

# Toronto Torah

## Yeshiva University Torah MiTzion Beit Midrash Zichron Dov

Parshat Chayei Sarah

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### How Be'er Sheva Became Israel

Rabbi Mordechai Torczyner

#### Chevron is in, Be'er Sheva is out?

The Torah specifies that Sarah died in "Kiryat Arba, which is Chevron, in the land of Canaan." But we already know the location of Chevron – Avraham and Sarah went to Chevron in Parshat Lech Lecha, and lived there until S'dom was destroyed. Why does the Torah need to reiterate that Chevron is in Eretz Canaan?

According to Rabbi Ephraim Karo (son of the author of the Shulchan Aruch), the Torah means to tell us that Sarah died in the Land of Israel, and she had not been there beforehand. Sarah went to Chevron "because the Land of Israel atones for sin... And therefore, when she realized that she was losing strength and becoming weaker... she instructed that they bring her to Chevron, to die there." (Toldot Yitzchak to Chayei Sarah)

In other words: Only the land inhabited by the seven tribes of Canaan was bona fide Israel. Chevron was in Israel, but Be'er Sheva, and with it the cities of the Philistines, were beyond her sacred borders.

As jarring as it is to think of Be'er Sheva, and local cities like Ashkelon and Ashdod, as outside of Israel, Rashi took this as a given. Later in Bereishit, Yitzchak planted in the land of the Philistines, and he received a blessing of hundredfold returns. Rashi there commented, "The Torah specifies that this [miraculous blessing] occurred in that land – the land of the Philistines – even though that land lacks the status of actual Israel, the land of the seven nations." (Bereishit 26:12) [See also Ketuvot 110b and Ramban Bereishit 23:19.]

The question we must address, then, is this: What was the rule that defined "in" and "out" for the initial Land of Israel?

#### How Israel was sanctified

The Talmud (Bava Batra 100a) contends that Avraham's actions were the agents of introducing sanctity to the Land of Israel:

*When he walked its length and breadth, he acquired the place where he walked, per Rabbi Eliezer. The Sages taught: Walking was ineffective, until he took control.*

Rashbam (Bava Batra ibid.) explained that "taking control" refers to performing acts that demonstrate ownership. This is the way a space was transformed from land to Land: when our ancestors travelled there and established ownership of the space. Since Avraham and Sarah spent their initial years in the northern and eastern lands of Canaan, that excluded Be'er Sheva. As Rabbi Chaim ibn Attar wrote (Ohr haChaim, Bereishit 26:3), "Avraham did not take control of the land of the Philistines."

This control was what Avraham and Sarah meant to accomplish when they journeyed to the land of the Philistines, seeking to invest that area with sanctity. They planted an *eshel*, from which they evangelized in the name of the Jewish G-d. However, they met with a challenge in the form of the local king, Avimelech, who was not prepared to cede any control to them. The Hittites in the area of Chevron acknowledged Avraham as a righteous resident (Bereishit 23:6), but Avimelech identified Avraham only as a visitor. (ibid. 21:23) Only with Yitzchak did this region become part of the Land of Israel.

(ibid. 26:22; and see Yeshuot Malko Yoreh Deah 67)

#### Today

This lesson of sanctification sends a clear message, long after those initial biblical journeys. To borrow from Rabbi Yehudah haLevi's *Tziyon Halo Tishali*: When Jewish souls are rejuvenated by the air of G-d's land; when we enjoy her dust, which is more pleasant than myrrh; when we drink of her rivers, which are sweeter than honey; when we walk barefoot upon her ruins, when we pass through her forests and traverse her hills; then the sanctity of this land, promised to our people, is realized.

Today, settling in Israel is not about instituting sanctity; that process was completed long ago. Nonetheless, we have inherited a mission of living in Israel to continue and grow the sanctity that is already present. If establishing a mere residence in a location in Israel is sufficient to imbue it with sanctity, imagine the impact of an on-going community of Jews settled there, building homes and families, establishing synagogues and schools! This is the power of *aliyah* – to build towers, skyscrapers, atop that bedrock holiness.

Avraham and Sarah spent decades travelling the land, creating holiness; it was only with Sarah's impending death that she returned to Chevron and stopped. May we merit to emulate her model, those of us who are already in Israel and those who are not yet there. As G-d commanded (Bereishit 13:17), "Rise, and walk the land, for to you I will give it."

