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Yeshiva University Torah MiTzion Beit Midrash Zichron Dov

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The Power of Preparation

Yisroel Meir Rosenzweig

"A righteous man (*ish*), perfect in his generations" – In any place it says *ish*, it means someone who is righteous and a tested expert. [Noach was called an (*ish*),] for all 120 years leading up to the flood he planted cedar trees and cut them down. People asked him, "Why are you doing this?" Noach would respond, "The Master of the world stated that He will bring a flood to the world." (*Bereishit Rabbah 30:7*)

Noach planted trees and then harvested them for their wood, preparing for the construction of the ark by stockpiling the lumber. The most basic goal of the ark was to provide an escape for Noach and his family from the flood that loomed in the future. The process of building the ark was aimed at perhaps a more critical goal, to catch the attention of the world and persuade them to correct their ways. It is striking that, according to this midrash, while the ark was certainly the final product of this process, the preparation was the real focus.

Had it ended differently, Noach's story would have presented us with an example of how our actions can impact the lives of others. Unfortunately, not only did the building of the ark fail to convince the world of the impending disaster, it seems that even Noach had his doubts. So steadfast was his refusal to truly believe that a flood was coming that Noach didn't enter the ark until the rising water left him no choice. (Rashi to Bereishit 7:7) Perhaps his own lack of commitment was the source of his failure to influence others.

What, however, could be accomplished if one undertook preparing for a mitzvah wholeheartedly? In the opening to Hilchot Rosh HaShanah (Orach Chaim 581), the Tur quotes a midrash that can help to answer this question.

On Yom HaKippurim, all afflict themselves - men women and children. The Holy One Blessed is He says to Israel, "What has passed has gone, from now and onward will be the accounting [of sin]." From Yom HaKippurim until Succot all of Israel is busy with mitzvot. This one prepares his sukkah, this one his lulav. On the first day of Yom Tov all of Israel stands before The Holy One Blessed is He with their lulavim and etrogim for the name of G-d. [G-d] says to them, "What has passed has gone, from now will be the accounting [of sin]." (*Vayikra Rabbah 30:7*)

In his commentary to Shulchan Aruch, Turei Zahav (OC 581:1), Rabbi David HaLevi Segal struggles to understand this midrash. How is it possible that the days between Yom Kippur and Succot during which we ready ourselves for the mitzvot of Succot are of greater spiritual standing than the days of Succot themselves, when we actually perform the mitzvot of the holiday?! The Turei Zahav suggests that these days are so filled with preparation that there isn't any time left in which one could sin. As such, he rejects the notion that the days between Yom Kippur and Succot are of unique, intrinsic spiritual greatness; they are made great by the fact that we are too busy to sin.

The Sefat Emet (*Ha'azinu 5634*), Rabbi

Yehudah Aryeh Leib Alter, offers a very different understanding. The Sefat Emet argues that the preparation for a mitzvah can indeed have a deeper, longer lasting impact upon a person that the actual performance of the mitzvah. The mitzvah itself often only lasts for a fleeting moment in time; the desire and effort put into attaining that moment can inspire us for a lifetime.

While the Sefat Emet describes the religious experience of the individual, this midrash does more. It begins by emphasizing each individual's preparation for Succot without mention of the collective. However, with the entrance of Succot, the emphasis shifts to the collective. Perhaps this is the message – that one can impact the community only once one has properly readied himself – and perhaps this is why Noach failed.

As we perform mitzvot in our own lives, we should consider the power of fully engaging the process of getting ready to perform a mitzvah and committing wholeheartedly to it. By impacting ourselves through preparation, we have an opportunity to breathe new life into others' performance of mitzvot.

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***The Iggeret of Rav Sherira Gaon*
Moznaim (1988)
Translated and annotated by
Rabbi Nosson Dovid Rabinowich**

Background

Rav Sherira Gaon was born in 906 CE and died in 1006 CE. He served as the head of the academy in Pumbedita (close to modern day Fallujah in central Iraq), and his son Rav Hai Gaon served as the Nasi (president) of the academy, taking over the leadership after Rav Sherira's death.

During Rav Sherira's lifetime, there was strong Karaite opposition to the authority of the Talmud and those who lived by it. As such, leaders from the Kairouan community (in Tunisia) sent a letter addressed to both Rav Sherira and Rav Hai asking for help understanding the stages of development of the oral tradition, from its inception until their day. The *Iggeret* is Rav Sherira's response.

Content

The *Iggeret*, while ultimately a historical document, chronicles not only the unbroken chain of the oral tradition, but also where there were indeed cracks in that chain and why certain traditions are given more credence than others. For example, Rav Sherira Gaon specifically identifies the

destruction of the Beit Hamikdash and the destruction of Beitar as the turning points at which a single, united tradition became a multiplicity of views, all claiming equal authority. The relationships between sages are mentioned, delineating who taught who, and which traditions each house of study followed.

