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Yeshiva University Torah MiTzion Beit Midrash Zichron Dov

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Inauguration of the Leviyim: Promotion or Tragedy?

Adam Friedmann

“For they (the Leviyim) are surely given over to Me from amongst Bnei Yisrael. In place of the opening of each womb, the firstborn of all from within Bnei Yisrael, I have taken them to me.” (Bamidbar 8:16) Our parshah describes the investiture of the Leviyim for their holy work in the Mishkan. The Torah justifies the consecration of an entire tribe as a trade: the Leviyim for the firstborns. When G-d spared the firstborns from death in the final plague in Egypt, He acquired their servitude. By rights, these firstborns should have been the ones who served in the Mishkan. Instead, they are swapped out for the Leviyim. The immediate question is: why was this swap necessary? Why not leave things as they were?

Chizkuni (Bamidbar 8:18-19) notes that in swapping in the Leviyim there is an exchange not only of **individuals**, but of **group structure**. Firstborns are a scattered bunch; every family may have one. There is no guarantee that a firstborn son's father will himself be a firstborn (in fact, that is quite unlikely). This makes it logistically difficult for a firstborn to receive the detailed training needed to serve in the Mishkan, which is best transmitted from parent to child. Therefore, concludes Chizkuni, G-d transferred these responsibilities to a consolidated group of people, the members of a tribe. Within the family structure of the Leviyim, the proper training can be easily had.

Rashi (ibid. 8:17-18), working with the commentary of Rabbi Moshe haDarshan, presumes a much deeper

significance to the firstborn-Levi shift. He argues that by rights the firstborn really ought to have taken on the roles in the Mishkan. They lost this opportunity after the sin of the Golden Calf. Dramatically, Rashi explains that the Leviyim are themselves a sacrifice whose purpose is to expiate the sin of the calf. This is the reason why the Torah requires Bnei Yisrael to rest their hands on the heads of the Leviyim (ibid. 8:10), an act which is also done to a sin offering.

Furthermore, the election of the Leviyim is not to be viewed as something that is obviously positive. This is why, Rashi explains (ibid. 8:22), the Torah doubly emphasizes that Aharon and his sons did exactly as G-d had told them to do, extolling those carrying out this inauguration and those being inaugurated for not hesitating. But why would they have hesitated? What was the potential negative impact of this transition?

Bnei Yisrael's pre-Calf reality was geared towards a seamless and relatively effortless integration of the tangible presence of G-d into everyday life. Having an individual in each household who was given over totally to the service of G-d would have had a profound cultural effect. It would have integrated the Mishkan into the fabric of society and cultural consciousness at a very basic level, even though the actual service of the firstborn would not have been performed in the home. A ready comparison is the shared experiences of Israeli families with members serving in the IDF.

The painful fallout from the Golden Calf was G-d's recoiling from us. He would appear in the camp, and in our lives, but at a distance. Come too close, and we risk our own destruction. (Bamidbar 8:20) In this new environment, the firstborn model was inappropriate. On the contrary, G-d needed a group to specifically **distance** themselves from the rest of the nation and their behaviors. Herein lies the tragedy. Instead of creating unity amongst the people and closeness with G-d as the firstborns may have done, the election of the Leviyim permanently alienated one tribe as the 'other', and institutionalized G-d's distance from the camp. Heroically, the Leviyim were willing to become this sacrifice.

The function of the Leviyim, despite its tragedy, contains a message of hope for us. G-d has made certain that nothing we can do will ever sever, entirely, our connection to Him. His relative distance from our lives ensures His everlasting presence, ready to connect with us if, as the Leviyim, we make the effort to reach out to Him in purity and sanctity.

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Shaarei Yosher

**Rabbi Shimon Shkop
Warsaw, 1928**

Who is the book's author?

