

Toronto Torah

Yeshiva University Torah MiTzion Beit Midrash Zichron Dov

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Parshiyot Behar-Bechukotai

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Returning Home

Rabbi Jonathan Ziring

"All may force [their family] to ascend to the Land of Israel... All may force [their family] to ascend to Jerusalem." (Mishnah Ketubot 13:11) The final mishnah of Ketubot teaches that the historic longing of the Jewish people for the land of Israel is not just a meaningful sentiment, but has legal force. A spouse may force his or her spouse to move to Israel, even if it means relocating to lesser living conditions than they currently enjoy. Furthermore, even if one already has the privilege of living in Israel, one can force one's spouse to move to Jerusalem.

The first of these laws is relatively easy to understand. After all, there is a commandment to live in the Land of Israel, according to many authorities. However, while Jerusalem may be the holiest of cities, why should that mean that one can be forced to live there, rather than in a large house in the Galil? In truth, even the law that one can be forced to move to Israel is not obvious, as not all mitzvot can be forced to perform. What reasoning lies behind these laws, and especially the application to Jerusalem?

Some authorities (ex. Responsa of Rashbash 1) argue that the reason one can be forced to move to Israel is because it is a commandment, or, alternatively, because it enables one to fulfill other commandments. (Shut Tashbetz 3:200) Following this line of argument, the Avnei Nezer (Yoreh Deah 454) argues that at least when the Temple stood, one could perform more mitzvot in Jerusalem, explaining

why one could be coerced to live there.

Others, however, reject this explanation. They argue that the fact that there is a mitzvah to live in Israel is insufficient to warrant the drastic step of coercing a spouse to move. Rather, it must be that the very holiness of the land creates a right for someone to bring his family along when he feels the spiritual pull of the country. (Shu"t Chatam Sofer 2:134; Ritva refers to this as the "love of the land") Chatam Sofer further propounds that this explains why one can compel relocating to Jerusalem – it is the holiest place in the world. Even some authorities who explain the law of coercion to live in Israel in light of the mitzvah to settle the land, understand the latter law about Jerusalem as a function of its holiness.

Rabbi Yechiel Michel Tukachinsky, however, offered a theory that explains both laws together in a radically different way. The same chapter in Ketubot notes that there are circumstances in which one spouse can force the other to move to his or her hometown. Practically, this happens often – a Torontonian and New Yorker who marry in New York often end up living in Toronto. The emotional draw to come home is one of the deepest human feelings.

Rabbi Tukachinsky suggests that this primal feeling is captured by the laws regarding Israel and Jerusalem. The love that the Jewish people have for Israel is not just the product of our

obligations towards or in it. We talk about it, dream about it, pine for it. As *Hatikvah* captures – it was our two-thousand-year-old hope to return to it as a nation and as individuals. That yearning, engraved on our hearts, becomes sealed into law – when you want to come home, nothing and no one should be able to stop you.

However, our dreams are not always fulfilled when we land at Ben Gurion Airport, as miraculous as that may be in a historic sense. We end our *sedarim*, Yom Kippur prayers, and countless other events with the cry "*LeShanah HaBaah BeYerushalayim* – Next Year in Jerusalem!" There is something about our eternal capital which captures our collective imagination. We feel it when we walk the streets of the city, pray at the Kotel, see remnants of our storied history peeking out from every corner. Thus, for he or she who is not content living in Tiberias or Beer Sheva, but wants to return to the heart of the land, the heart of our nation – halachah ensures that this right can never be denied. One can always return home.

Yom Yerushalayim Sameach!

jziring@torontotorah.com

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Tikva Shore is an alumna of Ulpanat Orot, Bar Ilan University, and is currently pursuing a doctorate in genetics at the Hebrew University

I remember the feeling of exhilaration which engulfed me as I left the Ministry of Absorption with my brand new *Teudat Zehut*. My friend and I had traveled together to pick up our documents, and we excitedly stopped a passerby, asking him to photograph us holding them. After taking the picture, the middle aged Israeli man looked at us and said; 'Wait, did you just make Aliyah?'. When we responded, he then said: 'Why? Go back!'