The conditions leading up to the redaction of the Mishnah by Rebbe are clearly stated, as are the details of how it was compiled and how it is different from the Tosefta. He also describes the *beraitot*, both those that were studied and eventually included in the Talmud and those that were dismissed and rejected. He discusses the reasoning for their non-inclusion in the Mishnah and explains why certain *beraitot* were included in the Talmud.

Rav Sherira also explains how the Talmud was compiled by Ravina and Rav Ashi, outlining their means of collecting all of the teachings of our sages and the principles they used in ordering the Talmud.

A great strength of the *Iggeret* is not only the information and history that Rav Sherira makes available, but the fact that everything that is stated is clearly established using examples and sources found within the text of the

Talmud itself, although not necessarily expressed explicitly therein.

Beyond proving the halachic significance of the Talmud and the oral tradition, Rav Sherira also defines the locations and chain of leadership of each of the Torah centres during the various periods. He records which scholars overlapped with whom, the various historical conditions they faced in their respective periods, the upheavals they experienced and the choices that resulted.

Translation and Notes

The book is written in a combination of rich Hebrew and Aramaic. The accompanying translation is very helpful in making the often-challenging original more approachable for the layperson. The notes are also a great asset, giving even greater context to Rav Sherira's Gaonic masterpiece.

Recommendation

Anyone who is interested in Jewish history or in gaining greater insight into the world of Torah and halachah that we have today would be well-served by studying this book. It enlightens and enlivens the rich history of which we are all a part.

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613 Mitzvot: #463: Cross-Examination

Rabbi Mordechai Torczyner

In the context of the laws of *ir hanidachat* (to be discussed next week, G-d-willing), the Torah warns, "And you shall seek out, and you shall investigate, and you shall inquire well." (Devarim 13:15) The Talmud (Sanhedrin 40a-b) cites this passage as the basis for the Jewish judicial practice of cross-examining witnesses; Sefer haChinuch records this as the Torah's 463rd mitzvah. As Sefer haChinuch writes, "Anyone with eyes in his head will look and see that the multiplicity of instructions, and the Torah's repetition in different words, are meant to instruct us well in this matter. This is a matter of great magnitude and a powerful pillar, on which the blood of people's lives depends." Sefer haChinuch also connects this mitzvah with the admonition to judges in Pirkei Avot (1:1), "Be patient in judgment."

Rambam explains that the goal of cross-examination is to ferret out falsehood both directly and indirectly. He writes, "We ask about fine details, and we shift them from subject to subject when questioning them, so that they will be silent or recant if there is falsehood in their testimony." (Mishneh Torah, Hilchot Eduot 1:4)

The first stage of investigation is called *chakirot*. The basic set of seven *chakirot* establishes day, time and place, but the judges may add unlimited *chakirot* related to the details of the event which was witnessed. The witness must be able to respond to all of the questions; a response of "I don't know" to any of these questions is sufficient to disqualify the witness. (Mishneh Torah, Hilchot Eduot 1:4, 2:1)

The second stage of investigation is called *bedikot*. *Bedikot* are questions about less significant and relevant aspects of the event which was witnessed; Rambam's examples include the colour of the clothing worn by the people involved in the event. Judges have the discretion to ask as many of these questions as they wish, and asking more of these questions is considered praiseworthy. Testimony is valid even if the witnesses are unable to answer *bedikot*, but a contradiction between the witnesses would disqualify their testimony. (Mishneh Torah, Hilchot Eduot 1:6, 2:1)

There is an exception to the process of cross-examination, for cases of loans. Lines of credit are critical for society, but the Torah makes lending unattractive by denying usury. Therefore, the sages attempted to remove legal obstacles which would make lending and collecting more challenging. As part of this effort, the sages minimized the interrogation process for witnesses to loans. (Mishneh Torah, Hilchot Eduot 3:1-2)

One might wonder whether the arduous process of interrogation might discourage witnesses from testifying. While the Torah does obligate those who know testimony to come forward (Sefer haChinuch 122), might the challenge of cross-examination prove too intimidating? The answer, presumably, is that the Torah's fear of improper punishment outweighs its fear of a stifled judicial system.

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Biography

Rabbi Shimon Shkop

Rabbi Baruch Weintraub

Rabbi Shimon Shkop was born in 1860, in Chistyakovo, Russia. Recognized for his unique abilities, he was sent, before the age of twelve, to the Mir Yeshiva. Two years later he entered the Volozhin Yeshiva, where he studied under the Torah giants of the generation, Rabbi Naftali Tzvi Berlin and Rabbi Chaim Soloveitchik (later known as Rav Chaim of Brisk). He was chosen for an elite group of students who learned closely with Rav Chaim, and during the ensuing six years he absorbed the new analytical method his mentor had developed.

