

# Toronto Torah

Beit Midrash Zichron Dov

Parshat Pinchas

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**Mazal Tov to Eli and Renee Rubinstein on the upcoming marriage of their daughter Hadassah to Jeremy Pertman!  
May they merit to build a בית נאמן בישראל!**

## G-d bless you!

R' Netanel Javasky

It is well known that the Torah serves as our guide in all areas of our lives. Whether we find ourselves at work, in school, in the bathroom or synagogue, specific halachot govern our behaviour and teach us lessons. Let us analyze one such apparently trivial law and glean a message from it.

The gemara (Berachot 53a) states that in the beit midrash of Rabban Gamliel they would not say "*Marpeh* [Healing]" after someone sneezed. The gemara clarifies that the reason for this odd law was to prevent *bitul Torah*, the disruption of learning. The source for replying to someone's sneeze with a blessing for health in the first place seems to be a midrash (Pirkei d'Rabbi Eliezer 51) which states that originally a sneeze would come with a person's last breath in this world. When this changed, the appropriate response for someone hearing another person sneeze would be to give him a blessing of life/health. This seems to have been standard practice, and the gemara warns that in a beit midrash one should refrain from such a practice.

This practice of avoiding saying *Marpeh*, or any other similar expression, is cited by both the Rambam (Hilchot Talmud Torah 4:9) and the Shulchan Aruch (Y.D. 246) as standard practice for all houses of study. Immediately, one senses how careful the earlier generations were about *bitul Torah*, disrupting the study of Torah – they were

even careful to specify that the one-word response to a sneeze should be avoided. While the author of the Perishah, Rav Yehoshua Falk (16<sup>th</sup> century) is willing to suggest that "perhaps" this ruling should know longer apply, as we are no longer as scrupulous in the area of *bitul Torah*, the Turei Zahav (Taz) argues vehemently against this possibility. He contends that our lackadaisical approach to *bitul Torah* in no way warrants additional *bitul Torah* and the relaxing of the restrictions thereon. Our goal must be to strive for perfection in the area of *bitul Torah*, including withholding the traditional response to a sneeze.

A closer look at the Rambam, though, reveals that he has a different understanding of this law and its message for us. The Rambam, known by some of his contemporaries as "Gedol haMichabrim - the greatest of the authors", is famed for his precision and for the great care he placed not only upon the text of each law, but also upon the structure and placement of the specific law within his *magnum opus*, Mishneh Torah. Analyzing the context of a law in the Rambam often sheds light on his understanding of the specific law and its broader implications.

When one looks at the 4<sup>th</sup> chapter of Hilchot Talmud Torah one immediately recognizes that the Rambam is discussing the laws related to the *Kedushat Beit haMedrash*, the holiness of a place of study. He lists that one shouldn't sleep

in a beit midrash, followed by the law of not responding to one's sneeze, followed by the statement that the holiness of a place of study is greater than that of a synagogue. Clearly the Rambam assumes that this law is not solely related to disrupting Torah study, but is somehow related to viewing the response to a sneeze as a disgrace and shame to the great sanctity required in a beit midrash.

The *nafka minah*, or practical difference between our earlier approach which was based on the simple reading of the gemara, and that of the Rambam, would be when disruption of Torah study is not at stake, such as if one would hear someone else sneeze while in a beit midrash, but not at a time when learning was taking place. If we assume that replying to a sneeze is only an issue of *bitul Torah*, then in such a situation the appropriate thing to do would be respond with a "*Marpeh*". But if we assume, as the Rambam seems to assume, that such a statement is not appropriate for a beit midrash, then there would be no difference whether learning is taking place or not. In fact, Rav Shneur Zalman of Liadi writes explicitly in the Shulchan Aruch HaRav that one should never respond to a sneeze in a beit midrash, even when one is not learning.

From this opinion of the Rambam we may appreciate the importance of kedushat beit hamidrash and the respect that we should all have towards our places of learning. Even responding to a sneeze with a blessing is something deemed inappropriate for a *beit midrash*.

A passage of gemara (Megillah 29a) relates that in the future the houses of study and worship outside of Israel will be transplanted to the Holy Land. May it be His will that through the study of these laws and our adherence to kedushat beit hamidrash, this should become a reality speedily in our days.

