

# Toronto Torah

## Yeshiva University Torah MiTzion Beit Midrash Zichron Dov

Parshat Vayera

18 Cheshvan, 5776/October 31, 2015

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This issue of Toronto Torah has been dedicated in memory of Rav Eitam and Naama Henkin, ד"ר  
The articles focus on the Torah of Rav Eitam Henkin.

### The Ultimate Sacrifice

Rabbi Mordechai Torczyner

Tzippy and Chaim embark on married life in Toronto. They build careers, purchase a home, and raise children. On their fifteenth anniversary, Tzippy breaks the news to Chaim: "I want to move to Israel." Chaim fears uprooting his family, but Tzippy is resolute. Chaim meets with their rabbi, who reads to him from the Shulchan Aruch (Even haEzer 75:4): "If a wife says to ascend [to Israel], and her husband refuses, then he must divorce her and pay her the *ketubah* money." Chaim cannot obstruct Tzippy's aliyah; the same would be true in reverse, if Chaim were the one who wanted to move to Israel.

Certainly, we would try to negotiate other resolutions before having such a couple divorce, but we must ask: Why is one spouse able to compel the other spouse to make aliyah, or to divorce?

One might argue that moving to Israel fulfills a mitzvah, but many early halachic authorities, including Rabbi Meir of Rothenburg and Rabbi Yisrael Isserlein, ruled that there is no biblical mitzvah of aliyah. Within their view, why did the Sages empower Tzippy to compel her family to move to Israel? In his article *Mitzvat Yishuv Eretz Yisrael: D'orayta O D'Rabbanan?* (Techumin 28), Rabbi Eitam Henkin, ד"ר יקום דמו, develops two approaches:

- **Aliyah provides great personal benefit** – From love of the land, to fulfillment of mitzvot which depend on being in Israel, to the holiness of the land, there are great spiritual benefits in living in Israel even in the absence of a mitzvah of aliyah.

- **Aliyah provides great national benefit** – As Rabbi Henkin writes, "An additional reason which seems to be part of the foundation of the Sages' enactments is to increase the population in Israel, which benefits the Jewish people." We need to develop a critical mass of Jews in Israel, and the benefit to the nation as a whole overrides the needs of an individual Jewish family.

This latter idea of sacrificing for the sake of a greater community is difficult for people who live in individualistic modern societies, but it is at the core of a shift between Parshat Lech Lecha and Parshat Vayera.

In Parshat Lech Lecha, after making the initial leap of leaving their family, Avraham and Sarah see their family prosper. They become wealthy; Avraham succeeds in battle against a powerful alliance of tribes; G-d promises that they will become a great nation; and Avraham and Hagar have a child. It seems as though the era of sacrifices ended as the family severed its ties with Aram.

The story pivots at the end of Lech Lecha, though, when G-d tells Avraham to undergo *brit milah*. The blood of circumcision is a sacrifice, and it leads to a series of sacrifices for the sake of the Divine vision and the Jewish nation. In Parshat Vayera, S'dom and its neighbours are sacrificed to preserve the righteousness of the land. Seventeen-year old Yishmael is sacrificed for the good of Yitzchak. Avraham sacrifices future territory for a pact with the Philistine king Avimelech. And finally, Avraham is prepared to

sacrifice Yitzchak, until G-d halts his hand.

The theme of personal sacrifice on behalf of our national vision does not end in Parshat Vayera; the greatest moments of our biblical leaders were born of such heroism. From Miriam endangering herself to protect Moshe on the river, to Moshe defying G-d to save the Jews after the Golden Calf, to Shimshon imploding the Philistine palace at the cost of his own life, to Esther identifying as a Jew before King Achashverosh, the DNA of the Jew expresses a dominant sacrificial gene. The concept of sacrifice for the greater good is challenging, but it has been a part of Jewish history since Parshat Vayera.

Rabbi Henkin argues in favour of sacrifice in his article – and he and his wife Naama ultimately made that sacrifice. The Henkins HY"D knew that living where they did came with danger, but they felt that the value of having a critical mass of Jews throughout the Land of Israel justified exposure to the risk. In the end, they joined the millennia-long list of such sacrifices.