Rabbi Eliezer Gordon of Telz, head of another renowned yeshiva, arranged for the young scholar to marry Leah, his niece. Four years later Rabbi Shkop moved to Telz, where he served as Rabbi. He stayed there for more than fifteen years, creating his own adaptation of the "Brisker method". In contrast to his mentor, Rabbi Shkop asked "why" as well as "what" regarding halachic issues, using reasoning to penetrate not only the mechanism of halachah, but also its very foundations.

The "purists" among Rabbi Chaim's students and successors did not favour Rabbi Shkop's approach, objecting to both the general method and some of its specific applications. However, many other Torah scholars saw this approach as a natural development. A steady flow of students came to learn from Rabbi Shkop, and he became known as one of the greatest minds of his generation.

In 1920, Rabbi Shkop was invited to take the position of Rosh Yeshiva in Grodno, Poland. His presence there made the Yeshiva a much sought-after place of study, and hundreds of students came to learn under Rabbi Shkop. The students included Torah leaders of the next generation, including Rabbi Yechezkel Sarna, Rosh Yeshiva of Chevron; Rabbi Chaim Leib Shmuelewitz, Rosh Yeshiva of Mir; Rabbi Shmuel Rozovsky, Rosh Yeshiva of Ponevezh; and Chaim Moshe Shapira, a prominent Mirzachi politician and a signatory of Israel's Declaration of Independence.

In October 1939, a month after the start of WWII, Rabbi Shimon Shkop passed away, but his Torah and his reputation are still alive among us.

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Torah and Translation

Critical Thinking in Torah Study

Rabbi Shimon Shkop, *Shaarei Yosher*, Introduction

Translated by Rabbi Baruch Weintraub

ראוי לידע ולהתבונן לדעתי מה שאמרו ז"ל בחגיגה דף ט"ו ע"ב, "ורבי מאיר היכי גמר תורה מפומיה דאחר? והאמר רבה בר בר חנה אמר רבי יוחנן מאי דכתיב 'כי שפתי כהן ישמרו דעת ותורה יבקשו מפיהו, כי מלאך ד' צבקות הוא', אם דומה הרב למלאך ד' צבקות יבקשו תורה מפיהו, ואם לאו אל יבקשו תורה מפיהו, ומסיק הש"ס לא קשיא: הא בגדול הא בקטן...

וי"ל דכאשר נדקדק מה שאמר רבי יוחנן "יבקשו תורה מפיהו", ולא אמר "ילמדו ממנו", דבאמת הלומד מחבירו אינו לומד מפי המלמד, אלא שומע ושוקל בפלס שכלו, והוא מבין הדבר, וזה אינו לומד מפי המלמד רק משכל של המלמד. ו"תורה מפה" נחשבת אם מקבל הדברים כפי ששמע בלי בקורת, ועל ענין זה אמר רבי יוחנן שלקבל תורה מפה, אינו ראוי רק אם הרב דומה למלאך ד' צבקות.

ולפי"ז מרומז בדברי רבי יוחנן הבדל בין קטן לגדול, דקטן לומד תורה מפה, שאינו ראוי לבקר מה לקרב ומה לרחק, וגדול שיש בכוחו לבקר אינו לומד תורה מפה.

וכמו כן ראוי לעורר לכל ההוגה בספרי אחרונים, שלא ילמדו תורה מפיהם, שלא לעשות יסוד מכל האמור בדבריהם טרם יבקרו היטב את דבריהם... דכל מה שיש בכוחו להחל מהתחלת התורה, עלינו לעשות בעצמנו לפי ערך שהורשה לנו לחקור ולהתבונן, ולא לסמוך על דברי הגדולים שקדמונו.

It would be appropriate to know and understand what our Sages said in Chagigah 15b: "How could Rabbi Meir learn Torah from the mouth of Acher (Elisha ben Avuyah, the sage who rebelled against G-d)? Didn't Rabbah bar bar Chanah say in the name of Rabbi Yochanan: What is the meaning of the verse, 'For the kohen's lips will guard wisdom, and they will seek knowledge of Torah from his mouth, for he is an angel of G-d (Malachi, 2:7)? This means that if the Rabbi is similar to an angel of G-d, they should seek Torah from his mouth, but if not, they should not seek Torah from his mouth!" And the talmudic passage concludes that there is a difference between an old and young student...

When we look carefully we see that Rabbi Yochanan said that they will "seek Torah from his mouth", and did not say, "they will learn from him." In truth, one who learns from his friend does not learn from his teacher's mouth, but listens and weighs according to his own mind, and comes to understanding. He is not learning from the teacher's **mouth** but from the teacher's **mind**. Torah is considered "Torah from the mouth" only if the student accepts the words as heard, without critical analysis. Regarding this Rabbi Yochanan said that to learn from someone's mouth is only appropriate if the Rabbi is similar to G-d's angel.

