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Parshat Pinchas

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New Generation, New Needs

Adam Friedmann

The parshah considers some of the final affairs which Moshe must set in order before his departure from this world. Among them is the transfer of power. A new leader must be found to guide the nation along the next steps of its journey. The Torah's description of Moshe's exchange with G-d about the matter, and G-d's subsequent command to install Yehoshua as the new leader, are intriguing in many respects.

Let's focus on two particular points:

- Firstly, Moshe pleads for G-d to appoint a new leader after he dies. The language that Moshe uses to describe G-d is quite uncommon. He asks: "May Hashem, G-d of the spirits of all flesh, appoint a man over the assembly." (Bamidbar 27:16) The phrase "G-d of the spirits of all flesh" appears only twice in the Torah. The other time is in Parshat Korach. (Bamidbar 17:22) What is the meaning of this phrase, and why does it appear here?
- Secondly, after the Torah describes the ceremony by which Moshe will transfer power to Yehoshua, we are told as well about a new element in the leadership structure. Unlike Moshe, Yehoshua will, at least at times, not be the direct channel for the word of G-d. Instead, that role will be filled by Elazar, who will use the *Urim veTumim* to ask for G-d's guidance, which Yehoshua and the entire nation will follow. (ibid., 27:21) This shift in governance is interesting in its own right, but we may also ask about its placement here. In the midst of a discussion about how Moshe will transfer the

leadership, a discussion about Yehoshua's use of the *Urim veTumim* is of secondary relevance at best. What is it adding to the story?

Rabbi Chaim Ibn Attar (Or haChaim to Bamidbar 27:15) answers the first question. He explains that "G-d of the spirits" refers to G-d's knowledge of the unique perspectives and motivations of each individual. The leader of a generation is specially situated vis-à-vis everyone else. Mystically, his soul stands at the root of the others, and he is therefore able to tend to the needs of the whole generation. Moshe's request is for G-d, who knows the spirits of all men, to replace him with a leader whose soul stands at the root of this new generation, and who can therefore lead it. G-d acquiesces by appointing Yehoshua, "a man in whom there is spirit" (Bamidbar 27:15), who is in touch with the generational spirit.

Part of Rabbi Ibn Attar's emphasis is on the shifting needs of leadership from one generation to the next. Moshe was uniquely suited to lead the people who emerged from Egypt. Now, the nation entering the land requires a new leader whose approach suits its particular worldview and aspirations. What exactly are these? Perhaps our second point, the inclusion of the *Urim veTumim*, is part of that answer.

The Talmud (Yoma 73b) notes that even though a decree pronounced by a prophet can be rescinded, the messages communicated by the *Urim veTumim* can never be. This is learned from our parshah, which describes the messages of the *Urim veTumim* as *mishpat* – law.

Evidently the *Urim veTumim* conveys a more definitive account of G-d's message. Perhaps this is because prophecy is, after all, bound up with the prophet personally; the charismatic personality of the prophet and the impression he makes on the people is part of his leadership role. The *Urim veTumim*, on the other hand, conveys a message to the nation without the filter of the prophet's personality. Further, communication via the *Urim veTumim* is initiated by the people, whereas prophecy is initiated by G-d.

Perhaps this is why the *Urim veTumim* is mentioned here. The generation which entered the desert was one which still possessed the hesitation and spiritual uncertainty impressed upon it in Egypt. That generation needed the charismatic leadership of a prophet. The personalities of Moshe and Aharon became central to guiding Klal Yisrael. But the nation entering the land is different. It is confident in its relationship with G-d and its own mission of conquest. For this generation, the direct word of G-d, as conveyed through the institution of the *Urim veTumim*, plays a more central role.

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Feminism and Judaism
Rabbi Dr. Avraham Weinroth
Yedioth Publishers, Hebrew, 2001

Who is the author?