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## Parshah Questions

- Why are the fates of Datan and Aviram included in the lineage of the tribe of Reuven? (Ibn Ezra, Ramban and Ohr HaChaim to Bamidbar 26:9-11)
- Since Pinchas was a descendant of Aharon, why did he need special induction into the kehunah? (Rashi, Ibn Ezra, Ramban, Ralbag, Chizkuni, Da'at Zekeinim, and Alshich to Bamidbar 25:13)
- Why is the goat offering of Rosh Chodesh called a "goat for G-d"? (Rashi, Chizkuni, Gur Aryeh, Netziv, Torah Temimah, Meshech Chachmah, and Ma'ayan Beit HaShoeivah to Bamidbar 28:15 and Moreh Nevuchim 3:46)
- **For children:** Why is the story of the daughters of Tzelafchad mentioned here? (Rashi to Bamidbar 27:1)

Moshe spoke to Hashem saying, "May Hashem appoint a man over the assembly who shall go out before them" (27:15-17). Rashi explains that as soon as Moshe was told that he would die and not enter *Eretz Yisroel* (27:13) he put aside his own concerns and dealt with those of the public. Yet, according to a later Rashi (27:16), Moshe said, "The time has come for me to request my concerns, that my son should inherit my greatness," which would seem to contradict Rashi's earlier statement.

Hashem said to Moshe, "Take Yehoshua and place your hand on him" (27:18). Didn't Moshe realize that Yehoshua was worthier than his own sons were? The answer to this question is based on yet another statement of Rashi (Devarim 31:7). Moshe called Yehoshua and said to him, "Be strong because you shall come with the people to the land" etc. Moshe said, "The elders of the generation shall be with you. Everything should be done according to their opinion and advice." But Hashem said (31:23) "Because you shall bring *B'nai Yisroel* to the land etc...Even against their will. Everything depends on you. Take a rod and hit their head. There is one leader for a generation, not two."

The two formulations, apparently contradictory, are, in fact, complementary. Moshe served as the head of the *Sanhedrin* (Sanhedrin 2a), as well as the king of Israel (Ibn Ezra 33:5). Yehoshua assumed both of these positions. As the head of the

*Sanhedrin*, Moshe considered the opinion of the elders, and told Yehoshua to do the same. Hashem's formulation referred to Yehoshua's role as the king, which would require forceful and exclusive leadership.

Moshe requested that his son succeed him as the king. Indeed, if a son is suitable for leadership, he succeeds his father (Rashi 17:20), even if others are more worthy. The reason for filial succession is the avoidance of *machlokes*, which is nearly inevitable if everyone is a candidate. When Moshe requested "his concerns", it was really "the concerns of the public", to prevent a battle over the succession.

Hashem responded that he wanted to have one leader to serve as the king and the head of the *Sanhedrin*. Yehoshua was the only one who could assume both positions.

Hashem told Moshe to place one hand on Yehoshua, but he placed both hands on Yehoshua, and filled him with wisdom (Rashi, Bamidbar 27:23). Apparently, Moshe realized all along that Yehoshua would lead the *Sanhedrin*. His dialogue with Hashem related only to the kingship. Hashem told Moshe to appoint Yehoshua as the king, who would lead the people in battle (Rashi 17). This appointment required that Moshe place one hand on Yehoshua. However, Moshe appointed Yehoshua in both capacities, placing both hands on him and filling him with the wisdom of Torah as well as the strength for battle.

Moshe requested a bifurcated leadership because he knew that this was the usual way. Indeed, of the forty Torah leaders (listed by the Rambam in his introduction to Mishne Torah) from Moshe until Rav Ashi edited the Talmud, only very few were kings as well (Moshe, Yehoshua, and Dovid).

Hashem responded "This is not what has entered into My mind (*alsa b'machshava*)" The expression "*alsa b'machshava*" refers to an ideal state which can not be sustained practically (see Rashi Breishis 1:1). Moshe was ready to abandon the ideal of one leader, a system that lessens the constant conflict between religious and temporal authority, as impractical. But Hashem insisted that it be maintained for one more generation in the person of Yehoshua.

In our time and place, there is no national authority, religious or temporal, in the Jewish community. Religious authority is rejected or marginalized even by parts of religious society. Scholarship and leadership are viewed by some as mutually exclusive.

Even when practicality leads to a separation of power, or influence, it is important to recognize that this is not an ideal. Moshe, Yehoshua, and Dovid were ideal national religious leaders who led politically and militarily as well. This is impossible for many reasons nowadays.

Yet great Torah scholars led local and larger communities, narrowly defined, throughout Jewish history. The Rav's celebrated eulogy for Rav Chaim Ozer, the *gadoal hador* who was consulted on worldly matters as well, describes but one example. All enduring, successful movements in religious Torah society have been led by Torah scholars. Of course, such leaders must realize that many decisions are beyond their purview, and must have love and respect for the laity and its proper leaders. The lessons learned from Moshe and Yehoshua must inform Torah society's understanding of leadership for all generations.

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## 613 Mitzvot: Mitzvah 101 Tearing the kohen's uniform R' Mordechai Torczyner

Mitzvah 101 begins with one of the four elements of the kohen's uniform: The *me'il*, which is a tunic of sorts. The neckline of the *me'il* is doubled over, as a hem (Shemot 28:32), and the Torah warns that tearing this hem is against the law. As the *Sefer haChinuch* explains, tearing is an act of ignominy and destruction—consider its place in the rites of mourning—and so it is inappropriate for a kohen's garment, worn during the service of HaShem.

Of course, the *Sefer haChinuch's* logic should apply to the rest of the kohen's garments as well; indeed, the gemara (Yoma 72a) and Rambam (Klei haMikdash 9:3) rule that this mitzvah applies to all of the garments of the kohanim. However, some do distinguish between the garments, ruling that one is liable for tearing the general garments in a destructive way, but one is liable for tearing the *me'il's* hem regardless of the reason or manner.

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# Ha'Am V'Ha'Aretz

Rav Menachem ben Shlomo Meiri

Dovid Zirkind

**Nokdim**

## Torah in Translation

A Complete Ethic  
Meiri to Avot 3:20

*Rabbi Elazar ben Azaryah says: If there is no Torah there is no Derech Eretz and if there is no Derech Eretz there is no Torah...* (Avot Chapter 3:20)

It is known that *derech erez* is founded upon the traits of man and the ethics he needs regarding functioning within society. The Torah spoken of here is regarding a portion of the commandments of the Torah that come to guide man on a straight path in his conduct. He [R' Elazar Ben Azaryah] says first that if not for the commandments of the Torah which guide man in these matters he would not be complete in the area of *derech erez* which comes to him on his own, with the workings of his nature. Even if [the *derech erez*] was applied with the fullest preparation, he would not reach the same completion as one achieves via the ways of the Torah, if one grasps its ways.

Similarly, if man does not have natural [as opposed to Revelatory] preparation, the commandments of the Torah will not suffice for him to achieve this completion. The commandments guide man generally, but it would be impossible for them to address the minute details that evolve constantly. For this we need *ethics* and *derech erez*. If one will say, for example, that the Torah forbids many foods because they involve excess or potential damage, one should derive that any excess and pursuit of excessive satiation is bad, even with foods that are not forbidden. The same applies regarding all mitzvot.

You have learned that each element of this pair impacts the other's existence and completes it. We learn from this, according to some of our sages, two things: First, that no man should be confident in his complete ethical behaviour, as rooted in his nature, and therefore become lenient with one of the mitzvot of the Torah. Even though it says regarding our patriarchs that they achieved the completion set by the Torah as our goal and became complete tzadikim without Torah, not everyone merits this. These statements [Pirkei Avot] are stated for the majority. Second, that man will not fulfill his obligation to his soul by fulfilling the details of mitzvot. Rather, he must

Menachem ben Shlomo Meiri (1249-1316) grew up as a member of the distinguished Meiri family in Provence, a southeastern region of France. Little is known about his personal life, but from the writing of the 13<sup>th</sup> and early 14<sup>th</sup> centuries it is clear that "The Meiri" (as he is commonly known) played a major role in defending the religious beliefs of Judaism in general and Provence in particular.