My first true encounter with such Israeli charm. I laughed it off. I knew that he could not be serious, he was only making a joke. At the time, I was too fresh off the boat to understand the layer of truth hidden beneath his words. Those first few years of citizenship were definitely not all rainbows and butterflies; however, anything that I experienced was filtered through a layer of naiveté, of pure and unconditional love for my country.

Nearly eight years later, that idealistic filter is long gone. Political events, social issues, and everything else are now seen as they are. The beauty of the country still remains, of course, and the unconditional love will forever remain unconditional. I do not for one moment regret my decision to join my people and live here. However, I now understand that life here is far from simple. After living here through two military operations and several scary periods of terror, after making my way through the education systems, after slowly and steadily integrating into Israeli life and culture--I understand why that middle-aged man thought we were crazy.

To choose to live in Israel is to choose to engage in endless conflicts, whether they be religious, political, bureaucratic, or any other kind. It is to feel deeply saddened by the actions of one's fellow citizens. It is to find yourself morally conflicted between religious rights and human rights. It is to get a notification in the mail that a package arrived for you, only to discover that it has been misplaced

and no one can actually tell you where to find it.

Israelis are infamous for their complaining. But they are also fiercely patriotic. When Yom HaZikaron comes around, no eye is left dry. And when the saddest day of the year transitions into the happiest, the celebrations last all night. When it comes time to defend our small yet great country, the entire nation steps up to the plate without blinking an eye.

I may no longer don the rose-coloured glasses I owned when I first moved here. However, I have never felt more a part of Am Yisrael. Living in Israel has taught me, time and time again, that life is not and cannot be black and white. That complexity in and of itself is something beautiful, something to be proud of. That conflicts have the power to bring forth strength, integrity, and love. I consider myself infinitely blessed to be living here, surrounded by my people.

Israel's Chief Rabbis: *Rabbi Shalom Messas*

Rabbi Mordechai Torczyner

Rabbi Shalom Messas

1909 (Morocco) – 2003 (Jerusalem)

Chief Rabbi of Jerusalem (Sephardic) 1978-2003

Life

Born to Rabbi Mimoun and Rachel Messas in Meknes, Morocco, Rabbi Shalom Messas was known as a dedicated student from a young age. He continued his family's long rabbinic tradition, first directing the Talmud Torah of Meknes for some 2,000 students, then founding Yeshivat Keter Torah in Meknes, then becoming Chief Rabbi of Casablanca, and finally Chief Rabbi of Morocco.

In 1978, Rabbi Ovadia Yosef and Rabbi Shlomo Goren brought Rabbi Messas to Israel, to serve as Chief Sephardic Rabbi of Jerusalem; Rabbi Messas served in this role until his passing in 2003. Rabbi Messas was influential beyond the Sephardic community; he worked closely with Ashkenazi leaders, including Rabbi Eliezer Waldenberg and Rabbi Yosef Shalom Elyashiv. While living in Morocco he communicated with the Lubavitcher Rebbe, and Chabad Lubavitch credits him with enabling their early success in Casablanca.

Rabbi Messas and his wife Jamila produced two sons, David and Avraham; the former served as Chief Rabbi of Paris. Rabbi Messas produced many students, who occupy leading rabbinic positions around Israel.

Legacy

Rabbi Messas was first and foremost a halachic authority; he wrote much of his first work, *Mizrach Shemesh*, at the age of 17, and he continued to publish and edit halachic works throughout his life. One of his chief principles was the authority of Moroccan custom; this led him to clash repeatedly, if respectfully, with Rabbi Ovadia Yosef, who

contended that Sephardic Jewry was bound by Rabbi Yosef Karo's Shulchan Aruch. Rabbi Messas was a great believer in maintaining customs; he viewed his bout with typhus, which prevented him from wearing tefillin for a time, as punishment for his youthful adoption of the tefillin of Rabbeinu Tam.

