

Toronto Torah

Yeshiva University Torah MiTzion Beit Midrash Zichron Dov

Parshat Balak

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in honour of the upcoming yahrtzeit of Sheila Guttmann ז"ל

Bilaam and the War of Narratives

The story of Balak and Bilaam is unique among the stories in the Torah. From its exotic elements, such as talking donkeys, to its almost comedic storyline about the expert author of curses who suddenly can utter only blessings, to its magnificent poetic paragraphs, some of which we use in our daily prayers, the parshah has an almost otherworldly sensation. Our sages express this feeling in their somewhat mysterious statement about the authorship of our parshah: "Moshe wrote his own book, the parsha of Bilaam, and Iyov." (Bava Batra 14b)

The identification of Parshat Bilaam as separate from the rest of the Torah intrigued the commentators, and different explanations were proffered. I would like to focus here on two of these suggested reasons:

- Rashi offers that the parshah of Bilaam was singled out because it does not describe an act of Am Yisrael, nor it seems to serve any Israelite purpose.
- Rabbeinu Gershon suggests that as Bilaam himself was a prophet, we could have thought that the parshah had been written by him, and not by Moshe Rabbeinu.

Both of these explanations seem to point to the same core idea – that the Torah uses the story of Balak and Bilaam to tell us the Israelite story from a very different angle than the one we are used to seeing. Instead of the internal perspective which follows Am Yisrael from the emergence of Avraham to the last verse in the Torah, the experiences of Balak and Bilaam provide an outsider's point of view on our nation - and not just any outsider,

but one threatened by the advance of the Israelite nation who may "eat our surroundings as the ox eats the grass."

Read this way, the story is not only a satire, ridiculing the attempts of Balak and Bilaam to use sorcery and magic to force the Divine Hand, as it were; for that, Bilaam could have been given the opportunity to curse until his tongue fell out, with G-d paying him no heed. Rather, it is important for us to hear what Bilaam is going to say, for that will frame the Israelite entrance into the land for the surrounding nations. The threat for Am Yisrael, thus, is not limited to the successful curse of an evil magician. The stakes here are much higher, and they relate to their very identity:

On the one hand, the Israelites have their self-perception. According to this version of history, they are a liberated nation, coming to establish a kingdom of eternal justice and piety in the land given to their fathers.

On the other hand, there is the Moabite narrative about Am Yisrael, as Balak wants it to be told. In this account, a threatening mob of former slaves, after slaughtering their masters, are swarming the land, "covering the earth's eye." (Bamidbar 22:5) These barbaric and uncivilized people loot and plunder the lands they come to, and plan to conquer the land of Canaan; even worse, their imperialist aspirations may drive them into conquering the neighbouring lands. (ibid. 22:4, Seforno there) In short, they are strangers who came to illegitimately conquer and oppress the native residents of the land. (See Sanhedrin 105b, where our Sages

deduce from Bilaam's blessings what he intended to focus on in his curses, noting that a recurring topic of Bilaam's was Jewish kingship: its endurance and its strength, both domestically and projected beyond its borders).

Bilaam, perceived by the nations as a man who could discern the cursed from the blessed ones and who knows the Divine mind, was the perfect instrument to shape world opinion concerning these people coming out of Egypt. Furthermore, one can assume that Balak hoped for an even greater achievement: that Bilaam's words would not only be heard by the other nations, but would penetrate the camp of Israel as well, shaking their belief in the righteousness of their way (see Shemot Rabbah 30:24, where our sages indicate that the Israelites were indeed attentive to Bilaam's words; cf. Tikvah Mima'amakim, Rabbi Yaakov Medan, P. 105)).

Thanks to Divine intervention, this malicious plan was not to succeed. Bilaam found himself able only to bless, admitting the moral superiority of the people led by G-d. The story of Bilaam, in the end, was written by Moshe Rabbeinu – as in the end, truth always prevails.

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Techumin

Machon Zomet (Hebrew)
Annual, 1980-present

About the Author

Machon Zomet has been operating from its base in Alon Shevut since 1977, with a stated mission of "seamlessly merging Halachic Judaism with Modern Life". (www.zomet.org.il) Zomet is a Hebrew word meaning "junction", but it is also an acronym for **Tzevtei Madda uTorah** – Faculties of Science and Torah. Their staff of more than two dozen rabbis, researchers and engineers develop practical halachic approaches to challenges facing institutions, businesses and individuals. Some of their most famous inventions are Shabbat-sensitive security scanners, elevators and wheelchairs.