Born in 1963, Rabbi Dr. Avraham Weinroth is today a Professor of Law at Tel Aviv university and a lawyer in his own firm. He identifies as Chareidi, and in his youth he studied and was ordained in Chareidi Yeshivot, such as Ateret Yisrael in Jerusalem. His position at the junction between a conservative upbringing and the progressive world in which he works inspired him to write – with a very skillful pen – some very interesting works.

What is the scope of the book?

The book begins with a challenge put to Dr. Weinroth by one of his students: “Do women have any standing in Judaism?” The book attempts to answer this question by surveying the many topics that relate to this question, from a bird’s eye view.

The first two chapters introduce the author’s outlook on the Torah’s perspective on the difference between

genders. He quotes Rabbi Samson Raphael Hirsch and Rabbi Yosef Dov Soloveitchik to develop the idea that the first chapter of Bereishit describes the desired reality of equality between the sexes, while the second describes what was supposed to be a temporary stage. According to Dr. Weinroth, the sin in the Garden of Eden caused – and proved the need for – a separation between the genders, and therefore a long lasting inequality. These deviations will be erased as the world will return to its ideal state. Thus, the author establishes a moral explanation for some of the laws brought in the following chapters, which may be deemed offensive by modern sensitivities.

The next chapters deal with specific subjects: Torah study, the role of women in court (as judges and witnesses), women in the public sphere, women’s status in marriage, and more.

The writing is accessible, and each chapter presents the talmudic background along with the practical

law, and analyzes their meaning in relation to the general question of women’s status in Halachah.

Is this the last word on the subject?

While the book has many advantages, it falls far short of settling all the issues. Two shortcomings can be pointed out:

- While the author invests much effort in the realm of Halachah, he does not wrestle with the more structural and moral questions raised by feminists.
- More importantly, despite his own warning in the book’s introduction regarding the variety of opinions among our Sages, the book itself presents Halachah as a monolithic system. Thus, much of its richness is lost.

In conclusion, the book is clear in form and broad in scope, and can serve as an excellent introductory work to these sensitive questions.

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Israel’s Chief Rabbis: *Rabbi Haim Amsalem*

Yaron Perez

Rabbi Haim (Emile) Amsalem
Born Yom Kippur, 1959
Chief Rabbi of Moshav Sharsheret, 1982-1988

Biography

Rabbi Amsalem was born in Algeria; upon his birth, his parents moved to France. In 1970, when Rabbi Amsalem was eleven years old, his family moved to Israel; he learned in Yeshivat Kisse Rahamim in Bnei Brak, and was ordained for the rabbinate there.

In 1982, after marrying his wife Chanah, Rabbi Amsalem became the Rabbi of Moshav Sharsheret, in the Negev; he served there for seven years. He then moved to Netivot, where he held various positions, before establishing a kollel, Shirei David, in Har Nof, Jerusalem. In 2003, Rabbi Amsalem moved to Geneva to lead the Sephardic community there, before returning to Israel. In 2006, he was elected to the 17th Knesset as a member of the Shas party; he was re-elected in 2009.

In 2010, Rabbi Amsalem broke away from the Shas party, attempting to start a new party, “Am Shalem”. He sharply criticized the Shas party, and the Sephardic rabbinate in general, claiming that they were following an Ashkenazi path of stringency rather than what he saw as a traditional Sephardic tolerance.

Rabbi Amsalem has written several books on halachic matters, as well as commentaries on Rambam and Shulchan Aruch. Most of his publications deal with matters related to conversion to Judaism.

Worldview

Rabbi Amsalem is a vocal supporter of the concept of “sharing the burden” of military and national service; he

favours service from the Chareidi community, as well as a track to train *avreichim* for employment after leaving Kollel.