The halachic positions of Rabbi Messas were greatly respected; Rabbi David Yosef, son of Rabbi Ovadia Yosef, reported that his father told him that before disagreeing with a position of Rabbi Messas, he must review his own position ten times. However, Rabbi Messas expressed himself with great humility, willingly engaging in protracted discussions with those who disagreed with him regardless of their age or experience.

Rabbi Messas was close with Moroccan royalty; he was invited to royal events to bless the king at least twice each year. The king assigned broad powers to Rabbi Messas, including the authority to judge both Jews and non-Jews. King Hassan II escorted Rabbi Messas to the airport when he left for Israel, to be blessed by the Rabbi once again. When the Israeli government produced a stamp in memory of Rabbi Messas in 2007, his son sent one to Morocco's King Mohammed VI, who responded with effusive praise.

Rabbi Messas believed in the religious value of the modern State of Israel, and he opposed ceding territory. He contended that one should recite Hallel on Yom ha'Atzmaut. However, when he saw Rabbi Ovadia Yosef's opposition to reciting a berachah, he ruled that only those who already recite a berachah should continue to do so. (*Shemesh uMagen* 3:63, 66)

torczyner@torontotorah.com

Biography
Rabbi Shalom Noach
Berezovsky
Adam Friedmann

*Adapted from a biography column
by Rabbi David Teller*

Rabbi Shalom Noach Berezovsky was born on the 14th of Av 1911 (5671) in the town of Baranovitch, Belarus. In 1933 he married the daughter of the Rabbi Avraham Weinberg, who would later become the Slonimer Rebbe. Rabbi Berezovsky moved to Israel in 1935. There he would later work to rebuild the Slonim sect of chasidut, which would be nearly destroyed in the Holocaust.

In 1941, Rabbi Berezovsky established the Beit Avraham Slonim yeshiva in the Meah She'arim neighborhood in Jerusalem, and began teaching there. He served as a member of the directorate of the "independent" [non-government] school system in Israel and also on the Council of Torah Sages of Agudath Israel, as well as in the presidency of its committee for yeshivot. At this time, he authored his Netivot Shalom series and began publishing many works of the previous Slonimer Rebbes. The Netivot Shalom series, which includes volumes on the parshah, Jewish holidays, and general topics in Jewish thought, has achieved widespread popularity, beyond the confines of traditional Chasidic batei midrash. This is in part due to Rabbi Berezovsky's clear and illuminating writing style, deep and insightful commentary, and omission of the heavier kabbalistic references which characterize many Chasidic works and make them difficult for a general audience to fully appreciate. Rabbi Berezovsky was sensitive to the deeper spiritual messages encoded in the historical events which occurred in his generation. He produced a religious framework both to grapple with the terrors of the Holocaust, and to react to the miraculous events which he perceived were part of the State of Israel's history.

Many Slonimer Chasidim began accepting Rabbi Berezovsky as their Rebbe during the end of his father-in-law's life. This sparked protest, as others felt that Rabbi Avraham Weinberg should have remained the leader until his passing. Today, Slonim Chasidut is divided into two large sects, one headed by the Berezovsky family (under the leadership of Rabbi Shalom's son), and the other headed by the original Weinberg dynasty. Rabbi Berezovsky passed away on the 14th of Av, August 8, 2000.

afriedmann@torontotorah.com

Torah and Translation
On the Liberation of Jerusalem
R' Shalom Noach Berezovsky
Translated by Adam Friedmann

ממאורעות ימים הגדולים האלו אנו צריכים לשמוע את קול ד' היוצא מהם הקורא לנו. כמו שאמר מרן אדמו"ר זי"ע על הפסוק "ויקרא אל משה וידבר ד' אליו", מה דכתיב 'ויקרא' לשון נסתר, ולא כתיב מי הקורא, שמכל המאורעות העוברים על האדם בוקעת קריאה מהקב"ה. פעם הוא ממאורעות של שמחה המרימים אותו ועל ידי זה שומע את דבר ד' הקורא אליו, ופעם הוא זה מיגון וצער המשברים את רוחו, אשר מהם צריך לשמוע דבר ד' הקורא אליו. כל חיי האדם ומאורעותיו הם קריאה גדולה מאביו שבשמים. ואם בחיי הפרט הוא כן, כל שכן המאורע הכביר הזה, הניסים ונפלאות שעשה הקב"ה אתנו, שהם קריאה גדולה מאביו שבשמים.