In 1980, Machon Zomet began publishing *Techumin*, an annual journal addressing halachah and the modern world. The founding editors and advisory board were the leading lights of contemporary halachic discussion: Rabbi Yaakov Ariel, Rabbi She'ar Yashuv Cohen, Rabbi Aharon Lichtenstein, Rabbi Moshe Zvi Neriah, Rabbi Yisrael Rosen, Rabbi Yehudah Shaviv and Rabbi Itamar Warhaftig.

About the Series

Techumin means "boundaries", suggesting the cutting-edge topics addressed in the journal, but it is also an acronym for **Torah, Chevra uMedinah** – Torah, Society and State. The articles addressed in each issue are divided into areas which include, "The Land and its Mitzvot", "Family and Medicine", "Society and Law", "Army and Police", "Conversion" and "Commerce and Business".

The authors are not necessarily rabbis, but their submissions are reviewed by expert scholars. The writers represent a broad range of Orthodox identity; Volume 36 (5776) includes articles by Rabbis Aryeh and Dov Frimer, Rabbi Zalman Nechemiah Goldberg, Dr. Baruch Kahana, Rabbi Avigdor Nevenzahl, Rabbi Dovid Stav, Rabbi Asher Weiss, Rabbi Yitzchak Yosef and Rabbi Yitzchak Zylberstein.

An index of articles is available at <http://bit.ly/29LPuFZ>; journals are also sold on that site. Occasionally, Zomet publishes archives on CD. Zomet also issues books of English translations of *Techumin* articles, in a series titled *Crossroads: Halacha and the Modern World*.

Who should read *Techumin*?

Each volume contains more than two dozen articles, addressing issues facing the international Jewish community. Titles in the most recent volume include "Permitting the wife of a man in a vegetative state to remarry", "Electronic sensors on Shabbat", "Taharah for victims of contagious diseases", "Paternal duty to fund marriage and vocational training", "Conversions of a disgraced judge", "Torture of criminal suspects", and "Eating in the Kotel Plaza".

The articles are generally written in accessible Hebrew, with a clear structure, footnotes and citations; readers who are familiar with modern academic style will recognize the professionalism of *Techumin*. Authors generally progress from primary sources through more modern material, enabling novices to follow the arguments. Multiple articles may combine to offer a panorama of perspectives on a single subject. In this writer's opinion, *Techumin* is invaluable for those who wish to keep up on contemporary thought, and for those who wish to fertilize their own thinking.

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613 Mitzvot: #527-528, 532-534, 566-567: The Rules of War

Rabbi Mordechai Torczyner

Jewish wars are divided into "wars of duty" and "wars of opportunity". The former, such as the wars dismantling Canaanite society, are mandated by the Torah; the latter are wars of expansion, permitted by the Torah in particular circumstances. Because military bloodshed and destruction of property invert natural morality and set goals which are the opposite of the talmudic praise of Israel as "bashful, merciful and generous" (Yevamot 79a), the Torah surrounds the Jewish soldier in both types of war with a code of conduct, maintaining physical and spiritual discipline.

Among the rules which enforce this discipline are:

- To sue for peace before attacking a city (Devarim 20:10). Per Rambam (Hilchot Melachim 6:1), this applies in both wars of opportunity and in wars of duty, even though Devarim 20:16 describes wars of duty as wars of complete destruction. Further, in a war of opportunity we are required to leave a path open, for besieged opponents to flee. Peace comes with a cost for the enemy, though; Canaanite tribes are required to accept the seven Noachide laws, and to pay tribute. (Sefer haChinuch #527-528)
- Not to destroy fruit trees when besieging a city. (Devarim 20:19) As explained by Sefer haChinuch (#529), this mitzvah benefits the soldier by insisting upon the value of life and the benefit of society. This mitzvah is also the source for the general value of *bal tashchit*, prohibiting wasteful destruction of beneficial materials far beyond the military setting.
- Not to molest prisoners of war. (Devarim 21:10-14) The soldier is given a forum for sexual relations, but as explained by Rashi (Kiddushin 22a), it is only after a thirty day cooling-off period. It must also be consensual, and

never rape; she converts to Judaism willingly, or the soldier may not touch her. [Similarly, see Divrei David (Taz) to Devarim 21:11.] Further, if the soldier's ardor cools, he is explicitly prohibited from selling or enslaving her; he must free her. This is codified across three mitzvot in Sefer haChinuch (#532, 533, 534).

