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Midian: The Price of Exclusion

Rabbi Mordechai Torczyner

The villains of Bereishit are rarely "Monsters of the Week", appearing for a single episode, threatening the Jewish protagonist and being vanquished by G-d and our intrepid heroes. Many of the foes introduced in the Torah's early chapters – Aram, Canaan, Amalek, Edom and Moav, for example – participate in centuries-long biblical arcs of antagonism, and along the way they teach us lessons about our identity and mission. One such foe is the nation of Midian.

A History of Midian

At first, Midian seems like a footnote in our genealogy. After Yitzchak marries Rivkah, Avraham weds Keturah, and she births six sons. Midian, the fourth of these sons, does not stay in Canaan long; he is exiled to the east, along with his brothers and the anonymous children of unnamed concubines. As Bereishit 25:6 states, Avraham "gave them gifts, and he sent them away from his son, Yitzchak," lest there be any confusion about who would be included in the Jewish national line.

Midian is far from done, though. They re-surface to play a role in drawing Yosef from the pit, and sending him down to Egypt. (Bereishit 37:28) Later, Moshe becomes a fugitive from Egyptian justice and flees to Midian. (Shemot 2:15) Further along, the Moabites recruit Midian for support in hiring Bilam to curse the Jews. (Bamidbar 22:4) Then, when Bilam fails to harm the Jews, Midianite women join with Moabite women to seduce the Jews and draw them into idolatry. A Midianite princess, Kozbi, publicly embraces Zimri, the prince of the tribe of Shimon. (Bamidbar 25)

The Midian Motif

When we examine these stories of Midian carefully, we recognize two consistent Midianite markers.

First, the Midianite national subconscious remembers being excised from the line of Avraham, and intentionally or unintentionally, they pay back their ancestor by separating his other descendants from the family:

- Yosef is separated from his family via the agency of Midianites;
- Yitro, a Midianite, welcomes Moshe to spend decades apart from the Jews enslaved in Egypt.
- Kozbi separates Zimri from the Jewish people, drawing him to her before the entire nation.

Second, Midian tempts the isolated Jew sexually and religiously, attempting to strip our ethnic and religious identities:

- When Yosef descends to Egypt via Midianite agency, the wife of Potifar attempts to lure him into a liaison – an act which Yosef labels "a sin against G-d." (Bereishit 39:9) Neither immorality nor idolatry actually takes place, and that is a credit to Yosef's righteousness.
- When Moshe goes to Midian, he marries Tzipporah, the daughter of Yitro, "the priest of Midian". The act has the appearance of impropriety; indeed, Zimri justifies his deed with Kozbi by asking Moshe, "Son of Amram! Is she prohibited or permitted? And if you will say she is prohibited, then who permitted the daughter of Yitro for you?" (Sanhedrin 82a; and see Sotah 43a) Certainly, Moshe's marriage to Tzipporah and relationship was ultimately neither

immoral nor idolatrous, but like Yosef's refusal of Potifar's wife, that is a credit to the righteousness of the participants. [It is also worth noting that Midrash Aggadah to Shemot 18:3 ascribes to Yitro a quasi-successful attempt to educate Moshe and his children in idolatry.]

- Finally, in luring Zimri and other Jews, Midian succeeds in separating Jews from their family, leading them first into immorality, and then into the idolatry of Baal Peor. Midian has achieved her revenge.

The Moral of Midian

Perhaps Midian's cross-generational retribution carries a message for the descendants of Avraham. This author has not seen any traditional commentator criticize Avraham's treatment of Keturah's children, and would never suggest otherwise. The apparent motivation of averting challenges to Yitzchak's inheritance is sensible. Nonetheless, the most benign separatism remains exclusive, and our human social drive naturally resents exclusion.

For all of its emphasis upon *darchei noam* [paths of pleasantness] and community, Torah is exclusive, even within our family. Certain rituals are limited to particular groups, and laws like *kashrut* and *tumah* compel the observant to keep a measured distance from the non-observant. May we learn from the saga of Midian, and recognize the pain this inflicts. Even when such pain is necessary, we would do well to find methods of mitigation beyond "Avraham gave them gifts."