[torczyner@torontorah.com](mailto:torczyner@torontorah.com)

### OUR BEIT MIDRASH

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**Understanding Tzniut: Modern Controversies in the Jewish Community**

**Rabbi Yehuda Herzl Henkin**  
Urim Publications, 2008

**Who is the author?**

Rabbi Yehuda Herzl Henkin is a prominent Dati Leumi (Religious Zionist) posek. He is originally from the United States, where he studied with his grandfather, the renowned posek Rabbi Yosef Eliyahu Henkin. He has authored four volumes of responsa, *Shut Bnei Banim* (Responsa of Grandchildren), the title reflecting the close connection he had with and the guidance he received from his grandfather. He has written several other works of Halachah and Torah commentary. He has previously been the rabbi of the Beit Shaan Valley region in Israel, and is currently the dean of the Keren Ariel program, training Yoatzot Halachah at Nishmat, the institution headed by his wife, Rabbanit Chana Henkin.

**What is book about?**

The central essay of the book is a careful and thorough examination of the laws of *tzniut* (modesty/privacy) in Jewish law. The article, originally

published in *Tradition*, is a response to *Oz VeHadar Levushah* by Rabbi Yehoshua Falk, a book on the same topic that he finds to be unjustifiably stringent. While the laws of *tzniut* have been the source of much public, heated controversy, Rabbi Henkin approaches the topic from the four cubits of Halachah. It is specifically from this vantage point that he argues that the stringencies that have become common in much of the Orthodox world are excessive. Often the book feels like an attempt to kill Rabbi Falk's thesis through a thousand cuts, rather than with one deadly blow. This methodology befits the careful halachic authority that Rabbi Henkin shows himself to be in so many of his works. It also prevents the book from feeling like a political polemic, despite the heated nature of the topic.

The book also contains essays on varied topics, such as handshakes with the opposite gender, and the proper Shabbat blessing for daughters.

**What is unique about the work?**

In addition to providing a voice of moderation in an area that so often is characterized by extremism (both towards stringency and leniency),

Rabbi Henkin outlines a critical methodological point that drives much of his approach in areas of relationship between the genders. Specifically, drawing on Ritva, Terumat HaDeshen, and others, he argues that many laws in the area of *tzniut* are culture-dependent. Thus, for example, he permits men shaking women's hands in societies where it is not considered erotic. Additionally, he argues that norms can change, and habituation (*hergel*) can make things permitted that were once forbidden.

He also explores several methodological issues, such as the nature of *lo pelug* (legal generalizations), *vox populi* (the impact of common practice on law), and, related to his discussion of habituation, what Rabbi Henkin calls "reality" – in this case, are men actually provoked by various types of dress or exposures. These themes appear in many of Rabbi Henkin's other works as well. His transparency concerning methodological issues enables one to understand the mind of a great and to more fully grasp why he rules the way he does.

[jjziring@torontotorah.com](mailto:jjziring@torontotorah.com)

**613 Mitzvot: #467-468: Self-Mutilation, National Mutilation** **Rabbi Mordechai Torczyner**

Moshe declared, "You are children to Hashem your G-d. You shall not cut yourselves, and you shall not make bald spots between your eyes, for the dead." (Devarim 14:1) This teaches two mitzvot: not to cut our skin (Sefer haChinuch #467) and not to pull out our hair in grief over a death (#468).

**Cutting for any purpose**

Sefer haChinuch contends that the prohibition against cutting one's skin applies regardless of one's reason. (See Minchat Chinuch 467:3 as well.) Sefer haChinuch views this mitzvah as a warning against mimicking idolatrous rituals.

Rabbi Naftali Zvi Yehudah Berlin derived the association with idolatry from Melachim I 18, in which priests of Baal dueled with Eliyahu on Mount Carmel, and cut themselves in their rituals. Melachim I 18:28 describes their cutting as *Vayitgodidu*, matching the wording of this mitzvah, *Lo Titgodidu*. (Emek haNetziv to Sifri Devarim 96)

Rabbi Samson Raphael Hirsch also connected this prohibition with idolatry, suggesting that idolaters might cut themselves as a practice of subduing their physicality. He wrote against this, "In accordance with your task, your Father created you as a unity of body and mind and His Torah takes your human limitations into consideration. Therefore do not strive to sublimate the spirit by destroying the body; do not try to achieve what is superhuman by mortifying the flesh and inflicting needless pain on the body, as the heathens are wont to do." (Horeb 430)

**In grief**

Despite the above, the Torah's language clearly links Mitzvot 467 and 468 with situations of bereavement. Indeed, Ramban notes that this verse begins with a statement that

we are "G-d's children," to teach that G-d means the events of our lives to help us, and we should not grieve.