Regarding the study of philosophy, Meiri upheld Provence's tradition of embracing Rambam and his approach to education. Shlomo ben Aderet, also known as the Rashba (Barcelona 1235 – 1310), headed the Spanish court that issued the ban on studying philosophy for anyone under the age of twenty five. The Meiri understood that this was more than a debate over the education of youth; it was an accusation of heresy against the way of life in his community of Provence. Despite his close personal ties with the Rashba, Meiri passionately defended his community's tradition and argued that banning the study of philosophy was essentially banning wisdom itself.

Possibly the Meiri's most well-known opinion was his theory about the status of non-Jews. He argued that, despite their beliefs, Christians did not share the status associated with idolaters in the Talmud. This view was crucial to social and commercial interactions of his time and continues to be of central importance to Judaism's interaction with the outside world to this very day.

The Meiri's magnum opus is his *Beit HaBechirah*, a Talmudic digest which summarizes the major points of discussion in the Talmud and the subsequent dialogue among its commentaries. Manuscripts of the Meiri's works were not published until very recently, thus his opinions on many topics only appear in rabbinic literature of the past one hundred years or so.

understand one idea from another and contemplate, because insight is a good trait. He must restrict himself from each disgusting trait included within the general commandments of the Torah for those who appreciate its ways, even when it is not mentioned in the Torah explicitly.

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Located approximately ten kilometers from Yerushalayim - near Herodium and southeast of Beit Lechem - Nokdim was originally known as "El-David." The communal settlement was established in 1982, by a group of families from nearby Tekoa, in memory of two Tekoa residents: David Rosenfeld *Hy"d*, who was murdered at Herodium, and Eliyahu Pressman *Hy"d*, who fell in the First Lebanon War. Both men were killed during the same week.

After about ten years in caravans, the community moved to its permanent site on Nachal Tekoa's northern bank - overlooking the Judean hills and Moav Mountains to the east, the Hevron region to the west, and Herodium to the north. Its name was changed to "Nokdim" (literally "herdsmen"), from Amos 1:1: "The words of Amos, who was among the herdsmen of Tekoa..."

Today, over 150 families live in Nokdim. Like its neighbors, Nokdim boasts a heterogeneous blend of residents, who desire to live together with all of *am yisrael*. Indeed, the mixed community is home to new immigrants, senior citizens, native Israelis, and young couples - as well as traditional, secular, Torani and religious families, who cherish the ideals of tolerance, understanding, and mutual respect. The beautiful human and desert landscapes, the broad expanses, and the generally temperate climate contribute to Nokdim's special atmosphere.

In 2007, a new road was opened between Yerushalayim and Nokdim; the community is now a short, 10-kilometer drive away from the capital's Gilo neighborhood.

Magen Shaul, a pre-military *mechinah* academy, is located in Nokdim. The *mechinah* numbers some 160 students, who spend a year or two learning Torah before beginning their military service.

In addition to Herodium, the area's other tourist attractions include the Chariton cave and spring, Nachal Tekoa, and Nachal Dargot (Darja). Foreign Minister Avigdor Lieberman is one of the most famous residents of Nokdim.

*Excerpted and adapted from an article by Torah MiTzion*

## Why are the fates of Korach's children included in the lineage of the tribe of Reuven? (Bamidbar 26:9-11)

• **Ibn Ezra** explains that although everyone from Datan and Aviram's families perished, young and old alike, Korach's children did not perish. This teaches that the wickedness of Datan and Aviram surpassed that of Korach.

• **Ohr HaChaim** explains, along the same lines as **Ibn Ezra**, that it is meant to teach us that Korach's family suffered fewer losses than Datan and Aviram's due to the latter's exceeding wickedness. He also explains that the Torah cites this story to highlight that Datan and Aviram were the ones who instigated the whole rebellion against Moshe.

## Since Pinchas was a descendant of Aharon, why did he need special induction into the kehunah? (Bamidbar 25:13)

• **Rashi** states that the hereditary nature of the kehunah was only for Aharon and his sons, and those born after they were anointed as Kohanim. Pinchas, who was already alive at that point, was therefore not a kohen.

• **Da'at Zekeinim** presents two approaches:

- He was a kohen, but now he and his descendants would carry the role of the *mashuach milchamah*, the kohen who leads the nation into war.

• Alternatively, as Rashi suggested, Pinchas was not yet a kohen. This may explain why Pinchas was not concerned lest he become *tamei* when he killed Zimri.