According to this, Rabbi Yochanan's wording hinted at the difference between an experienced and a young student. A young student learns Torah "from the mouth", for he is not capable of critical analysis, to determine what to accept and what not to. An older student can analyze critically, so he doesn't learn "from the mouth".

In the same way, it would be appropriate to encourage everyone who studies books written in recent generations, that they should not learn Torah "from their mouths", that they should not take anything written in them as a foundation before analyzing it well... For whenever it is within our power to learn from the beginning, we should do it independently, to the extent that has been permitted to us to explore and contemplate, and not to rely on the great scholars who came before us.

This Week in Israeli History: 9 Cheshvan 1994 The 1994 Nobel Peace Prize

Rabbi Mordechai Torczyner

9 Cheshvan is Thursday

On September 13, 1993, Israeli Prime Minister Yitzchak Rabin and PLO Chairman Yasser Arafat signed the Oslo Accords at the White House. A little over one year later, on October 14 (9 Cheshvan), 1994, the Norwegian Nobel Committee awarded the Nobel Peace Prize to the two men, as well as Israeli Foreign Minister Shimon Peres.

The committee explained, "For several decades, the conflict between Israel and its neighbour states, and between Israelis and Palestinians, has been among the most irreconcilable and menacing in international politics. The parties have caused each other great suffering. By concluding the Oslo Accords, and subsequently following them up, Arafat, Peres and Rabin have made substantial contributions to a historic process through which peace and cooperation can replace war and hate... The award of the Nobel Peace Prize for 1994 to Arafat, Peres and Rabin is intended by the Norwegian Nobel Committee to honour a political act which called for great courage on both sides,

and which has opened up opportunities for a new development towards fraternity in the Middle East."

Moments after the award was announced, Kare Kristiansen resigned from the Nobel committee. He asked, "What consequences will result when a terrorist with such a background is awarded the world's most prestigious prize?" Kristiansen said of Arafat, "His past is too tainted with violence, terrorism and bloodshed, and his future too unpredictable to make him a Nobel Peace Prize winner." Kristiansen went on to become an outspoken opponent of Israel's Disengagement from Gaza; he passed away in 2005.

Just hours after the Nobel announcement, Israeli commandos from Sayeret Matkal raided a terrorist stronghold where Hamas terrorists were holding Nachshon Waxman hostage. The raid failed; Nachshon Waxman and Commander Nir Poraz were killed. The terrorist who murdered Waxman would be released in 2011 in the prisoner exchange for Gilad Shalit.

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Weekly Highlights: Oct. 17 – Oct. 23 / 4 Cheshvan – 10 Cheshvan

Time	Speaker	Topic	Location	Special Notes
שבת Oct. 17				
After hashkamah	Yisroel Meir Rosenzweig	Seforno on the Parshah	Clanton Park	
After hashkamah	R' David Ely Grundland	The Good 'Ol Days	Shaarei Shomayim	
Before minchah	R' Jonathan Ziring	Daf Yomi	BAYT	
After minchah	R' Mordechai Torczyner	Gemara Avodah Zarah	BAYT	
Sun. Oct. 18				
8:45 AM	R' Jonathan Ziring	Trei Asar	BAYT	Hebrew
8:45 AM	R' Josh Gutenberg	Contemporary Halachah	BAYT	
9:15 AM	R' Shalom Krell	The Book of Shemuel	Associated (North)	Hebrew
10:00 AM	R' Aaron Greenberg	Gemara Chullin	Yeshivat Or Chaim	For Chaverim
Mon. Oct. 19				
7:30 PM	R' Jonathan Ziring	Chok haShemita: Torah Values, Modern Society	Yeshivat Or Chaim	Beit Midrash Night
7:30 PM	R' David Ely Grundland R' Mordechai Torczyner	Daf Highlight: Holy Haircuts Medical Halachah	Shaarei Shomayim	Beit Midrash Night
Tue. Oct. 20				
10:00 AM	R' Mordechai Torczyner	Jewish History: Neither Jewish Nor History	Adath Israel	There is a fee info@adathisrael.com
1:30 PM	R' Mordechai Torczyner	Job: Chapter 20	Shaarei Shomayim	
Wed. Oct. 21				
10:00 AM	R' Mordechai Torczyner	The Ethical Customer Week 2: Returns	Beth Emeth	Register with savaloretta@gmail.com
8:00 PM	Yisroel Meir Rosenzweig	Human Cloning	Shaarei Tefillah	
Thu. Oct. 22				
1:30 PM	R' Mordechai Torczyner	Yehoshua: Menasheh's Land	49 Michael Ct.	For women only
Fri. Oct. 23				
10:30 AM	R' Mordechai Torczyner	Eruvin: Hukaf l'Dirah II	Yeshivat Or Chaim	Advanced