May we know peace rather than *korbanot*. May we soon see the return of Parshat Lech Lecha, and its promise, "And I will give to you and to your children after you the land of your dwelling, the entire land of Canaan, an eternal portion, and I will be their G-d." (Bereishit 17:8)

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We are grateful to  
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**Lachem Yihyeh L'Ochlah**  
**Rabbi Eitam Henkin**  
**Machon LeRabbanei Yishuvim**  
**Hebrew**

#### Who Wrote the Book?

Rabbi Eitam Henkin, ד' יקום דמו, whose biography appears on Page 3, was an outstanding scholar; he published several significant halachic articles in his short life. His only full-length halachic book that was published during his lifetime was *Lachem Yihyeh L'Ochlah*, which analyzes the kashrut issues that arise with regard to produce and flour due to infestations of insects. Rabbi Henkin's family is currently publishing his second halachic work, a book on the laws of Shabbat.

#### What is Unique about this Work?

There are many halachic treatises on narrow legal issues, and many of them are well-sourced and clearly written, as is Rabbi Henkin's. However, Rabbi Henkin's work stands out for several reasons. First, Rabbi Henkin opens the work with a methodological introduction explaining the assumptions about the halachic system that shape the directions he takes in the book. This eye for the broader themes that animate *p'sak* makes much of his halachic writing unique. Second, as he notes, while there has been much written about bugs in vegetables in the last few years, the trend has been to develop ever more stringencies. Rabbi Henkin proceeds on the assumption that leniency should be preferred, if it can be found with integrity, and he pushes back on other works that have been written on the subject, such as those of Rabbis Moshe Vaye.

#### The Central Issue

Before dealing with the specifics, Rabbi Henkin notes that the basic halachic issue of checking produce for infestation is not new. It is forbidden to ingest most insects, and thus classic halachic works are filled with discussions of how to check produce and flour, and which kinds to avoid altogether. As he notes, some people are unaware of this basic problem, and will, for example, go berry picking and eat the fruit without bothering to check them for bugs (which are present). He insists that people learn how to properly check their food, and buy food with reliable certifications to ensure their food is problem-free. His work is devoted to understanding the parameters of how much checking is actually required.

#### Methodological Issues

*Halacha L'Maaseh* (practical law) is the interface between theoretical halachah and reality. Thus, responsible *p'sak* must take into account changes that have arisen in the facts on the ground. The most relevant differences fall into two categories:

- The first is in the production and distribution of produce. The growing climate has changed, especially due to our ability to create artificial environments through greenhouse and the like. Plants are fertilized and protected differently, and people expect produce to be fresher, requiring different means of transport and storage.
- The second is that technology has vastly increased our ability to examine our food. We are no longer limited to our naked eyes, or minor magnifications; if we wanted to, we could see the bacteria on our food. This forces us to ask what kinds of creatures are defined as forbidden bugs.

Primarily the second change has led to the tendency towards stringency, as many argue that now we must be concerned for newly detectible bugs. However, here Rabbi Henkin introduces another methodological assumption: it cannot be that previous generations were eating non-kosher food simply because they were unable to properly check the food. If the means available to Jews to check food were insufficient to detect the bugs, he assumes this must indicate that such bugs are legally irrelevant.

Besides calling into question the piety of previous generations, moving towards unwarranted severity would have other negative consequences. Specifically, if people are intimidated by unnecessarily difficult requirements, they may give up and refrain from checking their produce at all, ensuring they violate many prohibitions.

Rabbi Henkin closes his introduction with a quote from Rabbi Shemuel Eidels, a.k.a. Maharsha. In commenting on Chullin 44a, Maharsha interprets the rabbinic statement "the one who benefits from his own toil is greater than the one who fears G-d" as praise of those who work to find legitimate grounds for leniency in halachah. While those who are strict clearly "fear G-d" and will reap their reward in the world to come, those scholars who manage to be

lenient also enable enjoyment in this world, and will get no less reward in the world to come. Thus, the book's title, *Lachem Yihyeh L'Ochlah*, "for you it will be to eat (Berereishit 1:29)", alluding to G-d's beneficence when He gave mankind the right to eat from the earth's vegetation.

#### The Halachic Arguments

While a full treatment of Rabbi Henkin's arguments and sources are beyond the purview of this review, a basic outline is in order.