- To establish a latrine outside of the military camp, and to outfit each soldier with a tool suitable for digging latrines. (Devarim 23:10-15) This is codified in two mitzvot in Sefer haChinuch (#566, 567) The Torah introduces this law by saying we must guard ourselves in war "against every bad thing." Rabbi Samson Raphael Hirsch commented, "[W]hen you leave the normal boundaries of family and civil life, and you are in a military camp arranged against your enemies, then even though you are in a military camp, where the ethical reins are easily loosened and the actual goal of war is an unrestrained coarseness – then, too, 'guard yourself against every bad thing.' Do not cease examining yourself, with self-control, and be on guard against 'every bad thing.'"

Devarim 23:10 begins, "When you go to war against your enemy." On these words, Rabbi Samson Raphael Hirsch wrote, "A midrash emphasizes, 'against your enemy – you wage war against your enemies.' The Torah establishes that you will battle only those who show themselves to be your enemy, from whose enmity you have suffered, and from whom you anticipate acts of enmity. Therefore, even should you attack them, you shall only defend yourself. This message rejects all wars of conquest."

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Biography

Rabbi Shlomo Luria

Rabbi Mordechai Torczyner

Rabbi Shlomo ben Yechiel Luria (Maharshal) was born in approximately 1510 in Poland, to a rabbinic family which traced its roots to Rashi. His mother was known as Rabbanit Miriam; she delivered public shiurim on halachah. (For more on this, see Tzitz Eliezer 7:32 and Mishneh Halachot 5:218.) He studied with some of the greatest halachic minds of the generation, including Rabbi Yehoshua Falk, author of classic commentaries to the Tur. Rabbi Luria engaged in on-going halachic and philosophical disputes with his illustrious cousin, Rabbi Moshe Isserles.

Rabbi Luria served as rabbi in Brisk and other communities before coming to Lublin to head a yeshiva in 1567. He remained in Lublin until his passing in 1573. Throughout his years as head of the local rabbinical court, Rabbi Luria engaged a person to rebuke him and remind him of the grave responsibilities upon his shoulders, before the start of the day's court session.

Independent in his thinking, Rabbi Luria researched every halachic idea to its core and accepted nothing as a given, and he criticized the stances of others without giving any quarter. In the introduction to his volume of *Yam shel Shlomo* on *Masechet Gittin*, Rabbi Luria wrote of the importance of exhausting every effort to understand a text, and of not accepting the received halachic tradition without personal examination of its foundations.

Maharshal's published works include his *Yam shel Shlomo* and *Chachmat Shlomo* commentaries to the Talmud, commentaries to the *Sefer Mitzvot Gadol* and to Rashi's commentary on the Torah, and many halachic responsa.

Rabbi Luria's yahrtzeit is the 12th of Kislev.

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Torah and Translation

Bathing during the Three Weeks?

Rabbi Shlomo Luria, Responsa of Maharshal 92

Translated by Rabbi Jonathan Ziring

ומתחללה צריך אתה לידע מקום החומרא
של הפרושים הנמנעים מבשר ויין מבין
המצרים, כי הוא חד מותלת טעמי:

או משום כ"א יום שהתענה דניאל. ומאחר
שקשה עליו להתענות מכל וכל שלא מציא
למצער נפשיה כ"כ וחושש דלא להו חוטא
מתענה במקצת מבשר ויין.

או משום דחשבין בחדיא פורענות, והיינו
מה שאמר הנביה "כל אויביה השיגוה בין
המצרים", והיינו מיום י"ז בתמוז עד ט'
באב. ובירושלמי (תענית פ"ד ה"ה) נמי
אמרין "מה יש בינוים מי"ז בתמוז עד ט'
באב? כ"א יום, משוחבקעה העיר עד שחרב
הבית". ר"ל משום הכי מקבלין צערاء
עלמא עלייהו עein תעניתCDFRI.

או משום האי טעמא שכתב הכל בו משום
ר"מ שהטעם הנמנעים מבשר ויין מי"ז
בתמוז ואילך מפני שביטול התמיד וניסוך
היין.