הגילוי הגדול מהראת פניו ית' הוא "כי פקד ד' את עמו", ועלינו לעורר רחמים מרובים כי "אתה ד' החילות להראת [את] עבדך את גדלך ואת ירך החזקה אשר מי אל [חול] בשמים ובארץ אשר יעשה כמעשיך וכגבורתך, אעברה נא ואראה... ההר הטוב הזה והלבנן", היינו שיבנה לנו בית המקדש במהרה בימינו, כי עדיין שכינה בגלותא ועוד לא זכינו אפילו לאתחלתא דגאולה. כי מהו ענין גאולה, שהבריאה כולה השקועה בחומרות תזכה לגאולה "ומלאה הארץ דעת את ד'", "ונראה עין בעין בשובו אל נוהו", "ונגלה כבוד ד' וראו כל בשר יחדיו וגו'..."

עלינו להביט נכוחה במאורעות הכבירים שעברו עלינו זה עתה, וכל מה שעבר עלינו בדור אחרון החל מההשמה הנוראה, וכל המאורעות הבלתי רגילים שעברו עלינו בכל התקופה האחרונה, הכל מחייב התבוננות ומחשבה, כי אנו הולכים ומתקדמים לקראת הגאולה.

From within the events of these great days we must hear the voice of G-d which emerges from them and calls to us. As our Rebbe said regarding the verse, "And He called to Moshe, and G-d spoke to him." (Vayikra 1:1) Why does it say "he called" in third person, and it does not record who called? [This indicates that] from within all the events which happen to a person, emerges a call from G-d. Sometimes they are events of joy which raise him up and through this he hears the word of G-d calling to him. And sometimes this occurs through toil and pain which crush his spirit, through which he must hear the voice of G-d calling to him. The entire life of man and its events constitute a great call from his Father in Heaven. And if this is true in the life of the individual, all the more so this mighty event, the miracles and wonders which G-d did for us, are a great call from our Father in Heaven.

The great revelation from the "shining of His face," is "because G-d has recalled His nation. (Ruth 1:6)" And it is incumbent upon us to awaken tremendous mercy because "You G-d have begun to show your servant your greatness and your mighty hand, for what power is there in the heavens and the earth that can act according to your actions and your might? Let me cross, please, and see this goodly mountain and the *Levanon*." (Devarim 3:24-25) Meaning: He should build the Temple for us quickly and in our days, because the *Shechinah* is still in exile and we have yet to merit even the beginning of the redemption. Because what is redemption? That all creation, which is mired in physicality, will merit redemption and "knowledge of G-d will fill the earth," "and we will see Him eye to eye when he returns to His abode," "and the glory of G-d will be revealed, and all flesh will see together, etc. (Yeshayah 40:5)"...

It is incumbent upon us to look correctly upon the mighty events which have just occurred, and everything which has happened to us in this previous generation beginning with the terrifying destruction, and all the abnormal events which have happened to us in this last period. All of this requires of us reflection and thought, because we are moving and progressing towards the (final) redemption.

Devarim 24:16 declares, “Fathers shall not be put to death due to their sons, and sons shall not be put to death due to their fathers; each shall die for his own sin.” A midrash (Sifri Devarim 280) contends that the first part of the verse cannot refer to death, as that is already encompassed in its conclusion, “each shall die for his own sins.” Rather, it speaks of testimony; relatives cannot testify regarding each other. Sefer haChinuch codifies this as Mitzvah 589.