Rabbi Henkin relies on principles of *bittul*, nullification of a prohibited minority in a mixture, as well as *miut hamatzui/eino matzui*, defining how rare something must be for halachah to not demand even searching for it.

The first chapter surveys the parameters of *bittul* for biblically prohibited items. The second chapter focuses on cases in which the prohibition is rabbinic, and what principles apply in that situation. The third chapter attempts to determine how common something must be for halachah to worry about it and require checking for it. The fourth chapter explores grounds for checking only part of a quantity of produce and assuming that the remainder is permitted without checking. The fifth, eighth, and ninth chapters outline what types of things are considered *beriyot* (complete units), such that they cannot be nullified in a mixture. The sixth chapter discusses the unacceptability of nullification in a case in which one actively introduces a prohibited item into a mixture in which it is a small minority. Nullification is acceptable only post-facto. The book closes with two case studies, corn and strawberries, where Rabbi Henkin puts his theories into practice.

#### Concluding Words

The book's value underscores how much of a loss for the Torah world the death of Rabbi Henkin was. We have lost a thorough, sensitive, and transparent *posek*, whose work could have inspired and educated the halachic community.

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## Biography

### Rabbi Eitam Henkin

Rabbi Baruch Weintraub

Eitam was born in 1984, to his parents Rabbi Yehudah Herzl Henkin and Rebbetzin Chana Henkin, both important Torah scholars and educators in the Israeli Religious Zionist world. He was a descendant of Rabbi Yosef Eliyahu Henkin (1881-1973), who was a prominent American rabbinic authority.

He learned in Yeshivat Nir in Kiryat Arba, and served in the army as a sergeant. During his military service he married Naama, a graphic designer by profession. After he completed his duty, Eitam began to learn for his rabbinic ordination, receiving it in 2011. He then moved to learn in the Institution for Settlement Rabbis, located in Kiryat Arba, and he began to teach in Midreshet Nishmat for women. During these years, he and his wife produced four children.

Rav Eitam was a very skilled editor; he edited and was responsible for a variety of periodicals and books, enhancing them in a notable way. Under his care, the yearly publication of Yeshivat Nir, *Alonei Mamre*, became an important periodical of rabbinic writing.

Rav Eitam Henkin was always interested in history, and for a few years he learned and wrote about recent rabbinic history as an autodidactic, independent researcher. His abilities showed themselves through his articles, and Professor David Assaf of Tel Aviv University convinced him to begin academic studies. He finished his M.A. in History with outstanding marks, and received a special fellowship for his doctoral writing. His subject was to be a critical biography of the Chafetz Chaim.

But the dreams of this promising young Rabbi and his wife were not to be fulfilled. On the 18th of Tishrei, 5776, they and their children were driving on the road between Itamar and Alon Moreh. They were ambushed by Arab gunmen from nearby Shechem. After shooting the car off the road, the murderers closed in and killed Eitam and Naama from close range, before the eyes of their children.

The brutal murder shocked the Jewish people, diminishing the happiness of Sukkot. The loss of any Jewish soul is the utmost tragedy, and all the more so when it is also a loss for the worlds of Torah and Mada (general scholarship) alike.

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## Torah and Translation

### The Greatness of One who is Not Commanded

Rabbi Eitam Henkin <sup>ה"ה</sup>, *Alonei Mamrei* 120, pp. 38-50

Translated by Rabbi Baruch Weintraub

...מכל המקורות הללו עולה שישנו הפרש גדול בין חשיבות מעשיו של המצווה לבין חשיבות מעשיו של האינו מצווה. הפרש זה אינו יכול לבוא כתוצאה מהבדל 'כמותי' הנובע משיקול טעמי החשיבות של שני הצדדים, אלא חייב להיגרם כתוצאה מהבדל מהותי בין השניים.

כך מבאר הריטב"א בשם הרמב"ן את הסיבה שגדול המצווה ועושה ממי שאינו מצווה ועושה: "שהמצווה קיים גזירת מלך, ולפיכך שכרו הרבה יותר מזה שלא קיים גזירת מלך". כלומר: מי שמצווה ועושה, קיים בזאת את רצון ד' – שציווה עליו לעשות את מצוה זו – ואילו מי שאינו מצווה ועושה לא קיים במעשיו את רצון ד'.