Rabbi Shimon Shkop (1860-1939) was an eminent Rosh Yeshiva, most prominently during the first half of the twentieth century. Learning in Telz and then under the influence of Rabbi Chaim of Brisk, Rabbi Shkop developed his own *Derech Halimud* (method of learning), which became widely known as the "Telzer Derech". As the Rosh Yeshiva of the renowned Sha'ar HaTorah Yeshiva in Grodno, Rabbi Shkop taught this method to many hundreds of students, including Rabbi Chaim Shmuelevitz, Rabbi Yisrael Zeev Gustman, and Rabbi Yosef Shelomo Kahaneman. He also served – for a brief period in 1929 – as Rosh Yeshiva at Yeshiva University in New York.

As with many other prominent Roshei Yeshiva, Rabbi Shkop's main efforts were focused on teaching his students, and therefore *Shaarei Yosher* is his only written work. Nevertheless, it is the product of eight years of labour, representing its author's fully developed learning style.

What is in the book?

Shaarei Yosher is composed of seven 'gates' (*she'arim*). Each is a discussion of one halachic concept. As the book's intention is not to derive halachic conclusions or explain a certain text, the discussion tends more towards philosophical abstraction. Rabbi Shkop does quote many halachot and sources, but all of them serve as a means to analyzing the fundamental concepts being examined.

The topics Rabbi Shimon considers are amongst the most complicated in the halachic world. Nevertheless, he makes good on his promise to explore the foundations of these issues – he is not shy to ask 'why' again and again, seeking not only to be able to understand the mechanics of a halachic concept, but also its reasons and goals. He gives clear and innovative explanations as to why we should be stringent in cases of doubt relating to biblical prohibitions, but we can be more lenient when the same doubts relate to a rabbinic prohibition (first gate); why monetary adjudication should not take into account the possibility that one of the parties will steal (fourth gate), etc.

Who is the book's audience?

Obviously, Rabbi Shkop's work is not intended for those who have taken only their first steps in Talmud learning. He assumes a mastery of the Talmud's language and thinking style, and fair knowledge of central talmudic discussions. Furthermore, as Rabbi Shkop himself writes in his introduction, even those who are equipped to read his work may experience natural opposition to a new learning method.

Rabbi Shkop's writing style also contributes to the book's difficult read. Sometimes he will go off on a tangent, returning to the main line of thought only after a few loosely connected chapters.

Nonetheless, for those able and interested, this challenging book can serve not only as a powerful presentation of some ideas from one of the brightest minds in the last century, but also as an entree into a whole new method of Torah learning.

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Israel's Chief Rabbis: *Rabbi Benny Lau*

Yaron Perez

**Rabbi Dr. Binyamin (Benny) Zvi Lau
Born Cheshvan 5762 (1961)
Chief Rabbi of Kibbutz Saad 1993-2000**

Biography

Rabbi Binyamin Lau – "Rav Benny" – was born in Tel Aviv. His father, Naphtali Lau Lavie, survived the Holocaust and became a prominent Israeli journalist and author. His uncle is past-Israeli Chief Rabbi Yisrael Meir Lau, and current Chief Rabbi Dovid Lau is his cousin.

Rav Benny learned in the Netiv Meir high school in Jerusalem, and then in Yeshivat Har Etzion. After serving in the IDF's Golani Brigade, he began higher academic studies; he completed a doctorate under Rabbi Dr. Daniel Sperber. Rav Benny then completed rabbinical studies at Yeshivat HaKibbutz HaDati in Ein Tzurim, and then he served as Rabbi of Kibbutz Saad in southern Israel for seven years. In 1998, Rav Benny began teaching at Beit Morasha, an institution promoting Zionist leadership. Two years later he established a Women's Beit Midrash there.

In 2001, Rav Benny was selected to head Kehillat Ramban, a then-elderly congregation in South Jerusalem. He succeeded in making the synagogue a centre for young families, and his sensitivity and commitment to the problems of older singles in the Religious Zionist community drew many singles, too.