This is a remarkable limitation; offering testimony is a great mitzvah, and a civic duty. (Mitzvah 122) Nonetheless, accepting relatives would call into question the unbiased

character of witnesses, a basic underpinning of our legal system. Further, this could undermine close family relationships. Sefer haChinuch notes both factors in explaining why we do not accept this testimony.

This law applies beyond capital punishment and to relationships beyond parents and children, but Sefer haChinuch explains that these relationships are used to make a point. Even in the most serious matters, and even where a parent testifies against a child, someone might suspect the witness of an ulterior motive; how much more so when the stakes are lower, and the relationship is more distant.

Weekly Highlights: May 20 – May 26 / 24 Iyar – 1 Sivan

Time	Speaker	Topic	Location	Special Notes
שבתה May 19-20				
After hashkama	Adam Friedmann	Parshah Analysis	Clanton Park	
Before Avot	R' Jonathan Ziring	Daf Yomi	BAYT	Rabbi's Classroom
After minchah	R' Mordechai Torczyner	Gemara: Bowing to a Beast	BAYT	Simcha Suite
Sun. May 21				
8:45 AM	R' Jonathan Ziring	Responsa	BAYT	
8:00 PM	R' Mordechai Torczyner	The Walls of Jerusalem	113 Theodore Pl.	University students
Mon. May 22 UJA Walk with Israel!				
7:00 PM	Adam Friedmann	Jewish Philosophy	Terraces of Baycrest	
Tue. May 23				
8:00 AM to Noon	R' Mordechai Torczyner	Bnai Brith Seminar on Powers of Attorney	Shaarei Shomayim	<i>Register: egruenspan@bnibrith.ca</i>
1:30 PM	R' Mordechai Torczyner	Ezra: Ezra Arrives	Shaarei Shomayim	
7:00 PM	Program in Honour of Yom Yerushalayim at BAYT: Tefillah, BBQ, Dancing Followed by a shiur for University Students at 8:45 PM with Rabbi Jonathan Ziring			
Wed. May 24 Yom Yerushalayim				
10:00 AM	R' Mordechai Torczyner	Jewish Love, Week 4: LGBT Issues	Beth Emeth	There is a fee; info@torontotorah.com
12:30 PM	R' Jonathan Ziring	Modern Markets 3: The Housing Bubble	Zeifmans LLP 201 Bridgeland Ave	Lunch served; RSVP to rk@zeifmans.ca
2:30 PM	R' Jonathan Ziring	Narratives of Vayikra	carolleser@rogers.com	
8:00 PM	Adam Friedmann	Why do we do that?	Shaarei Tefillah	
8:45 PM	Yaron Perez	Parshah: הפרשה ואני	Shaarei Shomayim	
Thu. May 25				
1:30 PM	R' Mordechai Torczyner	Shoftim: The Plishtim	49 Michael Ct.	For Women
Fri. May 26 Rosh Chodesh Sivan				
10:30 AM	R' Mordechai Torczyner	Ribbit	Yeshivat Or Chaim	Advanced

This week, our Men's Beit Midrash for University Students at Yeshivat Or Chaim offers:
 Sundays 10:00 AM Gemara Chullin, Rabbi Aaron Greenberg; 11:00 AM Kuzari, Rabbi Elan Mazer
 Tuesday 8:30 AM, Nefesh haChaim, Rabbi Jonathan Ziring
 Friday 8:30 AM, Yeshayah, Rabbi Mordechai Torczyner

Our Women's Beit Midrash for University Students at Ulpanat Orot offers:
 Monday 9:30 AM to Noon, Middot haNefesh through Chassidut, Mrs. Ellieza Perez
 Tuesday 9:30 AM to Noon, Gemara Chullin / Hilchot Kashrut, Mrs. Ora Ziring
 Wednesday 9:30 AM to Noon, Hilchot Bein Adam laChaveiro, Mrs. Ora Ziring
 Thursday 9:30 AM to Noon, Netivot Shalom on the Parshah, Mrs. Ellieza Perez