Rabbi Samson Raphael Hirsch also noted the link between being "G-d's children" and these mitzvot writing, "You are all first related to G-d, and only through Him to one another. Therefore, if your Father calls one of His children away from your side, do not act as though your own self has worth only through the one who has been torn away, and as though your own personality must be discarded as being worthless after him; and do not let your hair grow wild and rob your body of finery because of the dead."

It is worth noting that Rabbi Akiva wounded himself in grief after Rabbi Eliezer passed away. See Tosafot Yevamot 13b and Sanhedrin 68a, and Minchat Chinuch 467:2-3. [Also see Iyov 1:20, and Rashi and Malbim there.]

**Related commandments**

Rabbi Zvi Hirsch Ashkenazi (Chacham Tzvi, Nosafot 9:11) contended that cutting one's skin also violates an additional prohibition against self-wounding.

The prohibition against cutting skin is separate from the prohibition against tattooing. One only violates the biblical prohibition against tattooing if one uses a permanent dye in the wound. [But see Rashi to Devarim 14:1.]

The sages also link this verse's language of *lo titgodidu* with a commandment not to divide ourselves up into enclaves of Jews (*agudoth*), such that communities might have separate groups of Jews practicing Judaism differently. (Yevamot 13b, and see Igrot Moshe Orach Chaim 2:23)

[torczyner@torontotorah.com](mailto:torczyner@torontotorah.com)

## Biography

### Rabbi Yechiel Michel Tukachinsky Yisroel Meir Rosenzweig

Rabbi Yechiel Michel Tukachinsky was born on December 27th, 1871 in Lachovitch, Lithuania. While he was still a child, his father died, leaving his mother to care for the family. At the age of eight, his mother moved the family to Eretz Yisrael in order to be closer to relatives. Much of Rabbi Tukachinsky's education took place in Yeshivat Etz Chaim, which was founded in 1841 by Rabbi Shmuel Salant. The yeshiva was initially located in the Old City, but it eventually relocated to Jaffa Road while under the leadership of Rabbi Tukachinsky himself. In 1952, Rabbi Tukachinsky was awarded the Rav Kook Prize for Torah Literature. He passed away in 1955 and was buried in the Sanhedria Cemetery.

In his introduction to Gesher HaChaim, Rabbi Tukachinsky wrote that he wrote his major work detailing all of the laws and customs surrounding treatment of the ill, caring for the deceased, and mourning after seeing the new waves of immigration arriving in Eretz Yisrael and the confusion that was arising regarding these important laws. While hospitalized in Shaarei Tzedek Hospital for an ulcer, Rabbi Tukachinsky set to work on what would eventually become Gesher HaChaim.

A sign of his love for Eretz Yisrael, many of Rabbi Tukachinsky's other notable works focus on topics specific to Eretz Yisrael. These works include:

- **Luach Eretz Yisrael (1905)** - A daily calendar detailing the halachic issues pertaining to prayer and its set times.
- **HaYomam B'Kadur HaAretz (1943)** - A discourse presenting Rabbi Tukachinsky's position regarding the International Dateline.
- **Sefer Eretz Yisrael (1955)** - A collection of laws and customs pertaining to Eretz Yisrael, including those unique to Eretz Yisrael.
- **Ir HaKodesh V'HaMikdash (1970)** - Published posthumously. A five-part work that covers key halachic issues that pertain and are unique to Jerusalem and the Beit HaMikdash.