Aside from his communal activities, Rav Benny is very involved in matters of Religion and State, and has published extensively in the area. Also, in 2014 he was among the founders of the "929" initiative (www.929.org.il), promoting the study of one chapter of Tanach each day, planning to conclude on the 70th Independence Day of the State of Israel.

Rabbanit Noa Lau, wife of Rav Benny, is a *yoetzet halachah* as well as the director of the program for training *yoatzot* and Assistant Dean at Nishmat. She serves as a resource on all matters related to *taharat hamishpachah* (family purity) in the community.

Worldview

Rav Benny's views regarding Religion and State, the interaction of women and men in society, and relations with non-Orthodox Jews, are considered liberal. He sees no halachic problem with permitting the Women of the Wall to don tefillin and tallit at the Kotel. Further, in his view Jews in Israel should be able to have civil marriage, without involvement of the Rabbinate. He has written against what he believes to be a trend toward religious extremism in Bnei Akiva and religious education for youth in Israel, particularly regarding separation of genders. And he has spoken publicly (<http://bit.ly/2rQeisP>) on his relationship with his brother Amichai, a rabbi in the Conservative movement.

Writings

Rav Benny's first book, *MiMaran ad Maran*, analyzes the halachic approach of Rabbi Ovadia Yosef z"l; this is based on Rav Benny's doctoral work. His *Chachamim* series, of which the fifth book emerged this year, seeks to join the period of the Mishnah with our own day via sources both talmudic and historical. He has also written on some of the books of Tanach, joining the lessons of our Sages with historical sources, and he has produced *Etnachta* on the weekly Torah portion.

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Biography

Rabbi Yehudah Loew The Maharal of Prague Rabbi Josh Gutenberg

Rabbi Yehudah ben Bezalel Loew (Maharal of Prague) was born in Posen, Poland in 1525. He studied independently in his youth and never attended a formal school or yeshiva. Yet, he achieved widespread fame for his vast knowledge of Talmud, aggadah, kabbalah and philosophy.

Maharal's first rabbinical position was in Nikolsburg, Moravia, where he served between 1553 and 1573. He was the main rabbinic authority in the city, and he was responsible for choosing the talmudic tractate that would be studied in each community. He moved to Prague in 1573, but he did not hold a formal rabbinic position. He taught in a local shul, where he was able to impart his methodology for learning to his students. He was also responsible for formalizing the *chevra kadisha*, which became standard in many other European communities. Ten years later, the Chief Rabbi position in Prague became available, but the Maharal did not receive the position, so he moved to Posen where he was appointed Chief Rabbi. In separate periods during the ensuing years he served as Chief Rabbi in Posen and in Prague, before retiring from his rabbinic duties in 1604.

Maharal's written works cover a wide spectrum of Jewish studies. *Gur Aryeh* is his commentary to Rashi's commentary on the Torah, and his *Be'er haGolah* discusses and explains difficult passages in the Talmud. He wrote a book on ethics titled *Netivot Olam*, and a commentary on Pirkei Avot titled *Derech Chaim*. He also wrote many works related to the Jewish holidays, including: *Gevurot Hashem* for Pesach, *Or Chadash* for Purim and *Ner Mitzvah* for Chanukah. His works on Rosh Hashanah, Yom Kippur and Sukkot have all been lost.

Many legends claim that Maharal created a *golem*, a clay creature, to defend the Jews in Prague from anti-Semitic acts; most scholars deny the veracity of these legends.

Maharal died in Prague in 1609. He was buried in the Old Jewish Cemetery in Prague, and his grave is visited by thousands of people each year.

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Torah and Translation

It is not enough to get it right!

Rabbi Yehudah Loew, *Netivot Olam*, *Netiv HaTorah 15*
Translated by Rabbi Jonathan Ziring

התנאים מבלי עולם... שמורין הלכה מתוך משנתן... ורש"י ז"ל פירש (סוטה כב.) שמורים הלכה מתוך משנתן – ומבלין עולם בהוראות טעות דכיון דאין יודעין טעמי המשנה פעמים שמדמים לה דבר שאינו כך. ועוד שאינן יודעים מחלוקת התנאים ולפיכך מורים הוראות טעות. כך פירש רש"י.