בדומה לכך נכתב בתוספות טו"ד שאין לקב"ה נחת רוח ממי שאינו מצווה ועושה, כיוון שאין במעשהו קיום מצוה. עניין זה של קיום רצון ד' הוא כה מהותי, שהרי כל תפקיד האדם בעולם הוא לעשות את רצון ד'. לכן, אין מה להשוות בין מי שעושה דבר שהוא צוה לעשות לבין מי שעושה מצוה שהוא אינו מצווה בה, כיוון שהם אינם נמצאים באותו מישור.

אם כן, לאור הבדל מהותי זה בין השניים – מדוע, למעשה, גם מי שאינו מצווה ועושה מקבל על מעשהו זה שכר? את זאת מבאר הרמב"ן, שאומר שגם אדם שאינו מצווה ועושה ראוי לקבל שכר, כיוון ש"מטוב לבב וחסידות הכניס עצמו לעשות מצוות ד' יתברך".

בהמשך לדברים אלו של הרמב"ן, ניתן להרחיב את הסיבה לקבלת השכר: לכל מצוות התורה יש טעם נסתר ומשמעות עמוקה, וכל המצוות משפיעות על עושיהן לטובה; לכן, מי שמקיים את המצוה אע"פ שאינו מצווה עליה, אמנם הוא לא מקבל את השכר המגיע לאדם על עצם קיום המצוה, אך מכל מקום הוא מרוויח את התועלת היוצאת לאדם ממצוה זו – והיא ההשפעה הטובה שיש למצוות על האדם, שהרי אחת התוצאות הגדולות של המצוות הן צירוף וזיכוד האדם.

...From all of these sources it seems that there is a great difference between the greatness of the acts of one who is commanded and the greatness of the acts of one who is not commanded. This gap cannot be the mere result of a quantitative difference stemming out of the calculations of each one's greatness, but must be caused by a qualitative difference between the two.

That is how the Ritva explains, citing Ramban, the reason why one who is commanded is considered greater than one who is not commanded and yet acts: "For the one who is commanded has fulfilled the king's decree, and therefore his reward is greater than the one who has not fulfilled the king's decree". Meaning: One who is commanded and acts fulfills the will of G-d, who commanded him to practice this commandment. One who is not commanded and still acts has not fulfilled with his acts the will of G-d.

In a similar fashion it was written in Tosafot Tach that G-d has no satisfaction from one who is not commanded and still acts, for his act does not constitute as fulfillment of a commandment.

This issue of fulfilling the will of G-d is essential, for the whole purpose of man in the world is to perform G-d's will. Therefore, one who fulfills that which he has been commanded to do cannot be compared to someone who fulfills a commandment which he has not been ordered to do, for they do not operate in the same plane.

In light of this essential difference between the two, why, in practice, is one who acts without being commanded still rewarded for his act? This is explained by Ramban, who says that one who acts without being commanded should also be rewarded, for, "Out of his good heart and piety he brought himself to perform the commandments of G-d."

Continuing these words of Ramban, we can broaden the basis for receiving reward: All of the commandments of the Torah have a hidden reason and deep meaning, and all of the commandments affect their performers for the best. Therefore, he who fulfills the commandment despite not being instructed to perform it is not rewarded for fulfillment of the commandment, but he gains the good outcome that results from the commandment – the good effect that fulfilling commandments has on man, for one of the great outcomes of fulfilling commandments is the strengthening and purification of man.

The night of October 1, 2015, was a devastating beginning to what has turned into a difficult month for Israel. While driving home from a yeshiva reunion, the Henkin family was attacked by five Palestinian terrorists on a road between Itamar and Elon Moreh. Rav Eitam and his wife Naama both died from their wounds at the scene. Their four children, ages 4 months to 9 years, survived the attack with light injuries. Following the attack, President Reuven Rivlin stated, "Tonight, bloodthirsty murderers claimed the lives of a mother and a father, leaving their young children orphaned. The heart breaks at the magnitude of such cruelty and hatred." The parents of Rav Eitam, Rav Yehuda and Chana Henkin, have announced that they will raise their grandchildren as their own.