[yrosenzweig@torontotorah.com](mailto:yrosenzweig@torontotorah.com)

## Torah and Translation Family Burial Plots

### Rabbi Yechiel Michel Tukachinsky, Gesher haChaim I 27:6 Translated by Yisroel Meir Rosenzweig

(א) כל שאפשר קוברין אצל הורים ובני משפחה (כמבואר ב"ב פ"ו ביחוד שם ק: המוכר קברו כו' באין בני משפחה כו' וטוש"ע שס"ו). וכ"ה בכמה מקראות שהי' להם קברי משפחה (בתורה בראשית כ"ג, וכ"ה, ומ"ט, ובבבאי' ביהושע שופטים שמואל מלכים ועוד בהרבה מקומות).

אם אביו נקבר במקום א' והאם במקום אחר קוברין אצל אביו... וכן נראה מכמה מקראות (כגון מלשון הקרא בראשית מ"ט ל"ט, שופטים ה' ל"ב, ש"ב ג' ל"ב, וכ"א י"ד, והרבה מקומות במ"א ובמ"ב ועוד). וגם התירו לפנותו מקברו כדי לקברו בקברות אבותיו ומשפחתו (שמ"ג ב' רמ"א, וכמש"ל בדין פינוי מת, וכאמור בירושלמי מו"ק פ"ב ד')

[מסופר בס"ח (רל"ב) בעובדא שהראה רבנו סעדיה מדבקות עצמות אב לבן: שכאשר נתנו עצם של מת בתוך דם איש אחר לא נעשה בהדם ובהעצם שום שינוי, וכאשר נתנו את אותו העצם בתוך דמו של בנו נדבק ונבלע מהדם אל תוך העצם.]

(ב) והמנהג שבקברי בני משפחה אין מרחיקין כל כך כשעור האמור בטוש"ע אלא רק ו' אצבעות. ואפי' בן קטן או בת קטנה אצל האב והאם - מרחיקים לכהפ"ח ו' אצבעות. [יהא דאמרי' דבן ובת קטנה קוברין אצל האב והאם (טוש"ע שס"ב ג' משמחות פי"ג), התם מדובר כשהן נקברין בבית אחת, אבל אם בא לקבור אח"כ אפי' בן קטן או בת קטנה אצל אב"א אסור לקבור ביחד בלי הפסק - דר"פ שס"ד וחכ"א קנ"ח ג'...]

1) As much as possible, we bury near parents and family members. (This is clear from Bava Batra 100b "One who sells his family burial plot... family members come [and bury him against the will of the buyer], Tur and Shulchan Aruch 366). This is written in many verses, that they had family burial plots (Torah: Bereishit 23, 25, 49. Prophets: Yehoshua, Shoftim, Shemuel, Melachim, and many other places.)

If his father is buried in one location and his mother in another, we bury near his father... This is also apparent from many verses (as in the language of Bereishit 49:39, Shoftim 8:32, Shemuel II 3:32 and 21:14, and many other places in Melachim I and II and other places). They also permitted to transfer bones from a grave in order to bury them in the burial plot of their ancestor and family (Rama [Yoreh Deah] 363:2, and as we wrote in the laws of exhuming a body, as stated in Yerushalmi Moed Katan 2:4).

[It is told in Sefer Chasidim (232) that Rav Sa'adya Gaon demonstrated a connection between the bones of a father and son. When they placed the bone of the deceased into the blood of another person, nothing happened to the bone or the blood. When they placed the same bone into the blood of the deceased's son, the blood adhered and was absorbed into the bone.]

2) The custom regarding family burial plots is to not distance [each grave] as much as mentioned in the Tur and Shulchan Aruch, but rather only six finger breadths. Even a young son or daughter near the father and mother are distanced at least six finger-breadths. [When it is said that a young son or daughter is buried next to the father and mother (Tur and Shulchan Aruch 362:3 based on Masechet Semachot ch.13), this is referring to simultaneous burial. However, where one is burying the child afterward, then even a young son or daughter may not be buried next to the father and mother without any [physical] divider - Derishah and Perishah 364, Chochmat Adam 158:3]...

**Operation Moses Begins**

*26 Cheshvan is Sunday*

The Falash Mura Jews of Ethiopia claim their lineage from King Solomon and the Queen of Sheba. The son produced from that relationship returned with his mother to Abyssinia; they were escorted by Israelite guards, who married Ethiopian natives and founded the Falash Mura community. As such, they lacked observance of more “recent” traditions, such as the celebrations of Chanukah and Purim.

Another theory is that the Falash Mura are descendants of the tribe of Dan. This latter theory was accepted by the Chief Rabbinate of Israel in 1975, when they ruled that the whole community had the right to immigrate to Israel under the Law of Return.