ואין הפירוש כדבריו כלל, כי מה שאמר שמורין הלכה מתוך משנתן משמע הלכה שהיא אמת ולא שייך לומר הלכה של טעות, והוא ליה לומר רק שמורין טעות מתוך המשנה. אבל הפירוש כמו שאמרנו, כי עיקר התורה כאשר הוא מורה הלכה למעשה ודבר זה ראוי שיהיה יוצא מן התורה אשד התורה היא שכלית, ודבר זה הוא התלמוד שהוא שכלי ומזה ראוי שיהיה יוצא ההלכה למעשה, ודבר זה בודאי קיום העולם שעומד על התורה, ולפיכך התנאים שמורים הלכה מתוך המשנה הם מבלי עולם.

אבל בדור הזה אם היו פוסקים הלכה מתוך המשנה היה זה די, כי המשנה היא ראשית לתלמוד... רק שהם פוסקים הלכה מתוך הפוסקים אשר נתחברו להורות הלכה למעשה ולא נעשו ללמד אותם רק לפסוק מהם, ודבר זה יותר רחוק מן הרעה והראשונים כמו הרמב"ם זכרונו לברכה והטור זכרונו לברכה, אף על גב שגם הם חברו הפוסקים בלא בירור לא היה דעתם רק להורות פסק ההלכה ואשר הוא עולה מתוך התלמוד. אבל לפסוק האדם מתוכה מבלי שידע טעמה מקום יוצא הדין רק הלכתא בלא טעמא לא עלה על דעתם ועל מחשבותם... ואלו ידעו המחברים כי החבורים ההם יהיו גורמין שיהיו עוזבין את התלמוד לגמרי ויהיו מתוך החבורים לא היו מחברים אותם. כי יותר ראוי ויותר נכון שיהיה פוסק מתוך התלמוד, ואף כי יש לחוש שלא ילך בדרך האמת ולא יפסוק הדין לאמיתו שתהיה ההוראה לפי האמת, מכל מקום אין לחכם רק מה שהשכל שלו נותן ומבין מתוך התלמוד, וכאשר תכונתו וחכמתו תטעה אותו עם כל זה הוא אהוב אל ד' יתברך...

"The Tannaim who erode the world... [are scholars who] establish law based on the Mishnah [without the Talmud]..." Rashi of blessed memory explained (Sotah 22a), "they establish law based on the Mishnah – and erode the world with mistaken decisions, for since they don't know the reasons for the Mishnah, they compare a case to cases that are not alike. Furthermore, they don't know about the disputes of the Tannaim and therefore issue mistaken decisions." So explained Rashi.

However, the interpretation is not like [Rashi's] words at all, for saying that they issue a halachic decision from the Mishnah, implies that their decision is true; one cannot call it a halachic decision if it is a mistake. It would have said "they teach mistakes from the Mishnah." Rather, the interpretation is as we have said: the essential Torah is in establishing halachah, and this should emerge from the Torah, as the Torah is intellectual, the intellectual Talmud [and not the Mishnah's mere outline] from which practical law should emerge, and this sustains the world certainly. So the Tannaim who decide halachah from Mishnah destroy the world.

But nowadays, if people would decide halachah from the Mishnah that would be enough, for [at least] the Mishnah is the beginning of the Talmud... Instead, they establish halachah from collections of rulings meant for practical guidance – which were made just to issue rulings, but not to learn from. This is even further evil. The Rishonim, such as Rambam and Tur of blessed memory, even though they also wrote their rulings without explanation, they just intended to provide practical rules, based on what emerges from the Talmud. However, for one to establish halachah from it without knowing where the law emerged from, as a law without reason – that never entered their mind!... If the authors had known that their works would cause people to leave the Talmud and would [determine halachah from] their works – they never would have authored them. For it is better and more proper to establish halachah from the Talmud, even if one is worried that he will not follow the true path and decide truthfully, than that his decision should be accurate. In any case, a wise man has only what his intellect gives him and he understands from the Talmud, and if his wisdom and understanding lead him astray, still it is beloved to G-d...