• **Ibn Ezra** explains that the blessing from HaShem refers to Pinchas's descendants becoming kohanim gedolim, but he certainly was already a kohen.

• **Ralbag** suggests a practical approach, explaining the words to mean that Pinchas will always have male descendants, and therefore there will always be kohanim in his family. Alternatively, he adopts the position of **Ibn Ezra** and claims that this is the true approach.

• **Chizkuni** also explains the pasuk as **Ibn Ezra** does, and he cites Divrei HaYamim I 5:30 as proof.

## Why is the goat offering of Rosh Chodesh called a "goat for G-d"? (Bamidbar 28:15)

• **Rashi** explains that all the goat offerings of mussaf were meant to atone for those who defiled the Mikdash and its sacred offerings through *tumah*, but only this one is called "a goat for G-d" because it atones even for those who were unaware of their transgression, which is something that only HaShem knows about. He then presents an alternative explanation, based on a midrash, that the korban actually serves as an atonement for

HaShem having reduced the moon's size [see Rashi to Bereishit 1:16, and Chulin 60b].

• **Chizkuni** argues that since this is the first musaf offering of the month, the Torah says "for G-d" to teach that this musaf, as well as all others, must be offered with proper intent to serve G-d.

• **Meshech Chachmah** offers an explanation for why the reduction of the moon's size relates to the korbanot. He states that the disparity of size between the sun and moon is what causes idolaters to worship them, and it is for catalyzing this idolatry, by creating a large and small luminary, that HaShem seeks atonement. We, the descendants of Avraham, whose mandate is to rid the world of idolatry, attribute the function of the heavenly luminaries to The Creator, and as such we offer korbanot to HaShem, whose presence is manifest in the Mikdash.

## For children: Why is the story about the daughters of Tzelafchad mentioned here? (Bamidbar 27:1)

**Rashi** claims that the story's placement here is to show that just as Yoseph loved the land of Israel, so did his descendants, the daughters of Tzelaphchad, who petitioned Moshe for an inheritance in the land.

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## Schedule for the Week of July 16, 14 Tammuz

### Shabbat, July 16

**7:45AM** R' Azarya Berzon, Ramban Al HaTorah, Or Chaim

**Post-Hashkama** R' Azarya Berzon, Clanton Park

**6:00 PM** R' Mordechai Torczyner, Parenting from the Torah: The Sandwich Generation, BAYT

**One Hour before Minchah** R' Azarya Berzon, Masechet Kiddushin, Mizrahi Bayit

**After Minchah** R' Mordechai Torczyner, Masechet Avodah Zarah, BAYT

### Sunday, July 17

**6:30PM** R' Azarya Berzon, Gemara Kiddushin, Shaarei Shomayim—*cancelled this week*

**7:30PM** R' Azarya Berzon, Masechet Makkot, Shaarei Shomayim—*cancelled this week*

### Monday, July 18

**7:15PM** R' Meir Lipschitz, Halachah in the Kitchen Week 4 of 4, 3000 Bathurst #1201, Women

**7:45PM** R' Azarya Berzon, Rambam, Clanton Park

**9:30PM** R' Azarya Berzon, Ramban al Hatorah, 12 Midvale

### Tuesday, July 19—Shivah Asar b'Tammuz

**7:30PM** R' Mordechai Torczyner: Minchat Chinuch at Clanton Park, The Mumar at the Seder

**7:45 PM** R' Azarya Berzon, Halachah and Hashkafah for Life, Clanton Park—*cancelled this week*

**8:30PM** Dovid Zirkind: Interactive Parshah, Westmount Learning Centre—*cancelled this week*

### Wednesday, July 20

**7:15PM** R' Azarya Berzon, Highlights of the Week's Shiurim, Clanton Park

**8:30PM** R' Azarya Berzon, Beit haMikdash and Aveilut Shomrei Shobbos

### Thursday, July 21

**7:45PM** R' Azarya Berzon: Rav Soloveitchik on the Mitzvah of Kriyat Shma, Clanton Park

**10:00PM** R' Azarya Berzon: Rambam Hilchot Talmud Torah, Clanton Park

**Mon-Fri** 6 AM R' Mordechai Torczyner: Daf Yomi, BAYT