The IDF immediately began to search for the killers and on

Monday, October 4, the Shin Bet announced that it had arrested a five-member terror cell in relation to the Henkin murder, and it had recovered the weapon used that night. Many Palestinian terrorist groups praised the brutal murder; the attackers were eventually traced back to Hamas. The Shin Bet arrested four of the terrorists in their homes, and the fifth in a hospital in Nablus. The injured terrorist had been accidentally shot during the attack. This may have been a key factor in ending the attack before the Henkin children were harmed, as the terrorists rushed to the hospital.

The Henkins were buried in Har HaMenuchot cemetery in Jerusalem on the afternoon following the attack. More than 10,000 mourners attended the funeral, honouring the beloved couple.

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**Weekly Highlights: Oct. 31 – Nov. 6 / 18 Cheshvan – 24 Cheshvan**

Time	Speaker	Topic	Location	Special Notes
<b>שבת Oct. 30-31 Shabbaton at BAYT: To Live in Israel</b>				
<b>Fri. 9:00 PM</b>	R' Mordechai Torczyner	Aliyah: Children vs. Parents	128 Theodore Pl.	<i>Light refreshments</i>
<b>After Hashkamah</b>	R' David Ely Grundland	Minchat Chinuch: Building the Beit haMikdash	BAYT	
<b>4:45 PM</b>	R' Jonathan Ziring	Why live in Israel?	BAYT	<i>Hebrew</i>
<b>5:00 PM</b>	R' Mordechai Torczyner	Daf Yomi	BAYT	
<b>Seudah shlishit</b>	Yisroel Meir Rosenzweig	A Banner for the Nations	BAYT	
<b>After minchah</b>	R' Mordechai Torczyner	Gemara Avodah Zarah	BAYT	
<b>Sun. Nov. 1</b>				
<b>8:45 AM</b>	R' Josh Gutenberg	Contemporary Halachah	BAYT	
<b>8:45 AM</b>	R' Jonathan Ziring	Hosheia	BAYT	<i>Hebrew</i>
<b>9:15 AM</b>	R' Shalom Krell	The Book of Shemuel	Associated (North)	<i>Hebrew</i>
<b>10:00 AM</b>	R' Aaron Greenberg	Chullin	Yeshivat Or Chaim	<i>For Chaverim</i>
<b>Mon. Nov. 2</b>				
<b>9:30 AM</b>	Mrs. Ora Ziring	Women's Beit Midrash	Ulpanat Orot	
<b>7:30 PM</b>	<b>R' Jonathan Ziring</b>	<b>Why Help Noachides?</b>	<b>Yeshivat Or Chaim</b>	<b>Beit Midrash Night</b>
<b>7:30 PM</b>	<b>R' David Ely Grundland</b>	<b>Daf Highlights</b>	<b>Shaarei Shomayim</b>	<b>Beit Midrash Night</b>
<b>8:00 PM</b>	<b>R' Mordechai Torczyner</b>	<b>Medical Ethics: Medicine and Minors</b>	<b>Shaarei Shomayim</b>	<b>With CME credit; Open to non-doctors</b>
<b>Tue. Nov. 3</b>				
<b>10:00 AM</b>	Mrs. Ora Ziring	Women's Beit Midrash	Ulpanat Orot	
<b>1:30 PM</b>	R' Mordechai Torczyner	Job: Chapter 21-22	Shaarei Shomayim	
<b>Wed. Nov. 4</b>				
<b>10:00 AM</b>	R' Mordechai Torczyner	The Ethical Customer Week 4: Cancellations	Beth Emeth	<i>Register with savtaloretta@gmail.com</i>
<b>12:30 PM</b>	<b>R' Mordechai Torczyner</b>	<b>Business Ethics: Noisy Neighbours</b>	<b>Zeifmans 201 Bridgeland Ave</b>	<b>Lunch served; RSVP rk@zeifmans.ca</b>
<b>8:00 PM</b>	Yisroel Meir Rosenzweig	GM Food	Shaarei Tefillah	
<b>Thu. Nov. 5</b>				
<b>1:30 PM</b>	R' Mordechai Torczyner	Yehoshua: Land of Binyamin	49 Michael Ct.	<i>For women only</i>