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***Shu"t Minchat Asher* (3 Vol., Heb.)
Machon Minchat Asher (2013-2016)
Rabbi Asher Weiss**

The Author

Rabbi Asher Weiss is a leading *posek* (halachic authority) living in Jerusalem. He was born in the United States, and he moved to Israel at a young age. He is a student of the Sanz-Klausenberg Rebbe, though he studies Talmud using the methods of the yeshiva world, and blends his different backgrounds. He is accepted by and teaches throughout many communities, both Charedi and Dati Leumi, both Israeli and American-English speaking.

He is currently the Rabbi of Ramot Gimel, a Rosh Yeshiva of a Kollel Dayanut (for training rabbinical judges), the *posek* for Shaarei Tzedek hospital, and the author of tens of books.

The books

While many of his earlier works, such as his well-known collections of classes organized by the weekly parshah, focus on halachic issues, his responsa focus on his own rulings. Rabbi Weiss is known for his encyclopedic knowledge of Torah sources and his unique ability to present them clearly and concisely,

while adding his own, often brilliant and unique, insights.

The uniqueness of these responsa

Several aspects of these responsa stand out.

First is the formatting. Most classic works of responsa are printed in small fonts, often in multi-columned pages, and sometimes in "Rashi script". As Dr. Aviad Hacohen has noted, the choice of format often indicates the audience the author intends to reach. Works written in the above styles send the message that they are meant for those already comfortable with rabbinic texts. Rabbi Weiss, on the other hand, publishes in large block letters, which is easy and inviting even for the less learned reader. Similarly, Rabbi Weiss writes mostly in modern Hebrew. Rabbinic idioms are mixed in, but the responsa are still more accessible for modern Hebrew speakers than other rabbinic works.

The second notable feature is the clarity of presentation. As in his other works, Rabbi Weiss summarizes the existing literature clearly, giving the reader grounding in the broader issues.

Third, as a creative thinker, Rabbi Weiss masterfully tackles both old and new halachic issues with fresh perspective. For example, he presents a new theory of why electricity is forbidden on Shabbat biblically, arguing that the Torah forbids all creative acts under the category of *Makeh B'Patish* (lit. "a hammer blow", one of the 39 *melachot*), even if they are otherwise difficult to categorize. Nevertheless, he thinks that many electric devices may be used, because he thinks that electricity is only forbidden when one perceives the effects of the electricity and intends to cause them (ex. he permits hearing aids, even when they self-adjust). He addresses current medical questions that he received as the *posek* of Shaarei Tzedek. He also deals with various issues from all areas of halachah.

In this writer's opinion, Rabbi Weiss is one of the most important *poskim* alive today, and reading his responsa is a necessity for one who wants to know the direction halachic discourse will take in the years to come.

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Israel's Chief Rabbis: Rabbi Avraham Shapira

Rabbi Baruch Weintraub

***Rabbi Avraham Elkanah Kahana Shapira*
1914 (Jerusalem) - 2007 (Jerusalem)
Chief Rabbi (Ashkenazi) of Israel, 1983-1993**

Life

Rabbi Avraham Shapira was born to a family with deep roots in Jerusalem. As a young man, he learned in the prominent yeshivot of the time, including Tiferet Tzvi and Chevron. He exchanged letters with some of the leading Rabbis, including the Chazon Ish, Rabbi Moshe Feinstein, and Rabbi Isser Zalman Meltzer, who even printed their exchanges in his renowned book, "Even Ha'Azul."

Rabbi Shapira married into the family of Rabbi Kook, and in 1945 he was invited to teach in Yeshivat Merkaz Harav, where he raised generations of Torah scholars over the next sixty years. Rabbi Shapira became a member of the Jerusalem Rabbinical Court in 1956, and beginning in 1974 he served in the highest Israeli Rabbinical court. In 1982, following the passing of Rabbi Tzvi Yehudah Kook, he became a Rosh Yeshiva in Yeshivat Merkaz HaRav.