In 1981, a famine began in Ethiopia, and many thousands of Ethiopian Jews started a trek to Sudan; many died of starvation on the way. Once in Sudanese refugee camps, it

was reported that they were mistreated and malnourished. Israel wanted to assist, but the numbers were overwhelming.

In late 1984, Israeli officials asked the United States for assistance; the United States worked to leverage the Sudanese government. Through the efforts of US Coordinator for Refugee Affairs, Richard Krieger, the airlift of the Falash Mura Jews was initiated, with the first flights leaving on the 26<sup>th</sup> of Cheshvan (November 21), 1984. This was Operation Moses, a covert operation which evacuated nearly 8,000 Ethiopian Jews from the Sudan to Israel. The unprecedented, seven-week collaborative mission involving the Mossad, the CIA and Sudanese State Security, continued until January 5, 1985.

Although Operation Moses did not successfully evacuate all of the Ethiopian Jews, additional efforts (Operation Joshua, Operation Solomon) successfully brought many more Ethiopian Jews to Israel. “How good and pleasant it is, when brothers dwell together!” (Tehillim 133:1)

*dgrundland@torontotorah.com*

**Weekly Highlights: Nov. 7 – Nov. 13 / 25 Cheshvan – 1 Kislev**

Time	Speaker	Topic	Location	Special Notes
<b>שבת Nov. 6-7</b>				
<b>After hashkamah</b>	Yisroel Meir Rosenzweig	Midrash Rabbah on Parshah	Clanton Park	
<b>After hashkamah</b>	R' David Ely Grundland	Me'arat haMachpelah	Shaarei Shomayim	
<b>Before minchah</b>	R' Jonathan Ziring	Daf Yomi	BAYT	
<b>6:30 PM</b>	<b>R' David Ely Grundland</b>	<b>Parent-Child Learning</b>	<b>Shaarei Shomayim</b>	<b>Opening Program!</b>
<b>Sun. Nov. 8</b>				
<b>9:15 AM</b>	R' Shalom Krell	The Book of Shemuel	Associated (North)	<b>Hebrew</b>
<b>10:00 AM</b>	R' Aaron Greenberg	Gemara Chullin	Yeshivat Or Chaim	<b>For Chaverim</b>
<b>10:30 AM-11:50 AM</b>	<b>Mrs. Sara Munk</b> <b>R' David Ely Grundland</b>	<b>Leah's Perseverance</b> <b>Me'arat haMachpelah</b>	<b>BAYT</b>	<b>For women</b> <b>Light refreshments</b>
<b>Mon. Nov. 9</b>				
9:30 AM	Mrs. Ora Ziring	Women's Beit Midrash	Ulpanat Orot	
<b>7:30 PM</b>	<b>Yisroel Meir Rosenzweig</b>	<b>Cadavers at Hebrew U</b>	<b>Yeshivat Or Chaim</b>	<b>Beit Midrash Night</b>
<b>7:30 PM</b>	<b>R' David Ely Grundland</b> <b>R' Mordechai Torczyner</b>	<b>Daf Highlights</b> <b>Medical Halachah</b>	<b>Shaarei Shomayim</b>	<b>Beit Midrash Night</b>
<b>Tue. Nov. 10</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 22	Shaarei Shomayim	
<b>Wed. Nov. 11</b>				
10:00 AM	R' Mordechai Torczyner	The Ethical Customer Week 5: Buying German?	Beth Emeth	<i>Register with savtaloretta@gmail.com</i>
<b>12:30 PM</b>	<b>R' Jonathan Ziring</b>	<b>Business Ethics:</b> <b>Kosher Competition</b>	<b>Zeifman's</b> <b>201 Bridgeland Ave</b>	<b>Lunch served; RSVP</b> <b>rk@zeifmans.ca</b>
8:00 PM	Yisroel Meir Rosenzweig	Med School Cadavers	Shaarei Tefillah	
<b>Thu. Nov. 12</b>				
<b>10:00 AM</b>	Mrs. Ora Ziring	Women's Beit Midrash	Ulpanat Orot	
<b>1:30 PM</b>	R' Mordechai Torczyner	Yehoshua	49 Michael Ct.	<b>Not this week</b>