Rabbi Amsalem’s best-known book on conversion, *Zera Yisrael*, absorbed strong criticism by Rabbi Yosef Shalom Elyashiv and Rabbi Ovadia Yosef. The rabbis who initially gave their *haskamah* (letter of approval) for the book later recanted. Rabbi Amsalem’s controversial claim is that non-Jews with Jewish fathers are “the seed of Israel”, and should be assigned a unique path to conversion if they see themselves as part of the Jewish nation. According to Rabbi Amsalem, we should actively pursue their conversion, and military service in the IDF should be seen as partial evidence of their commitment to mitzvah observance.

This proposed policy is largely meant to deal with the situation of many Russian non-Jews who have come to Israel during the past 25 years. In Rabbi Amsalem’s eyes, this approach will prevent absorption of many non-Jewish Russians into the Jewish people. As he wrote in his introduction to a pamphlet, *Tachu Einav MeiR’ot*, “The threat of assimilation greatly endangers the Jewish nation... When the *olim* from Russia and the Soviet Union began to ascend to Israel, the conversion candidates banged on the door of the rabbinic establishment, and were answered mostly in the negative due to the adoption of an extreme, hardline position... The window of opportunity to prevent their assimilation into our midst is closing. These *olim* have learned to blend into the community as Israelis, without need to become Jewish, and the rabbinic establishment closes its ears from hearing and its eyes from seeing... Minister of Justice Yaakov Neeman has said that the threat of assimilation in Israel is a greater threat than the Iranian bomb, and he is correct.”

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Biography
Rabbi Shlomo Dichovsky
Rabbi Jonathan Ziring

Rabbi Shlomo Dichovsky was born in 1938 in Tel Aviv. He studied in Yeshivat Yishuv HeChadash and Yeshivat Chevron, and received ordination from Rabbis Isser Yehuda Unterman, Yechezkel Sarna, Chaim Shmuelevitz, and Betzalel Zolty. He has been a Community Rabbi in Tel Aviv, an educator, and an adjunct professor at Bar Ilan University, and he established and headed the Machon HaGavoah LaTorah at Bar Ilan.

Rabbi Dichovsky is best known for his many years of service as a judge on the Israeli rabbinical courts, both in lower courts in Ashdod and Tel Aviv, and later in the High Rabbinical Court. He also oversaw the administration of tests for rabbinical judges and served on a panel for the appointment of new judges, and headed a Kollel for the teaching of judges. In 2010, he became the head of the Committee on Appointment of Judges.

A prolific writer, Rabbi Dichovsky's writings on contemporary halachic issues were recently collected in a two-volume work, *Lev Shomea L'Shlomo*. Both volumes are downloadable at <http://www.rbc.gov.il/Pages/Articles.aspx>.

Rabbi Dichovsky has been very active politically, seeking solutions to problems of Agunah caused by husbands who refuse to grant their wives gittin, and attempting to bridge differences between the rabbinic and secular courts in Israel, among other issues. For these accomplishments, he was granted an honorary doctorate from Bar Ilan University in 2016. Though he has no formal training in secular law, Rabbi Dichovsky has broad knowledge of it, and has received accolades from the secular legal establishment for his knowledge and skill. The former President of the Israeli Supreme Court, Justice Aharon Barak, even suggested him as a candidate for the Supreme Court.

Rabbi Dichovsky is known as relatively liberal. When he retired from the rabbinic court in 2009, he left an unconventional message for his colleagues: rule leniently, and don't fight with the Supreme Court.

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Torah and Translation
Music During the Three Weeks
Rabbi Shlomo Dichovsky, *Techumin 21*
Translated by Rabbi Jonathan Ziring

בש"ע אין כל רמז לאסור שמיעת מוזיקה, בכלי זמר או בפה, דווקא בימים אלו. דברי המגן-אברהם (תקנא, י), ש"אסור לעשות ריקודין ומחולות מי"ז בתמוז ואילך" (הובאו במשנה- ברורה ס"ק טז) אינם מתייחסים למוזיקה...