Due to political pressures, the Knesset decided in 1980 that the term of Chief Rabbis would be limited to ten years, instead of the lifelong position it had been. Thus, in 1983 the two Chief Rabbis – Rabbi Ovadiah Yosef and Rabbi Shlomo Goren – were forced to leave office. Once it became clear that the law would not be repealed, Rabbi Avraham Shapira agreed to take the position of Ashkenazi Chief Rabbi.

After ending his term in 1993, Rabbi Shapira returned to Merkaz Harav, continuing to serve as a mentor and leader for

tens of thousands. Known to all as 'Reb Avrum', he was consulted often by Religious Zionist party leaders, Rabbi Shapira passed away on Sukkot 2007, and was buried on Har HaZeitim.

Legacy

While we cannot explore Rabbi Shapira's complete legacy here, we can cautiously note three important and consistent principles:

- Tradition: Rabbi Shapira never tired of emphasizing the crucial role of tradition in both Torah study and the adjudication of Halacha. He opposed changes in the Yeshiva curriculum and insisted that his students be well versed in the later commentators (*Acharonim*), so that they wouldn't be detached from the chain of tradition. This view was not shared by other Rabbis in his own Yeshiva, but Rabbi Shapira was devoted to his principles, even at the price of losing some of his staff and students.
- Eretz Yisrael: Rabbi Shapira was an unyielding advocate for Eretz Yisrael. He organized the 'Rabbinical Union for Eretz Yisrael', and opposed vehemently the Oslo accords, which he saw as violating the mitzvah to inhabit our land. He went as far as calling on soldiers to refuse withdrawal orders; nonetheless, he stressed the strict prohibition on any kind of violence against soldiers or policemen.
- Warmth and kindness: While Rabbi Shapira could be assertive and demanding when needed, he was well-known for his kind and relaxed demeanor. Often, he used his sharp sense of humor to disguise his own chumrot (stringencies), and he ruled for his students based upon what he thought their place in life.

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Biography

Rabbi Yaakov Moshe Charlap

Adam Friedmann

Rabbi Yaakov Moshe Charlap was born in Jerusalem, in 1882. His father, who had emigrated from Lithuania as a child, served as a judge in the court of Rabbi Yehoshua Leib Diskin. Yaakov Moshe attended the *talmud Torah* of the famed *Etz Chaim* yeshiva as a child, and subsequently studied in other local Jerusalem yeshivot. He was noted at a young age for his piety and asceticism; he would frequently fast as a form of self-mortification. He married his first wife, Pesia, at the age of sixteen.

In 1904, a still-young Rabbi Yaakov Moshe visited Jaffa on doctor's orders in order to bathe in the Mediterranean Sea. He remained in Jaffa over Shavuot, and chose to attend services at *Talmud Torah Shaarei Torah*, which Rabbi Avraham Yitzchak Kook, having been appointed Rabbi of Jaffa that year, regularly attended. The experience of watching Rabbi Kook recite the *Akdamot* poem before the Torah reading with great intensity shook Rabbi Yaakov Moshe to the core, and he decided then to commit himself to the tutelage of Rabbi Kook.

Rabbi Yaakov Moshe went on to become the rabbi of the *Shaarei Chesed* and *Rechaviah* neighborhoods in Jerusalem when they were first established. In 1935, upon Rabbi Kook's death he became *Rosh Yeshiva* of *Yeshivat Merkaz Harav*, a position which he held for the rest of his life.

Rabbi Charlap wrote many books throughout his life. His series on philosophical topics, *Mei Marom*, includes commentaries on *Pirkei Avot*, *Tehillim* and *Mishlei*, the *Haggadah*, prayer and more. In addition, there are published volumes of his responsa and talmudic novellae, as well as his work *Tovim Meorot* which he wrote as a defense of Rabbi Kook's *Orot* from its detractors.

Rabbi Charlap died on December 6th 1951, and is buried in the Sanhedria cemetery in Jerusalem. He was survived by seven children, many of whom were prominently involved in the Israeli rabbinat.

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Torah and Translation

Anticipating Mashiach

Rabbi Y. M. Charlap, *Mei Marom* 3:17

Translated by Adam Friedmann

הצפיה לישועה איננה רק על העתיד, אלא גם בהוה - לצפות לכל שעה שאפשר שתופיע בה הגאולה, ומבלעדי זה אין בכח השעה ההיא שתהא מקרבת את הגאולה. ומפני זה, הקץ האחרון נעלם זמנו, למען יצפו ויחכו עליו בכל שעה ושעה. ומכאן הרעה של מחשבי קיצים, שדוחים את הצפיה על הזמן ההוא שחושבים עליו. וכל אלו שחשבו את הקץ חשבו על ה"בעתה" ולא על ה"אחישנה".

ויש שאם הזמן ההוא באמת מסוגל לגאולה, נדרש לו ביותר להגביר הצפיה עליו, שמבלעדי צפיה אי אפשר שהגאולה תתגלה בו. לזאת, גם זה בכלל ה"צפיה לישועה" להכיר ולהאמין כי ראויים המה ישראל להגאל בכל שעה ושעה, ושאיך אם רבים הם הליקויים בו מצד החוץ, טהור ונקי הוא מצד הפנים, כדברי התיקוני זוהר "מאן חמרא דמלכא משיחא? דרא דמלכא משיחא, דאיהו ביש מלבר וטב מלגיו", שאם לא מכירים בזה אי אפשר לצפות לגאולה באותה שעה. לכן יש להעמיק בקדושתן של ישראל ועומק זכותם שהם ראויים תמיד לגאולה, ואם עברה השעה ולא נגאלו אין זה אלא מכבשי דרחמנא, ואין לך רשות להרהר בזה. קדושתן של ישראל מצד הכלל שלהם לא נגמם מעולם, והוא בזיקוק טהרו כמאז ומעולם, כל החטאים והעיוותים הן אך מצד הפרט ולא מצד הכלל.

Anticipating the redemption is not only regarding the future, but even for the present, to anticipate at every moment that the redemption may occur. Without this, it is not possible for that moment to hasten the redemption. It is for this reason that the final "end time" [i.e. the time of redemption] has been hidden, in order that it should be anticipated at each moment. This is the evil perpetrated by those who calculate the "end times", because they redirect the anticipation until the time that they have calculated. All those who have calculated the end time have contemplated the "in its time" and not the "I will hasten it." [This is a reference to Sanhedrin 98a, which reads Yeshayah 60:22 to state that there is a particular time set for the Redemption, but that it could be earned earlier.]

And it is possible that if that time really is fitting for redemption, it is necessary at that time to intensify anticipation, because without anticipation it is impossible for the redemption to be revealed then. Toward this end, included in the anticipation of redemption is recognition and belief that Israel is deserving of redemption at every moment, and that even though it may have many defects externally, it is pure and clean internally. As is stated in *Tikunei Zohar*, "Who is the donkey of the king Mashiach? It is the generation of the king Mashiach which is bad on the outside and good on the inside." If we don't recognize this, it is impossible to anticipate redemption at that moment. Therefore, it is critical to think deeply about the holiness of Israel and the depth of their merits, such that they are always worthy of redemption. And if a moment passes in which they are not redeemed, this is only because of the King's secret plans, and one is not permitted to wonder about this [i.e. to consider that redemption was withheld because of Israel's faults]. The holiness of Israel, from the aspect of the whole community, has never been blemished. It maintains its purity as ever it has. All the sins and crookedness [found in Israel] stem only from the individual and not from the whole.

As part of a discussion of a case of marital strife, the Torah (Devarim 22:13) describes marriage as a transaction between two parties, with a structure not unlike that of commercial transactions. Rambam (Aseh 213) and Sefer haChinuch (#552) explain that this is a mitzvah; men and women who wish to live together are obligated to do so within the contractual framework outlined in the Torah's laws.

The same applies for dissolution of marriage, as described in the Torah (Devarim 24:1); marriage ends via a formal document, known as *get krittut*. Rambam (Aseh 222) and Sefer haChinuch (#579) describe divorce as a mitzvah, too.

In truth, the formalization of marriage as a mitzvah is much-debated. Rambam views it as a required element of living together, much as *tzitzit* are a required element of wearing a four-cornered garment, and *shechitah* is a required element of eating meat. On the other hand, some understand marriage as a step (*hechsher mitzvah*) toward the mitzvah of procreation, without independent mitzvah status. For more, see Beitzah 36b-37a and Moed Katan 18b, Rashi *ibid.*, Mishneh Torah, Hilchot Ishut 1:2-4 and Kesef Mishneh and Maggid Mishneh *ibid.*, and Rosh Ketuvot 1:12.

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Weekly Highlights: Nov 26 – Dec 2 / 25 Cheshvan – 2 Kislev

Time	Speaker	Topic	Location	Special Notes
שבתה Nov. 25-26				
After hashkama	Adam Friedmann	Parshah Analysis	Clanton Park	
After musaf	Adam Friedmann	Bashert by any other name	Or Chaim	
Before minchah	R' Jonathan Ziring	Daf Yomi	BAYT	
After minchah	R' Mordechai Torczyner	The Idolater's Idol	BAYT	Simcha Suite
6:00 PM	Yaron Perez	Parent-Child Learning	Shaarei Shomayim	
Sun. Nov. 27				
8:45 AM	R' Josh Gutenberg	Contemporary Halachah	BAYT	Third Floor
9:00 AM	R' Jonathan Ziring	Yarchei Kallah: Using Others' Wi-Fi	Yeshivat Or Chaim	Breakfast, Chavruta, 10:15 AM Shiur
9:15 AM	R' Shalom Krell	Book of Shemuel	Associated North	Hebrew
Mon. Nov. 28				
7:30 PM	Adam Friedmann	Arvei Pesachim in Depth	Clanton Park	Men
8:30 PM	Adam Friedmann	Gemara Arvei Pesachim	Clanton Park	Men
8:30 PM	R' Jonathan Ziring	Avodah Zarah 4 of 6: Churches in Israel	Shomrai Shabbos	Third floor, Men
8:45 PM	R' Mordechai Torczyner	Rivkah's Deception	Bnai Torah	Bnei Akiva
Tue. Nov. 29				
1:30 PM	R' Mordechai Torczyner	Ezra: The Decree of Cyrus	Shaarei Shomayim	
7:30 PM	R' Mordechai Torczyner	Elder Care in Halachah	Kehillat Shaarei Torah	
8:00 PM	R' Jonathan Ziring	Women and Prayer	BAYT	
Wed. Nov. 30				
10:00 AM	R' Jonathan Ziring	Arguing with G-d 4 of 6: Tzelafchad's Daughters	Beth Emeth	There is a fee; see torontotorah.com/arguing
12:30 PM	R' Mordechai Torczyner	May a Jew profit from Slave Labour?	Zeifmans LLP 201 Bridgeland Ave	Lunch served; RSVP to rk@zeifmans.ca
2:30 PM	R' Jonathan Ziring	Narratives of Exodus	carolleser@rogers.com	Women
8:00 PM	Adam Friedmann	Why do we do...?	Shaarei Tefillah	
Thu. Dec. 1				
Rosh Chodesh Kislev				
1:30 PM	R' Mordechai Torczyner	Shoftim: Gidon's Miracle	49 Michael Ct.	Women
10:00 PM	R' Mordechai Torczyner	Parshah	Agudah North	Men
Fri. Dec. 2				
10:30 AM	R' Jonathan Ziring	Laws of Onaah	Yeshivat Or Chaim	Advanced