

Toronto Torah

Beit Midrash Zichron Dov

Parshat Sh'lach

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Spies, Miracles and Religious Zionism

Yair Manas

Many countries create intricate networks of spies to glean information about their enemies. Some spies gather information, often by working undercover in hostile areas. Other spies evaluate that information, and use it to plan attacks. Indeed, it is natural for a country to have spies.

In Parshat Sh'lach, the Jewish people send spies to survey Israel. Since spying is part of the conquering process, sending spies seems like a smart idea. Rashi, however, is critical of the Jewish people for their request to send spies. In the second pasuk in the parshah, G-d says, "Send, for yourselves, people to spy out the land of Canaan." Rashi writes, "Send for yourselves - on your own accord, for I have not commanded this... Moshe consulted G-d, and G-d replied that He had already said that the land is good..." From Rashi's depiction of this conversation, it is evident that the request for spies was unreasonable. After all, G-d had already told the Jewish people that the land was good. Consequently, a request for spies indicates a lack of belief in the word of G-d. Thus, the Jewish people should not have requested spies, and they were punished for such a request (see the end of Rashi).

On the other hand, Ramban takes the approach that was outlined above. He argues that the request for spies was in accordance with the standard rules of warfare. When fighting in a foreign country, a nation typically sends forth spies to scout out the land, and those spies then lead the nation into the

foreign country, to show them which part of the country to conquer first. Ramban says that this is the proper procedure for all conquering armies, for one may not rely on miracles. [It is noteworthy that Ramban presents a more nuanced view on relying on miracles in other contexts. In comments to Vayyikra 26:11 and in Torat ha'Adam he presents arguments for and against pursuing medical care, and in comments to Bereishit 12:10 he criticized Avraham for leaving Israel during a famine.]

Thus, when Moshe and the nation decided to send spies, G-d supported the decision, and the Jews sent spies into Israel. According to Ramban, there was nothing wrong with this; in fact, failure to send spies may have been forbidden, because then the Jewish people would have needed to rely on a miracle!

Evidently, we have a debate regarding the propriety of sending spies. Rashi opines that sending spies indicates a lack of trust in G-d, while Ramban believes that sending spies is the sensible thing to do, for we do not rely on miracles. What, exactly, are they arguing about?

Nechama Leibowitz, as reported by Rabbi Chaim Jachter, explains that Ramban believes that redemption can occur via natural means. Rashi, on the other hand, believes that redemption must be miraculous. Thus Ramban believes that sending spies was appropriate, because doing so is the natural way to fight a war. Rashi thinks that redemption must be miraculous, and so there is no need to send spies.

Nechama Leibowitz further suggests that the disagreement between Religious Zionists and those who do not support the state of Israel may include the debate between Rashi and Ramban. She explains that Religious Zionists may follow Ramban's approach, that redemption can happen without an overt miracle, without G-d changing nature. People with this view look at the founding of the State of Israel as the beginning of our redemption, even absent a miracle. Those who do not support Israel may follow Rashi's approach, that redemption requires an overt miracle, and no obvious miracle accompanied the founding of the state. This debate occurs in another places as well. For example, the Talmud (Sanhedrin 78a) teaches that a sign of the beginning of the redemption is when the land of Israel produces fruit. The Maharsha provides two explanations for this: 1) Redemption is foretold when the land produces fruit in a normal manner, or 2) Redemption is foretold when the land produces fruit daily, a miraculous event.

Thus there are two valid ways to view redemption. Many of us side with Ramban, and consequently view Israel as the beginning of the redemption, even though there have been no overt miracles in the founding of the state. Others follow Rashi, who argues that one needs a miracle for redemption to occur, and consequently do not recognize the founding of the state of Israel as the beginning of the redemption.

Of course, there are other issues involved in the debate, now more than a century old, regarding modern Zionism. However, one lesson to learn from this discussion is that all must recognize that both sides have a source-based approach. Even while disagreeing, we must respect the opposing viewpoint. After all, we are all waiting for the Third Temple together.

ymanas@torontotorah.com

We hope you will join us at our Dessert Reception at 8 PM on June 19 at Shaarei Shomayim



All guests will receive a CD archive of 115 issues of Toronto Torah

This Week:
21st Century Shabbat:
Ancient Roots, Modern Meaning

A Shabbaton at
Congregation Bnai Torah
June 16

The Reincarnation of Tz'lafchad

Hillel Horovitz

א (כך מופיע גם ב"פתח עיניים" לחיד"א בשם האר"י ז"ל, וזהו גם כנראה מקור הלשון של "קבלתי" בדברי השל"ה). ועדיין נשאר לנו לשאול ולהבין מהו הקשר בין המקושש, צלפחד ואותו חסיד.

נענה על כך באמצעות דברי התוס' במסכת בבא בתרא (ק"ט: ד"ה 'אפילו'):

נראה לרשב"א דסבר לה כמאן דאמר צלפחד היינו מקושש... דאמר במדרש **דלשם שמים נתכוון** ...

מסביר התוס' על פי דברי המדרש שהמקושש התכוון בחטאו לשם שמיים, במדרש ובמפרשים רבים מצינו שאותו מקושש רצה להראות לבני ישראל מה העונש על חילול שבת ומשום כך החליט לחלל שבת בעצמו על מנת להורות וללמד את בני ישראל (לפי חלק מהשיטות משום שלא ידעו מה העונש על חילול שבת ולא רצה שיזולזלו בכבודה, ולפי השיטות האחרות חטא בכדי להראות לבני ישראל שגם אחרי חטא המרגלים יש חיוב לקיים מצוות). לפיכך יוצא שמחשבתו של צלפחד הייתה לשם שמיים, אולם מעשהו חטא לאמת ומשום כך נענש.

לפי דברי השל"ה נבין את תיקונו של החסיד, אותו חסיד נזהר כל כך בכבוד השבת שאפילו במחשבה לא רצה לחטוא בה, צלפחד חטא בכך שנתן למטרה לקדש את האמצעים והקדים את המחשבה בחשיבותה למעשה, בכך שחילל את השבת בכדי ללמד את עם ישראל. תיקונו של חטא זה הוא על ידי אותו חסיד שגדר את מעשיו באמצעות המחשבה, והפך את מחשבתו למשמעותית מספיק בכדי לגדור אף את עולם המעשה וזכותו נרמזת בשכר שקיבל "צלפחד" צלף אחד.

hhorovitz@torontotorah.com

בפרשתנו קוראים אנו על אודות המקושש שקושש עצים בשבת ונענש בסקילה. חז"ל (שבת צ"ו: בדברי ר' עקיבא) זיהו את אותו המקושש כצלפחד בן חפר אביהם של הבנות שיבואו לבקש נחלה ממשה בפרשת פנחס. בעקבות קישור זה בין המקושש לצלפחד נעשה קישור מעניין נוסף.

הגמרא במסכת שבת דף ק"נ: מספרת:

תנו רבנן: מעשה בחסיד אחד שנפרצה לו פרץ בתוך שדהו, ונמלך עליה לגודרה, ונזכר ששבת הוא, ונמנע אותו חסיד ולא גדרה. ונעשה לו נס, ועלתה בו צלף וממנה היתה פרנסתו ופרנסת אנשי ביתו.

הגמרא מספרת לנו על חסיד שנפרצה שדהו בשבת והייתה לו 'הוה אמינא' לגדור את אותה פירצה, ומשום שלא עשה זאת זכה ל"צלף" ממנו התפרנס.

השאלה המתבקשת שעלינו לשאול היא מדוע זכה אותו חסיד לגמול? הרי כל מה שהוא עשה היה לא לחטוא! פשוט הדבר שאסור לו לגדור את שדהו בשבת, אם כן מדוע מספרת לנו הגמרא שמעשה זה זיכה אותו בצלף? מסביר המהרש"א כי כוונת הגמרא היא אחרת. אותו חסיד רק חשב בשבת על כך שיגדור את השדה ביום חול. הוא בוודאי לא תיכנן לעשות זאת בשבת, אולם לאחר שיצאה השבת והוא רצה לגדור את שדהו הוא החליט שמשום שהרהר במעשה בשבת הוא לא יגדור בחול, משום אותו הרהור של חול שהרהר בשבת. כך גם משמע מלשון הגמרא שאומרת שהחסיד "נמלך" לגודרה כלומר רק חשב על כך.

השל"ה בפרושו על מסכת שבת שם כותב:

קבלתי, זה החסיד היה גלגול של צלפחד שהיה מקושש עצים בשבת. על כן זה החסיד נשמר במאד כדי לתקן קלקולו, ועלה לו צלף אחד, וזהו סוד 'צלפחד'.

613 Mitzvot: #168

Gratitude

R' Mordechai Torczyner

One of the highest Jewish values is *hakarat hatov*, recognition of the gifts we have received from others. A person who recognizes that he is not solely responsible for the good he has received is on his way to true humility.

One of the greatest gifts a person can receive is to become a parent, and so a woman who gives birth brings a special set of *hakarat hatov* offerings, thanking G-d for bringing her through pregnancy and childbirth and for the gift He has given her. [One of her offerings is a *chatat* (sin-

offering), which Rabbi Shimon bar Yochai explained as atonement for oaths taken during labour. However, Keritot 26a indicates that this is subject to debate; other sages argued that it is called a *chatat* only because its rituals mirror those of a standard *chatat*. Further, she also brings a separate *olah* (burnt offering).]

Today's equivalent of this offering is "Birkat haGomel," a blessing recited after giving birth, and the blessing of thanks parents recite upon the birth of their children.

torczyner@torontotorah.com

Hitoriri:

Jewish Spirituality

Bread, Water & Riches

R' Dovid Zirkind

This is the way of Torah study: Eat bread with salt, drink water in rationed measure, sleep on the ground, live a life of hardship, and toil in the Torah. Should you do so, "you shall be happy, and it shall be well with you." (Tehillim 128:2) You shall be happy in this world and it shall be well with you in the world to come. (Avot 6:4)

Visualizing the righteous scholars of our nation's past, we often conceptualize something similar to the description provided in the above mishnah: an old man hunched over dusty books, sitting on a rickety chair, studying by candlelight. In fact, to the credit of our dedicated ancestors, such a setting was often the birthplace of novel Torah ideas. Nonetheless, we should wonder if scarcity is necessary for spiritual growth. Chazal often teach us that Torah does not seek to impose asceticism on its followers; the Nazir may even be punished for accepting a small fragment of it upon himself.

In a characteristically succinct comment, Rashi suggests that this mishnah does not speak of an ideal life style; the text actually responds to the depressed scholar, whose poverty deters him from continuing his studies. The wealthy are not expected to rid themselves of prosperity in their pursuit of Torah, but the poor may not call on their poverty as an excuse for setting Torah study aside, either. Financial challenges can become a powerful distraction from a life of spirituality; therefore, this mishnah reassures us that a Torah-centric life will eventually lead to happiness.

Irving Bunim suggests that a close reading of the mishnah supports Rashi's interpretation. (Ethics from Sinai III, pg. 1055) Rather than describe a "life of Torah" the mishnah speaks of the "way of Torah" or literally the "road" of Torah. There may be challenges along the way, says Bunim, but they are not our target. Similarly, Avraham Avinu is the first Jew instructed to travel a path full of obstacles, but he is assured that suffering is not his destiny. For every challenge he will encounter, Hashem promises him that he will benefit, with a life of fame, prosperity and family. The mishnah teaches us that each person will encounter a unique set of challenges in life, but hope remains in knowing that our mission is much greater and our reward is guaranteed.

dzirkind@torontotorah.com

Torah in Translation

**Swearing vs Affirming
R' Ovadia Yosef**

Yabia Omer 1:Yoreh Deah 17

Translated by R' Mordechai Torczyner

I have been asked regarding the practice of religious people in government courts, who avoid swearing by declaring, "*b'hen tzedek* [the command to ensure our words are true; based on Vayyikra 19:36]." Do these words not have the weight of a prohibited oath?...

Rama (Yoreh Deah 237:10) wrote, "When people say, '*Emunah* [Faith], I will do this', formal repealing is required even though this is only a vow taken to goad one's self."... The Zera Emet (2:99) explained, "'*Emunah* I will do this' is related to an oath because it is like swearing by faith in G-d. It is no less than swearing 'In truth,' which is an oath, as recorded in Reishit Chachmah (Shaarei haKedushah 14)... However, because people normally say '*Emunah* I will do this' without intending an oath, Rama wrote that it is only on the level of a vow taken to goad one's self." Thus, saying "Truth" is an oath. Similarly, saying "*b'hen tzedek*" could have some of the seriousness of an oath.

Pnei Yitzchak I Yoreh Deah 5 discussed extensively the status of one who declares "Truth," and argued that Reishit Chachmah said this only as a caution [rather than law], as evidenced by the companion warning he brought, that one should not say, "By my life." Birkei Yosef 229 ruled that although one may not say, "By my life," this would not carry the prohibition that an oath would.

I am not certain that Pnei Yitzchak is correct, for Radvaz wrote explicitly that saying "Truth" is an oath... and the masses consider this language to be that of an oath, thereby introducing it to the class of expressions which the sages, or the general population, create, which per Nedarim 10 have the status of quasi-oaths because one intends to swear... As far as the proof he cited from the companion case of "By my life," it is not clear that "By my life" is not an oath, for Maharsham (4:38) was asked regarding one who swore by his life... and he wrote that one may learn from an explicit verse (Bamidbar 14:21), "As I live," which Rashi said is an oath...

However, it appears that one should not compare "*b'hen tzedek*" with "Truth", for saying "Truth" resembles swearing by Divine attributes. A mishnah (Shevuot 35) states, "One who swears by 'the One who is long in patience' or 'the One who performs great chesed' or any Divine attribute is liable." Truth, too, is one of the thirteen attributes

Rabbi Ovadia Yosef was born in Baghdad, to a working-class family, on the eleventh of Tishrei, 1920. At the age of four, he moved to Israel with his family; due to their penury, young Ovadia alternated time between studies and work. He studied at the Porat Yosef yeshiva in Jerusalem under Syrian sage Rav Ezra Atiyeh, and was ordained by Sephardic Chief Rabbi Ben Zion Uziel at the age of 20. Beginning in 1945, he served as a judge on rabbinic courts in Jerusalem.

In 1947, at Rabbi Uziel's request, Rabbi Yosef moved to Cairo to serve as Chief Rabbi. The arrangement did not last, though; Rabbi Yosef found himself at odds with the communal leadership regarding halachic matters, particularly kashrut. He returned to Israel in 1950, becoming a judge in Petah Tikvah, and then Jerusalem; in 1965, Rabbi Yosef joined Israel's Supreme Rabbinical Court.

During this time, Rabbi Yosef's responsa and other writings became immensely popular. In 1954 Rabbi Yosef won the Rav Kook Prize for Torah literature, and in 1970 he received the Israel Prize. He became Chief Rabbi of Tel Aviv in 1968, and then Sephardic Chief Rabbi of the State of Israel in 1973.

Rabbi Yosef's responsa address contemporary issues of all kinds, and stand out for the breadth of the works cited in these encyclopedic writings. Rabbi Yosef is also known for political involvement, as the founder and spiritual leader of Israel's highly successful Shas party; he retired from the bench in 1986 because of legal limits on the political activity of the judiciary. His style of public address is that of the study hall, interweaving biblical passages and rabbinic teachings with caustic rebuke and hyperbolic rhetoric; the result sparks frequent controversy, particularly because Rabbi Yosef is one of the leading authorities in Jewish law today. On June 13 2012, Forbes Israel ranked Rabbi Yosef as the "most influential rabbi in Israel".

torczyner@torontotorah.com

[and *b'hen tzedek* is not]...

The courtroom practice is to ask the party to swear, and then, when he refuses because he is observant. they tell him to declare "*b'hen Tzedek*." There could be no greater explicit statement that this is not intended as an oath. Even though the courts accept this in lieu of an oath, indicating they think of it

Located in the northwestern Negev, the Eshkol Regional Council is an area that encompasses fourteen smaller kibbutzim and thirteen moshavim. Established in 1951, the Eshkol region was originally called Hevel Maon (Maon District), but its name was changed in 1969 in honour of Levi Eshkol, Israel's third prime minister. The region's current population is estimated at 12,500.

Spanning 473 square kilometres, the Eshkol region includes diverse terrain, from forests to large sections of desert. With its unique environmental conditions, local farmers have made the region blossom agriculturally, cultivating field crops, hothouse vegetables, citrus fruits and flowers for export to markets all over the world. Together with a growing industrial and commercial sector, the Eshkol region is a crucial contributor to Israel's economic growth. The Eshkol region has also been a crucial area for Israel's military; since the nation's very beginnings, the settlements in the Eshkol have housed numerous IDF outposts for the defense of the Southern Front.

The area boasts a range of cultural attractions for residents and tourists alike. The country's top theatrical companies perform in the Eshkol region regularly; the area also hosts many concerts, films and art productions for both children and adults. Yaron Bob, a blacksmith in the region, famously began his "Rockets to Roses" project in the area, fashioning the metals of missiles that strike the region into beautiful works of art.

Unfortunately, the Eshkol region is most often in the news for the rocket attacks it faces regularly from Aza ("the Gaza Strip"), located just west of the region. With tremendous courage, residents continue to lead normal lives, contributing to the development of Eretz Yisrael.

egoldschmiedt@torontotorah.com

is an oath, we are not concerned. It is not an expression related to an oath, as is the case regarding language that the general population considers oathlike, for he does not intend to swear.

~ PLEASE JOIN US ON JUNE 19 ~

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Have you been to our Panel Discussions or Shabbatonim?

Do your sons attend the shiurim in which our avreichim assist at Yeshivat Or Chaim?

Was your shul among the 13 participants in the Yeshiva University GTA Shabbaton this past March?

Have your children been a part of our shiurim at Netivot, the Associated Hebrew Schools, CHAT or the college campuses?

Were you refreshed at the UJA Walk with Israel's Rest Stop 4?

Are you among the tens of thousands who watch our shiurim on Koshertube.com?

Did your daughters attend our weekly Women's Beit Midrash this fall at Ulpanat Orot?

Do you believe the GTA should host a Beit Midrash that offers all this, and more? If so, then.....

Please join us at our Dessert Reception on June 19, to ensure that we will be able to do all of this, and more, in the future. We will pay tribute to honoured founders **Eli and Renee Rubinstein**, and our beloved **Rabbi Dovid and Ariella Zirkind**.

8:00 PM Tuesday June 19

at Shaarei Shomayim, 470 Glencairn Ave, Toronto

**\$180 for couples, \$100 for individuals, Scroll of Honour dedications available
For information and to RSVP please contact 416-783-6960 or canada@yu.edu**

Highlights for June 16 - 22 / 26 Sivan - 2 Tammuz

Shabbat, June 16

Bnai Torah Shabbaton

21st Century Shabbat: Ancient Roots, Modern Meaning
After Hashkamah R' Baruch Weintraub, Between Creation and Exodus

Derashah R' Dovid Zirkind, The Shabbat Vacation

7:05 PM R' Mordechai Torczyner, The Deeper Challenge of Technology

8:05 PM R' Ezra Goldschmiedt, Shul: The Original Social Network

Seudah Shlishit Yair Manas, Good Erev Shabbat!

All regular Shabbat shiurim are cancelled this week

Sunday, June 17

9:15 AM Hillel Horovitz, Parshah, Zichron Yisroel, Hebrew

6:00 PM R' Baruch Weintraub, Halachic considerations in actual questions in Israel: The Refugee Crisis, Hebrew, 4 Tillingham Keep

40 Min Before Minchah R' Baruch Weintraub, Halachic considerations in actual questions in Israel: The Refugee Crisis, Hebrew, Clanton Park, *men*

Monday, June 18

8:30 PM Hillel Horovitz, Siddur: In-Depth, Clanton Park

Tuesday, June 19

1:30 PM R' Mordechai Torczyner, Habbakuk 3: The Finale, *with Mekorot*

6:30 PM R' Ezra Goldschmiedt, Ramban on the Parshah, BAYT

8:00 PM DESSERT RECEPTION AT SHAAREI SHOMAYIM

Wednesday, June 20 Rosh Chodesh Tammuz

8:00 PM Yair Manas, Responsa, Clanton Park, *men*

8:00 PM R' Dovid Zirkind, Gemara Beitzta 2nd Perek, Shaarei Shomayim

8:30 PM R' Mordechai Torczyner, Living Midrash, BAYT, *women, not this week*

8:30 PM R' Baruch Weintraub, Hilchot Melachim: Royal Courts?, Shomrei Shabbos, *men*

Thursday, June 21 Rosh Chodesh Tammuz

10:15 AM R' Mordechai Torczyner, Practical Shabbat 3 of 3: Grooming, BAYT, *collegiate women*

Friday, June 22

8 AM R' Dovid Zirkind, Friday Parshah Preview, Village Shul