Per Rabbi Shimshon Raphael Hirsch (Devarim 25), the Torah's punishments are geared toward restitution or atonement. There is one exception, though: the punishment of 39 lashes for intentionally violating certain biblical prohibitions immediately after being warned, and with witnesses. In this case, the goal is to reform the sinner.

and strike him before him according to his wickedness, by count. Forty he shall strike him; he shall not add, lest he hit him beyond this number, a great blow, and your brother would be shamed before your eyes." Sefer haChinuch identifies two mitzvot here: #594 to issue this penalty when appropriate, and #595 not to exceed the proper lashes or to strike outside of this occasion. *(To be continued next week)*

Devarim 25:2-3 commands, "The judge shall cast him down

Weekly Highlights: June 10 — June 16 / 16 Sivan — 22 Sivan

Time	Speaker	Topic	Location	Special Notes
שבת June 9-10 Shabbaton at BAYT : Jews on Vacation				
After hashkama	Adam Friedmann	Shabbat in Hawaii?	BAYT	Rabbi's Classroom
8:50 AM	R' Jonathan Ziring	Time Off from G-d?	BAYT	Turk Beis Medrash
Derashah	R' Mordechai Torczyner	The Minyan at the Cottage	BAYT	Main Shul
5:30 PM	Mrs. Ora Ziring	A Break from the World	BAYT	For Women
7:05 PM	Yaron Perez	גבולות החופש	BAYT	Hebrew
7:20 PM	R' Mordechai Torczyner	Daf Yomi: Living Off Others	BAYT	Rabbi's Classroom
8:05 PM	R' Jonathan Ziring	Avot: The Day is Short	BAYT	Main Shul
Seudah shlishit	Adam Friedmann	No "Fun" in Tanach	BAYT	
After minchah	R' Mordechai Torczyner	Gemara Avodah Zarah	BAYT	
Sun. June 11				
8:45 AM	R' Jonathan Ziring	Responsa	BAYT	Hebrew
8:45 AM	R' Josh Gutenberg	Contemporary Halachah	BAYT	Third floor
9:15 AM	R' Shalom Krell	Book of Shemuel (Bet)	Associated North	Hebrew; Rm 206
10:00 AM to 11:20 AM	Mrs. Lori Grysman R' Mordechai Torczyner	Daughters of Tzelofchad 12 Failed, 2 Succeeded	Midreshet Yom Rishon BAYT	For women Light Refreshments
3:00 PM	R' Mordechai Torczyner	Remembering a Holy Generation	Shaarei Shomayim	In memory of Dr. Edmond Lipsitz
Mon. June 12				
7:00 PM	Adam Friedmann	Jewish Philosophy	Terraces of Baycrest	
8:30 PM	R' Mordechai Torczyner	Modern Ribbit 3 of 3: Currency Trading	Shomrai Shabbos	Men Only
Tue. June 13				
10:00 AM	R' Mordechai Torczyner	From Tzitzit to the Yellow Star	Adath Israel	Women; there is a fee info@adathisrael.com
1:30 PM	R' Mordechai Torczyner	Ezra: Community Activist	Shaarei Shomayim	
8:00 PM	Adam Friedmann	Gemara Arvei Pesachim	Clanton Park	Men
Wed. June 14				
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	Hebrew
Thu. June 15				
1:30 PM	R' Mordechai Torczyner	Shoftim: A Troubled Nazir	49 Michael Ct.	For Women
7:00 PM	OUR ANNUAL DINNER! http://www.torontotorah.com/dinner17			
Fri. June 16				
10:30 AM	R' Mordechai Torczyner	Ribbit	Yeshivat Or Chaim	Advanced