

# Toronto Torah

**Yeshiva University Torah MiTzion Beit Midrash Zichron Dov**

Parshiyot Matot-Masei

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**This issue of Toronto Torah is dedicated in honour of the writers of Toronto Torah; thank you!**

## Maintaining Connections Across the River

**Rabbi Jonathan Ziring**

The Reubenites and the Gadites owned cattle in very great numbers. Noting that the lands of Jazer and Gilead were a region suitable for cattle, the Gadites and the Reubenites came to Moses, Eleazar the priest, and the chieftains of the community, and said, "... It would be a favor to us," they continued, "if this land were given to your servants as a holding; do not move us across the Jordan."... [S]o Moses gave Gilead to Machir son of Manasseh, and he settled there. (Bamidbar 32, JPS 1985 edition)

Moshe, at the end of his life, is faced with an almost unimaginable challenge. Moshe wanted more than anything to enter the land of Israel, though G-d would deny him this, even after multiple attempts at changing His mind through prayer. Yet, two tribes, Reuven and Gad, request to be left on the eastern bank of the Jordan so they can take advantage of the pastures for their animals. Moshe at first resists, accusing them of abandoning the rest of Israel and repeating the sins of the generation of the Spies. After some negotiations, Moshe begrudgingly brokers a deal in which these two tribes will serve as the vanguard, fighting at the head of the army in Israel, and only then return to the east bank.

Readers of the Torah would expect that even if Moshe allowed this to happen, he would not encourage anyone to follow suit. However, just a few verses later, Moshe seems to of his own accord instruct part of the tribe of Menasheh to join Reuven and Gad. How can this be?

Many commentators were so bothered by this, that they assume these families of Menasheh must have indeed asked for this land. The Torah didn't mention their request as their partial tribe was insignificant compared to the two complete tribes. (Tzror HaMor) Alternatively, they asked in a separate request. (Shadal) In a radical approach, some commentaries assume that these lands had been designated for and conquered by Menasheh in the time of the Avot. Thus, there was no real need for a request by Menasheh or permission from Moshe – this was a fait accompli (Rabbi Saadia Gaon, Divrei HaYamim 1:2:22; Prof. Yehuda Elitzur)

However, the majority view, found already in Chazal (Yerushalmi Bikkurim 1:8) is that Moshe was responsible for Menasheh settling there. Ramban suggests that he did this for demographic reasons – once two tribes were settling in that large expanse of land, more people were needed to join them to populate it. Tzror HaMor and Netziv suggest that the two tribes were lacking spiritually, and Moshe needed a tribe of Torah scholars to join them to strengthen them.

Alternatively, Moshe's greatest fear, one almost realized in Yehoshua 22, was that the geographic split would lead to a schism in the Jewish people – with the tribes on the east bank becoming their own nation, disconnected from their brothers on the west bank. To prevent this, Moshe took a single tribe and split it – hoping that that would remind the Jews on both sides of the Jordan of their link to their brothers on the other side. (Rabbi Ben Zion Firer, *Midei*

*Shabbat b'Shabbato*)

But why Menasheh and not any other tribe? Perhaps, their spiritual DNA made Menasheh the best suited tribe. In general, the sons of Yosef are held up as the model of a positive sibling relationship in Tanach – hence Yaakov blesses them to forever be used as the model for parents to bless their children. (Bereishit 48:20) Moreover, this remained the case even though Yaakov had favored Menasheh's younger brother, Ephraim, over him, by blessing him with his right hand. (See, however, Malbim to Shoftim 12:1, and Rabbi Nathaniel Helfgot's article in *Tradition* 32:2 making an opposite claim.) Thus, if Moshe wanted to find a tribe that epitomized the message, that if there is a desire to make things work in a family, then kinship can be maintained despite the challenges, Menasheh was the perfect choice.

This was one of Moshe's final legacies – teaching the Jewish people that nothing, especially geography should make us forget that we are united in our destiny. As most members of our Beit Midrash return to Israel after Tishah b'Av – Moshe's message is clear. We may be separated by an ocean and a ten-hour plane ride – but we will always be part of the same community.

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

### OUR BEIT MIDRASH

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**הורשתם את הארץ וישבתם בה (במדבר לו)**  
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**Israeli Landmark: The Burnt House**

**Rabbi Baruch Weintraub**

After the liberation of Jerusalem's Jewish Quarter in the Six Day War, massive efforts were undertaken to rebuild its laid-to-waste buildings. As part of this project, archaeological excavations were carried out, looking for any important findings beneath the Old City. In 1970, one of these digs revealed an extraordinary finding – a big, luxurious house, thousands of years old, and badly burnt. Among the scorched debris, many coins were found, dated to the years 67-69 CE, which seems to indicate that the house was burnt as part of the destruction of the upper city of Jerusalem during the three weeks between the 17<sup>th</sup> of Tammuz and the 9<sup>th</sup> of Av, 70 CE. Other hints regarding the violent end of the house and its dwellers were an iron spear and a woman's severed forearm bone.

No less interesting were the findings of stone dishes – plates and cups. