

Toronto Torah

Beit Midrash Zichron Dov

Parshat Vayyera

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MAZAL TOV TO SARA AND ADAM FRIEBERG ON THE BIRTH OF A BABY GIRL!

We welcome the shlichim of Torah miTzion visiting Toronto for the annual North American Convention

Collective Punishment, Personal Judgment

Rabbi Baruch Weintraub

In Avraham's effort to rescue Sodom, his fundamental argument is, "Would you even destroy the righteous with the wicked?" (Bereishit 18:23) This argument presupposes that killing the righteous because of the wicked is an immoral act, inappropriate for the "Judge of the entire earth (ibid 18:25)". Moshe and Aharon echo this challenge regarding the punishment of Korach and his followers, "If one man sins, shall You be angry with the whole congregation?" (Bamidbar 16:22)

However, we must ask ourselves: If inflicting pain on the righteous because of the wicked is so clearly immoral, how can it be that Hashem is willing to do it again and again? Even more so, how can our sages tell us (Mechilta Bo 11), "When the angel of death is permitted to act, he does not distinguish between the righteous and the wicked"? Will the Judge of the entire earth not perform justice?

A similar question is asked in the Talmud (Sanhedrin 27a): On the one hand, the Torah (Devarim 24:16) tells us, "Fathers shall not be put to death because of sons, and sons shall not be put to death because of fathers; each man shall be put to death for his own transgression." On the other hand, the same Torah (Shemot 34:7) also

declares that G-d "visits the iniquity of parents upon children and children's children, to the third and fourth generations." Does Hashem punish people for others' sins?

The Talmud answers that Hashem's actions vary by circumstance. If the son will change and behave according to G-d's will, he won't be punished for his father's actions. But when he continues in his father's ways, he will be punished both for his sins and for his father's sins. However, this answer, while resolving the contradiction between verses, does not address the moral question: Why should the son be punished for his father's deeds at all, even if he is personally wicked?

The answer, I think, lies in the idea of collective judgment, as opposed to collective punishment. We can assess a society's righteousness in two different ways:

1. We can inspect and judge every individual separately, or
2. We can examine the society as a whole.

Both ways can be correct and just – it's a matter of our point of view.

Sons who walk in their fathers' paths are considered members of a single society with their fathers. This society

will be judged as a whole, and the punishment for the society's collective sins will be to the whole. Individuals may suffer for more than their personal sins; as they are part of this society, they bear its punishment. On the other hand, sons who would break with their fathers' sins, affiliating themselves to a different culture, would be judged accordingly as unique individuals.

Interestingly, this might be the reason behind the angels' mysterious warning that Lot and his family not look back while escaping from the burning city. Looking back serves as a sign of identification and solidarity, and consequently will cause the observer to be judged together with the city's population. Indeed, a very similar regulation is set in the case of Korach and his followers, "Distance yourselves from the tents of these wicked men, and do not touch anything of theirs, lest you perish in all of their sins." (Bamidbar 16:26)

Let us now take another step: Until now we have spoken about the ability of each one to define himself as an individual or as a part of society, but from the arguments of Avraham and Moshe it appears that one can also be defined by others. Avraham and Moshe see the righteous as apart from the wicked citizens of S'dom, and from Korach's cadre. When others identify the whole group as one homogenous block, Divine judgment will likewise treat them as one. But when others can distinguish between the good and the bad, the righteous and the corrupted, then so will G-d.

If this idea is correct, then a heavy responsibility lies on our shoulders. The way we see others can affect the way Hashem will assess them! Are we generous enough to see good within evil?

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ARE WE LOSING IT?**

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There are at least three approaches to the authority of custom.

The Rif (Responsum 13) and the Rosh (Responsum 55:10) both argue that the force of custom stands upon a halachic foundation. The Rif says that we observe custom because at one time our elders made an edict; even when the reason is forgotten, the practice continues. Thus, custom reflects an ancient enactment that we continue to observe because we presume that it was enacted with the formalities of a valid rabbinic law. Similarly, the Rosh writes that we follow custom because we assume that earlier authorities decided that the custom was the halachah.

The Chatam Sofer (1:145) offers a second approach to the authority of custom. In his discussion about the second day of Yom Tov, observed outside of Israel, he writes that this custom possesses the authority of a communal vow. This approach and the previous approach establish custom upon halachic foundations.

Under the first and second approaches, we should disregard customs which clash with halachah, because halachah is what gives the custom its validity in the first place. For example, the Talmud (Sukkah 47a) rules that one who lives outside of Israel must sit in a sukkah on Shemini Atzeret. However, some people have a custom to not sit in the sukkah on this day. Using the approach of Rif and Rosh, or that of Chatam Sofer, those people should disregard their custom, because it stands against the halachic system which authorizes custom. Rabbeinu Tam writes that even a "fitting custom" does not override halachah (Responsa of Baalei haTosafot 11). Thus, when custom confronts halachah, we should disregard the custom and observe the halachah.

A third approach may validate some customs which run counter to halachah. Rav Hai Gaon writes (cited in Tmim Deim 119):

More than any other proof, go out and see what the people are doing. This is the essence and the basis. Only afterwards do we consider all that was said in the mishnah or in the gemara concerning the matter. If whatever follows from them can be reconciled with our established practice, fine. And if they contain anything that does not match what is in our hearts [i.e. what we practice] and cannot be clarified with proof, it will not override the essential thing. [translated by R' Chaim Navon].

Rav Hai Gaon argues that custom is the basis for halachah. If so, then there is room to argue that an already established custom, such as not sitting in the sukkah on Shemini Atzeret, can override a halachah.

Clearly, Rav Hai Gaon's approach is fraught with danger; it is clear that we cannot invent practices which run counter the halachah and then claim the authority of custom, but at what point would an existing custom gain this legal authority? While Rav Hai Gaon's words must be taken seriously, this position is difficult to support. Indeed, Rabbi Soloveitchik (Nefesh HaRav pg. 220) concluded that the practice to sit outside of the sukkah on Shemini Atzeret is a "mistaken practice," because it directly contradicts the conclusion of the gemara. Still, the multiplicity of views regarding the nature of custom demonstrates that we have much to learn regarding this basic component of Jewish practice.

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613 Mitzvot: #213, 214

Stay away!

Rabbi Mordechai Torczyner

We have already learned (in mitzvot 28 and 29) that one may neither bow to an idol nor worship it in any other way. Mitzvah 213 requires us to do more, refraining from turning toward idolatry even in our speech or thoughts. As part of this mitzvah, a midrash (Sifra Kedoshim 1:11) rules that one may not intentionally look at idolatrous activities and symbols. As the Sefer haChinuch (213) explains, this is due to a concern that learning about their worship might create attraction for us, and due to a general injunction against wasting our time.

Mitzvah 214 requires that we not create idols for those who might use them, whether Jewish or non-Jewish. While there are leniencies regarding constructing a building which will house an idol, one may not construct the idol itself, and one may not act as a contractor, hiring others to perform the actual work. (Mishneh Torah, Hilchot Avodah Zarah 3:9; Minchat Chinuch 27:1)

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Hitoriri: Jewish Spirituality Tainted Grain Adam Frieberg

The king's stargazer saw that the grain harvested that year was tainted; anyone who would eat from it would become insane. "What can we do?" said the king. "It is not possible to destroy the crop, for we do not have enough grain stored to feed the entire population."

"Perhaps," said the stargazer, "we should set aside enough grain for ourselves. At least that way we could maintain our sanity." The king replied, "If we do that, we'll be considered crazy. If everyone behaves one way and we behave differently, we'll be considered the not normal ones."

"Rather," said the king, "I suggest that we too eat from the crop, like everyone else. However, to remind ourselves that we are not normal, we will make a mark on our foreheads. Even if we are insane, whenever we look at each other, we will remember that we are insane!"

This story (available at <http://breslov.org/rebbe-nachmans-stories-the-tainted-grain/>), like all of the amazing, fairytale like, stories told by Rebbe Nachman of Breslov, has always struck me; I believe it is filled with symbolism and meaning. Rebbe Nachman stated explicitly on multiple occasions that the purpose of his stories was to arouse people from their spiritual slumber; he believed a story could accomplish this in a way that nothing else could.

One of this story's messages speaks to the Jew in the modern world, who needs to work hard to support a family. Long days and endless emails often make us forget our true purpose - making us "insane". Pirkei d'Rabbi Eliezer (11) explains that in placing Adam in Gan Eden "to work it and to guard it (Bereishit 2:15)", G-d was asking him to work the garden through the study of Torah and the performance of mitzvot, and to guard it by refraining from sin. Yet our exile from the Garden, and the curse that "by the sweat of your brow you shall eat bread (Bereishit 3:19)", created a new reality where our ideals are easily forgotten. We may, unfortunately, drift from those ideals due to our labour, but like the king in the story, let us keep them as our compass.

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**Torah in Translation
Burial of an
Uncircumcised Youth
Rabbi Dovid Zvi Hoffman**

**Melamed P'Hoil 2:115
Translated by R' Ezra Goldschmiedt**

I saw in Vayilaket Yosef (3-4:74) that R' Yehudah Leib Marmorstein discussed the case of a youth whose father had not allowed him to be circumcised. The youth now has died at the age of sixteen, and Rabbi Marmorstein ruled that his grave should be distanced nine cubits from the other graves; see his reasoning there. In my humble opinion, one should agree with him in practice, but not due to his reason. He decided that it was obvious that this youth was a wicked individual, and we do not bury the wicked alongside the righteous. (Sanhedrin 47a). One cannot argue that the youth was a "child held captive among non-Jews" [who is not viewed as responsible for his actions], for it is well known... and that Jews need to be circumcised.

However, who could tell us that [this youth] definitely knew he wasn't circumcised? Does every sixteen-year-old child know the nature of circumcision and the visual difference? Perhaps he was modest and never looked at it his entire life.

Think about it [further], due to our many sins there are areas in Germany where the *mohelim* are severe sinners and do not perform *priah* [lit. revealing; peeling off the epithelium]! Many children are therefore as though they were not circumcised [at all], for we learn, "One who circumcised without *priah* is as if he had not circumcised." (Mishnah Shabbat 19:6) However, none of them know that they are not circumcised; certainly, they are like "children held captive among non-Jews". Further, even if they were to learn afterward that *priah* is necessary, they wouldn't know that *priah* had not been performed on them.

Moreover: Even if you would say that he knew that he wasn't circumcised and despite that he didn't circumcise himself, one could argue that he did so because he didn't want to pain himself, and not because he kicked [i.e. rejected] the commandment of circumcision. If so, all would agree that he was only a rebel concerning one matter, due to his desires.

It seems to me that even in Hungary the custom is not to distance the grave of such a rebel from other graves - in Germany, the

Born in the Slovakian town of Verbo in 1843, Rabbi Dovid Zvi Hoffman was a college-educated intellectual as well as a Torah scholar. He studied in the Universities of Vienna and Berlin and received a doctorate in 1871. He received his Torah education under the Maharam Schick as well as Rav Esriel Hildesheimer.

Rabbi Hoffman served as a teacher in Rabbi Samson Raphael Hirsch's school in Frankfurt and then moved to Berlin to join the Rabbinical Seminary, where he eventually became a teacher after the passing of Rav Hildesheimer. He also served as the community's Rabbi. Rabbi Hoffman earned great esteem in the larger community, and he received the title "Professor" from the German government upon celebrating his 75th birthday.

Known as one of his country's greatest halachic experts of the time, Rabbi Hoffman wrote most of his works in his native German. His three-volume set of responsa, *Melamed L'hoil*, was published in Hebrew after his death. One of those responsa is translated here.

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custom is certainly not so - and so there is no legal reason to change the youth's burial from the burial of other Jewish sinners.

However, it seems to me that in order to fence in the matter one should prevent his burial among other graves. This is meant to punish those heretics who nullify the covenant of our forefather Avraham, not circumcising their sons, so that they shall understand and fear that this will cause their sons to be entirely separated from the seed of Israel. Even after death, they will not have a grave among the children of our forefather Avraham. Particularly in our time, when this wickedness has spread due to our many sins, there is [a need] to establish boundaries in order to distance those wicked ones from Jewry as much as possible...

Monday is the 20th of Cheshvan

Lord Moyne (born Walter Guinness) was appointed to serve as Great Britain's Resident Minister of State in the Middle East in January 1944. In this capacity, Moyne oversaw the British policy of prohibiting Jewish refugees from arriving in then-Palestine. Even beforehand, in his role as deputy Resident Minister, he played a role in blocking the immigration of Jewish refugees on the *Struma* in February 1942; the ship was ultimately torpedoed by the Soviets, killing 768 passengers. In June of 1942 he addressed the House of Lords and spoke forcefully against creation of a Jewish state, comparing those who would "force an imported régime upon the Arab population" to Nazis.

On the 20th of Cheshvan, 1944, Eliyahu Ben-Tzuri and Eliyahu Hakim, members of the Jewish resistance group Lehi, assassinated Lord Moyne in Cairo. They were caught, tried and hanged. Lehi declared, "We accuse Lord Moyne, and the government he represents, with murdering hundreds and thousands of our brethren; we accuse him of seizing our country and looting our possessions... We were forced to do justice and fight."

Historians note that Lord Moyne's assassination was more about the British than about the man. The goal, as explained by Yaakov Banai, then-commander, was to demonstrate that Jewish resistance was not limited to battling the British Mandate, but was against Great Britain itself. The plan was actually initiated in 1941, and delayed until the British would appoint a native Briton as Resident Minister of State.

In the aftermath of the assassination, Winston Churchill (a friend of Moyne) voiced second thoughts about support for a Jewish state. Ironically, per historian Bernard Wasserstein, a British plan to create a Jewish state was up for a vote in the British cabinet during the week of the assassination, but it was tabled and never revisited after Moyne's death.

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Who is the prophet of our Haftorah?

The book of Melachim ("Kings") records the history of Jewish life in Israel from the end of King David's reign until the Babylonian destruction of the first Beit haMikdash. The Talmud (Bava Batra 15a) says that it was recorded by Yirmiyah, who lived through the last decades recorded in the book. In our editions of Tanach, Melachim is split into two parts; the first part begins with the end of King David's reign and continues until shortly after the death of King Achav of Yisrael, and the second part continues from there.

The dominant prophet of the first half of Melachim II is Elisha. Elisha began his prophetic career as a student of Eliyahu, but came to double Eliyahu's achievements. His record includes splitting the Jordan river (Melachim II 2), healing Aramean general Naaman from his tzaraat (Melachim II 5), blinding the Syrian army (Melachim II 6) and prophesying the plenty which would come when the Aramean camp fell to the Jews.

What is the message of our haftorah?

Our Haftorah includes three separate stories involving the prophet Elisha.

In the first story, a woman appeals to Elisha for aid. Her husband, a student prophet, has died, and debt collectors are on the verge of collecting her sons as slaves. Elisha instructs her to borrow vessels, and he tells her to pour her own oil into those vessels. The oil

miraculously fills all of the vessels, while the original vessel remains full. [According to the Aramaic Targum on Melachim II 4:1, the woman's deceased husband was the prophet Ovadia.]

In the second story, Elisha wishes to reward a Shunamite woman for her hospitality. His servant Gechazi notes that she has no child, and Elisha promises that she will have a child. At the time Elisha had designated, she gives birth to a child.

In the third story, the child born to the Shunamite woman dies. She finds Elisha and informs him, and he comes and restores the child to life. [Note: Some communities end the haftorah before Elisha restores the child to life.]

What is the connection between our haftorah and the parshah?

At the start of our parshah, Avraham and Sarah are informed by a Divine messenger that they will be miraculously blessed with a child, and this comes to pass. In the haftorah, Elisha informs the Shunamite woman that she will be miraculously blessed with a child. Further, Avraham believes that Yitzchak is dead to him due to Divine instruction, until Hashem rescinds His command and so restores his life. The Shunamite woman's child dies, too, and is then restored to life.

It is also worth noting that the latter two miracles of our haftorah occur as reward for hospitality; in our parshah, Avraham

and Sarah welcome in three strangers, and are rewarded with news of a son.

Gechazi

In our haftorah, Elisha is assisted by a servant named Gechazi. In a later story (Melachim II 5), Gechazi attempts to profit personally from his master's miracles; Elisha curses him and sends him away. The Talmud (Sotah 47a, Bava Metzia 87a, Yerushalmi Sanhedrin 10:2) criticizes Elisha for his harsh stance, even indicating that Elisha was Divinely punished with illness. The Talmud (Sotah 47a) records that Elisha went to Damascus to bring Gechazi back, but he was unsuccessful; his rebuke had been too harsh, and it was now too late for him to reverse it.

Sequel to the story

In Melachim II 8, Elisha tells the same Shunamite woman that a seven-year famine is coming, and she should flee. She departs for the land of the Philistines, but upon her eventual return she discovers that her home and field have been occupied by others. The Shunamite woman complains to the king, just as Elisha's disgraced servant, Gechazi, is telling him about Elisha's miraculous resurrection of her son. When she confirms the story to the king, the king assigns her a royal officer to help her reclaim her property.

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Highlights for November 3-9 / 18-24 Cheshvan

Shabbat, November 3

7:45 AM R' Baruch Weintraub, Reasons for Mitzvot and the Parshah, Or Chaim

10:20 AM R' Baruch Weintraub, Parshah, Clanton Park

4:55 PM R' Mordechai Torczyner, Daf Yomi: Shabbat 31, BAYT

After minchah R' Mordechai Torczyner, Gemara Avodah Zarah, BAYT **not this week**

Sunday, November 4

9:00 AM Breakfast and Beit Midrash, R' Moshe

Abermann: The Sanctity of the Land of Israel, Or Chaim

9:15 AM Hillel Horovitz, Parshah, Zichron Yisroel, Hebrew (Shacharit 8:30 AM)

After maariv R' Baruch Weintraub, Contemporary Halachic Questions in Israel, **Hebrew**, Clanton Park, *men*

8:30 PM R' Baruch Weintraub, Contemporary Halachic Questions in Israel, **Hebrew**, 4 Tillingham Keep, *mixed*

Monday, November 5

8-10 PM Monday night Beit Midrash at Bnai Torah

8 PM Hillel Horovitz, Shemuel II, David & Batsheva II: Did David Sin?, Bnai Torah

8-10 PM Monday night Beit Midrash at Clanton Park

Tuesday, November 6

1:30 PM R' Mordechai Torczyner, Tzefaniah 3: There is Judgment, Shaarei Shomayim, with *Mekorot*

7:30 PM Hillel Horovitz, King David: Shemuel Bet: King David's Glory, KST

8 PM Adam Frieberg, Yiftach's Daughter: Human Sacrifice?, Shaarei Tefillah

8:30 PM R' Baruch Weintraub, Rambam's Laws of Kings, Shomrai Shabbos, *men*

8:45 PM R' Ezra Goldschmiedt, Jewish Clothing Controversies, Week 2, BAYT

Wednesday, November 7

10 AM R' Mordechai Torczyner, Supernatural/Superstition, Week 4: Evil Eye, BEBY, with *Melton*

12:30 PM R' Mordechai Torczyner, Business Ethics Lunch & Learn Week 3: Rent Control, Zeifmans

Next Roving Beit Midrash: Shaarei Shomayim, Nov. 14, R' Mordechai Torczyner, History of Modern Zionism

Thursday, November 8

8:30 PM R' Baruch Weintraub, Sotah, Clanton Park

Next CME: Sunday Nov. 11 at BAYT: "Human Dignity in Medical Halachah" with R' Mordechai Torczyner