א"כ לכל הני טעמי ליכא שייכא ברחיצה,
שחררי אפי' באותן תעניות הכתובים, כגון י'
בטבת ויאז' בתמוז, שרי ברחיצה בתענית
וגופיה, כאשר פסק הא"ז לחדייא, א"כ לא
תלווי רחיצה בתענית כלל. ועוד, מניעת
אכילתבשר תלוי בצער ומניעות מרוחץ תלוי
באbialות.

First, you must know the origin of the stringency of those ascetics who refrain from meat and wine during *Bein haMetzarim* [the three weeks between the 17th of Tammuz and Tisha B'Av], which is for one of three reasons:

It could be because of the twenty-one days that [the prophet] Daniel fasted. [Note: This refers to Daniel 10:2-3: At that time, I, Daniel, kept three full weeks of mourning. I ate no desirable food, nor did any meat or wine enter my mouth. I did not anoint myself until the three weeks were over.] Since it would be difficult for one to fast completely, for one cannot cause himself that much pain, and there would be concern lest one be considered a sinner, he only partially fasts, [meaning] from meat and wine.

Alternatively, it is because it [i.e. the three weeks] is considered one calamity. That is what the prophet (Eichah 1:3) says, "All her enemies overtook her *bein hametzarim* (lit. narrow places)," which is from the 17th of Tammuz to the 9th of Av. [Note: The actual verse says all her "pursuers"; the word "enemies" is from elsewhere in the chapter.] In the Jerusalem Talmud (Taanit 4:5) it also says, "What is there between them, from the 17th of Tammuz until the 9th of Av? The twenty-one days from when the city [i.e. Jerusalem] was breached until the Temple was destroyed." This means that it is because of this that we accept general pain upon ourselves, as though we were fasting, as we have explained.

Alternatively, it is because of the reason that the Kol Bo wrote in the name of Rabbi Meir [presumably this is Rabbi Meir of Rothenberg; Kol Bo cites it from Rosh, a student of Rabbi Meir of Rothenberg] that the reason that we refrain from meat and wine from the 17th of Tammuz and on is because the daily offering and the wine libations were nullified.

If so, according to all of these reasons, there is no relevance for [prohibiting] bathing, for even during those fasts that are recorded, such as the 10th of Tevet and the 17th of Tammuz, it is permitted to bathe on the fast itself, as Or Zarua ruled explicitly. If so, bathing is not linked to fasting at all. Furthermore, refraining from eating meat is about pain. Refraining from bathing is about mourning.

Introducing: Adam and Sara Friedmann!

**We are glad to welcome
Adam and Sara Friedmann!
Adam will join our Beit Midrash next year**

Adam Friedmann is a Toronto native. After high school he spent two years studying in Israel at Yeshivat Yesodei HaTorah. He received his B.A. in Philosophy from Yeshiva University where he was also a participant in the Masmidim Honors Program. Subsequently he spent two years as a fellow at the Gruss Kollel in Jerusalem. He is pursuing a Professional Master of Education degree at Queen's University.

While at YU Adam served as assistant to Rosh Yeshiva Rabbi Aaron Kahn, and also edited the undergraduate journal for Jewish Thought, Kol HaMevaser. During his time at Gruss, Adam returned to Yesodei HaTorah to teach a course in Jewish Philosophy focusing on the thought of Rav Soloveitchik. He has also taught in a variety of contexts in the Thornhill area over the past several years.

Adam's teaching interests include an approach to Jewish Philosophy which emphasizes careful analysis of religious experience and the development of one's religious personality. His time at Yesodei Hatorah also impressed upon him the importance of developing textual skills as a ground for building a sense of independence and self-motivation in learning.

Adam is married to Sara, also a Torontonian (though originally from Johannesburg). Sara is a Speech Language Pathologist. They have a daughter, Esther, and son, Chanania.



Our "kayitz zman" semester concludes this week; we return for Parshat Ekev!

Time	Speaker	Topic	Location	Special Notes
now July 23				
After hashkamah	R' Yisroel M. Rosenzweig	Avot d'Rabbi Natan	Clanton Park	
After hashkamah	R' David Ely Grundland	Parshah	Shaarei Shomayim	
7:10 PM	R' Jonathan Ziring	Daf Yomi	BAYT	Rabbi's Classroom
After minchah	R' Mordechai Torczyner	Gemara Avodah Zarah	BAYT	Simcha Suite
Sun. July 24	Fast of "The 17th of Tammuz"			
9:00 AM	R' Jonathan Ziring	Responsa	BAYT	
9:15 AM	R' Shalom Krell	Book of Shemuel	Associated North	Hebrew

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