נמצא, שמוזיקה קלסית, למשל, שאינה מוזיקה המביאה לריקודים ומחולות ואינה מנוגנת בבית המשתה, אינה בכלל האיסור. ואכן, שמעתי מהרב שבתי רפפורט שליט"א, בשם זקנו הר"מ פיינשטיין זצ"ל, שהתיר שמיעת מוזיקת רקע בימי בין המיצרים, היינו מוזיקה ששומע אדם תוך שהוא עוסק במלאכתו, לומד או נוהג. נראה לי שטעם ההיתר הוא משום שמוזיקה כזו אינה מביאה לידי ריקודים ומחולות, היות והאדם טרוד בעבודתו.

יש אנשים ששמיעת מוזיקה עבורם היא דבר חיוני לצורך מנוחת הנפש, כדברי הרמב"ם בשמונה פרקים (פרק חמישי): "מי שהתעורר עליו מרה שחורה, יסירה בשמיעת הניגונים ובמיני זמר... כי הנפש תלאה ותעכור המחשבה, בהתמדת עיון הדברים הכעורים... כן צריכה הנפש גם כן להתעסק במנוחת החושים בעיון, לפיתוחים ולענינים הנאים, עד שיסור ממנה הליאות." רבי יהודה הלוי שיבח בספר הכוזרי (ב: סד-סה) את חכמת המוזיקה, ולדבריו אומתנו "מכבדת הניגונים ומעמדת אותם על הגדולים שבעים, והם בני לוי, מתעסקים בניגונים בבית הנכבד בעתים הנכבדים... ושמה היתה מעוררת הנפשות, כאשר יאמר עליה שהיא מעתקת את הנפש ממדה אל הפכה." מוזיקה זו, שהיא חיונית לנפש, אין לה כל קשר לריקודים ולמחולות שנאסרו בימי בין המצרים, לפי המג"א, והיא אינה אסורה בימים אלו.

As always, please see your synagogue rabbi for practical halachic guidance.

In Shulchan Aruch there is no hint to a prohibition against listening to music, whether instrumental or vocal, specifically during these days. The Magen Avraham's (511:10) words, that "it is forbidden to engage in dances and circle dances from the Seventeenth of Tammuz and on" (cited in Mishneh Berurah ibid. 16), do not relate to music...

As a result, classical music, for example, which is not music that leads to dancing and circle dancing and is not played at a party, is not within the prohibition. And indeed, I heard from Rabbi Shabtai Rappaport in the name of his grandfather, Rabbi Moshe Feinstein, that he permitted listening to background music during the Three Weeks, namely music that a person listens to while involved in his work, in studying, or in driving. It seems to me that the reason that this is permitted is because this kind of music does not lead to dancing and circle dancing, as the person is involved with his work.

There are people for whom listening to music is necessary for their peace of mind, as the Rambam writes in *Shemonah Perakim* (Chapter 5): "One in whom a black bile [melancholy] arises should rid himself of it by listening to singing and forms of instrumental music... For a soul will become weary and cloud one's thoughts, by constant focus on ugly things... And so the soul must deal with focusing on the relaxation of the senses by examining artwork and beautiful things, until the weariness leaves him." Rabbi Yehudah HaLevi praised the wisdom of music in the *Kuzari* (Volume 2, sections 64-5), and according to his words, our nation "honours music and places responsibility for it upon the greatest in the nation, the children of Levi, who are involved with the music in the holiest of Houses, at honoured times... And there it would awaken souls, as it is said about [music] that it brings the soul from one extreme to the other." This music, which is necessary for the soul, has no connection to the dances and circles dances that are forbidden during the Three Weeks, according to Magen Avraham, and is not prohibited during this time.

One of the most common themes in the Torah's 613 mitzvot is that of honesty in financial matters. A partial list of these mitzvot, as catalogued by Sefer haChinuch, includes:

- Prohibitions against various forms of theft – Mitzvot 54, 130, 224, 229, 522
- Prohibitions against making false claims in financial matters – Mitzvot 225, 226, 227
- Prohibitions against use of dishonest weights and measures – Mitzvot 256, 257
- A duty to handle commercial disputes justly – Mitzvah 336
- A prohibition against deceptive pricing – Mitzvah 337

Indeed, the Talmud (Shabbat 31a) warns that the first question a human being is asked by the court of judgment in Heaven is, "Did you deal faithfully in business?"

It is not surprising, then, that the Torah creates additional safeguards against gateway activities which might enable theft. In particular, Devarim 25:13-16 warns against keeping in our possession weights and measures of inaccurate sizes, even if we don't use them. Halachic

authorities apply this rule to coins which have weight-dependent value, too, unless they are routinely weighed when received. (Shulchan Aruch Choshen Mishpat 227:18) The Torah promises long life in the Land of Israel for fulfilling this law, and it labels violation *toe'ivah*, a term normally used for idolatry and sexual impropriety. Sefer haChinuch lists this as Mitzvah #602.

As ruled by Rambam (Hilchot Geneivah 7:3), one may not keep such a weight, measure or coin even when using it for an otherwise permissible purpose, lest it be converted back. However, one may keep it if it lacks markings which would qualify it as legal tender. [And see Minchat Chinuch 602:2.]

It is worth noting that in 1278, British Jewry was charged with clipping the edges of coins for their metal, and counterfeiting currency. About 680 Jews were imprisoned, and many of them were executed. Ultimately, Jews were expelled from England in 1290. (<http://www.haaretz.com/jewish/this-day-in-jewish-history/.premium-1.558352>, <http://www.history.ac.uk/reviews/review/70>)

Weekly Highlights: July 15 – July 21 / 21 Tammuz – 27 Tammuz

Many of our classes are now on hiatus for the summer, but opportunities remain!

Time	Speaker	Topic	Location	Special Notes
Shabbat July 14-15				
After Hashkamah	Adam Friedmann	Parshah Analysis	Clanton Park	
6:00 PM	R' Mordechai Torczyner	Yirmiyahu: Reluctant Prophet, Ideal Role Model	BAYT	For Women Gruda Beis Medrash
7:05 PM	R' Jonathan Ziring	From King Shlomo to the Second Churban	BAYT	Hebrew Simcha Suite
After minchah	R' Mordechai Torczyner	Gemara Avodah Zarah	BAYT	Simcha Suite
Sun. July 16				
8:45 AM	R' Jonathan Ziring	Responsa	BAYT	Hebrew
Mon. July 17				
7:00 PM	Adam Friedmann	The Lonely Man of Faith	Terraces of Baycrest	Open to the public
8:30 PM	R' Mordechai Torczyner	Frontiers in Biotech 4: Clean Meat	Shomrai Shabbos	For men
Tue. July 18				
8:30 AM	R' Jonathan Ziring	Nefesh haChaim	Yeshivat Or Chaim	University men
8:00 PM	Adam Friedmann	Gemara Arvei Pesachim	Clanton Park	For men
Wed. July 19				
8:00 PM	Adam Friedmann	Why do we do that?	Shaarei Tefillah	
Thu. July 20				
1:30 PM	R' Mordechai Torczyner	Shoftim: Samson's Humour	49 Michael Ct.	For women
Fri. July 21				
8:30 AM	R' Mordechai Torczyner	Yeshayah	Yeshivat Or Chaim	University men
10:30 AM	R' Mordechai Torczyner	Ribbit	Yeshivat Or Chaim	

The following regular classes are on summer hiatus

1:30 PM Tuesdays, Rabbi Mordechai Torczyner, Ezra and Nechemiah

2:30 PM Wednesdays, Rabbi Jonathan Ziring, Narratives of Vayikra (women only)

8:15 PM Wednesdays, Yaron Perez, Parshah in Hebrew

Women's Beit Midrash classes by Mrs. Ora Ziring and Mrs. Ellieza Perez for university students

Wednesday morning classes at Beth Emeth

Legal Ethics and Medical Ethics classes by Rabbi Mordechai Torczyner