher in Tarragona. Later he served as the community rabbi in Calatayud until he was expelled with the rest of Spanish Jewry in 1492. He then settled in Naples, Italy, where he died in 1494.

Like many Spanish scholars of his time, Rabbi Arama was a Talmudist; he considered the study of Talmud to be extremely important. He was despondent when the community in Tarragona was unable to financially support his students, forcing him to move on and leave those students behind.

In addition to his focus on the Talmud, Rabbi Arama was well-versed in both Jewish and secular philosophy. This was especially important in medieval Spain, where no community leader would be respected without this knowledge. He was fluent in Maimonidean philosophy, although he did not always agree with all of its positions. His thought was largely influenced by the *Zohar* and Rabbi Yehudah HaLevi, and this is evident in his work.

Rabbi Arama wrote a prominent commentary to the Torah, *Akeidat Yitzchak*. The commentary consists of over one hundred lectures on the weekly *parshah*. Each lecture includes a passage from the *Zohar* and a philosophical discourse based on that passage. His ideas are often quoted in Don Isaac Abarbanel's commentary to the Torah, although he usually is not cited by name. Some of his other written works include a commentary on the five *megillot* as well as a commentary on Mishlei. His works were so influential that the Chida wrote of him, some 250 years later, "All of the writings of the orators drink from his faithful waters."

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## Torah and Translation

### Why Is Shemita So Vital?

R' Yitzchak Arama, Akeidat Yitzchak, Behar, Sha'ar 69

Translated by Rabbi Mordechai Torczyner

ועוד הוא גלוי דעת והערה נפלאה, וזה שהחמירה התורה במצוה הזאת והפליגה ליעד עליה העונשין הרבים והעצומים והגלויות כמו שנאמר בפרשת הברית (ויקרא כ"ו)... וחז"ל אמרו (אבות פ"ה) גלות בא לעולם על שמטת הארץ.

ויש לתמוה: למה תהיה כזאת על חטא זה? המקנא הש"י לארצו על העבודה יותר מדאי? והלא הנותן מתנת אהוזת נחלה לזולתו בעין יפה הוא נותן לעשות בה כרצונו! ואם השביתה היא תהיה לצורך עבודת האדמה, כמנהג עובדיה שמשביתין אותה קצת שנים כדי שתחליף כח להוסיף על תבואתה, די להם בשיודעים סוד עבודתה אם ישמעו, ואם יחדלו מיעוט פירותיה יהיו עונשם, ולמה יגלו מעליה בעונש זה?

אין זה באמת רק כי בנפשנו דבר לגלוי את אזנינו ולהעיר את לבנו בהציב לנו ציונים גדולים ונוראים ולהעמיד סימנים רבים ועצומים לפקוח עינים עורות השקועות בדמיוני העולם כזביו והבליו... הכוונה שכניסתן לארץ אינה להשתעבד לה ולעבודתה להוציא תועלותיה ולאצור פירותיה לקבוץ אותם על יד כדי להתעשר בהם כמו שהיא כוונת שאר העמים בארצותם...

רק הכוונה כדי שיעמדו על עצמן וידרשו שלמותם כפי רצון בוראם ובין כך יסתפקו מאשר יצטרכו לכדי חיותם... ולקיים ולחזק זה הענין ההכרחי להם נכתב ונמסר בידם לסימן גדול שיעבדו אותה שש שנים וישמטוה בשביעית כדי שיודע להם כי לא בכח עבודת האדמה יגבר איש. אבל שעבודתם הוא דבר ששובתין ממנה לשם ד.

There is a further revelation of intent and marvelous awakening in the fact that the Torah was so strict regarding this mitzvah, declaiming at length to warn of the many and great punishments and exiles, as recorded in the portion of the covenant (Vayikra 26)... And our Sages said, "Exile comes to the world due to the sabbatical of the land." (Avot 5)

One should be shocked: Why should this [punishment] come for this sin? Is G-d outraged for His land when it is worked too much? When one gives a gift of a portion to another, does he not give it generously, to use as [the recipient] chooses? And if halting is in order to improve the working of the land, like the custom of those who work her who halt in some years so that the land will renew its strength to increase its product, it would be sufficient for those who know the secret of the work if they were to listen. If they were to desist [from halting], then the reduction in produce would be their penalty. Why should they be exiled from her as a penalty for this?

In truth it is only to speak for our souls, open our ears, and stir our hearts, providing great and numerous signs, opening blind eyes that are sunk deep in the world's imaginings, lies and vanities... The intent is that their entry into the land is not in order to be bound to her and to her service, to produce her benefits and store her produce, gathering handfuls of them to be enriched with them, as other nations intent in their lands...

The intent is only for them to stand on their own [work] and seek their own welfare, as is the desire of their Creator, and through this they will make do with whatever they need for living... And to uphold and strengthen this matter, which is necessary for them, it was written and delivered to them as a great sign, that they work the land for six years and release it in the seventh. Thus they will know that one does not become strong by dint of working the land, but their work is something from which they halt, for G-d's sake.

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

**SPECIAL PROGRAMMING**

**10:00 AM Sun. May 9: A SHAVUOT Midreshet Yom Rishon for Women <http://tiny.cc/shavuotmyr>  
Mrs. Shira Lipner, G-d Looked at the Torah and Created the World?  
Rabbi Alex Hecht, Finding Shavuot on the Calendar**

**1:00 PM Sun. May 9: A Pre-Shavuot Shiur with Congregation B'nai Torah  
Rabbi Chaim Metzger, What is "Your Mother's Torah"?**

**7:00 PM Sun. May 9: A Pre-Shavuot Shiur with Shaarei Shomayim  
R' Sammy Bergman, A COVID Kabbalat haTorah: The Grueling Process of Torah Learning**

**8:00 PM Mon. May 10: A Pre-Shavuot Shiur with Zichron Yisroel  
R' Mordechai Torczyner, Ruth: Book of Aspiration**

**10:00 AM Wed. May 12: Biblical Battlefields of Israel, a 5-part series  
Rabbi Mordechai Torczyner, Week 4: Kishon and Elah**

**12:30 PM Wed. May 12: The Ethical Challenge, a Business Ethics Mini-Series (CLE-eligible)  
Week 2: Rabbi Alex Hecht, Does Insurance Cover Risky Advice?**

**8:00 PM Wed. May 12: Jewish Art: Symbolism or Idolatry?, a 5-part mini-series  
Rabbi Chaim Metzger, Week 3: The Luchot and the Ten Commandments**

**9:00 PM Wed. May 12: A Pre-Shavuot Shiur with Ayin l'Tzion  
Rabbi Mordechai Torczyner, Naomi, Ruth and Anti-Gentilism**

**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: Shemuel**

**WEEKLY**

**Shabbat May 8**

**After minchah at Shaarei Shomayim, How Coffee Changed Shavuot Forever?, R' Sammy Bergman**

**Sunday May 9**

**9:20 AM Contemporary Halachah, Netanel Klein (not this week)**

**7:30 PM Ketuvot, Rabbi Mordechai Torczyner (men)**

**Tuesday May 11**

**1:30 PM Megilat Ruth, Rabbi Mordechai Torczyner**

**7:30 PM Shemuel Ch. 1, Rabbi Mordechai Torczyner (men)**

**Wednesday May 12**

**6:15 AM Talmud Eruvin, Rabbi Sammy Bergman**

**7:00 PM Religious Zionism, Rabbi Sammy Bergman (not this week)**

**7:00 PM Pirkei Avot: Should Torah Study Be Painful?, Rabbi Alex Hecht**

**Thursday May 13**

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

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

**8:00 PM Gemara Beitzah, Rabbi Eitan Aviner (men, advanced)**

**9:00 PM Gemara Bava Metzia, Rabbi Sammy Bergman (University women)**

**Friday May 14**

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

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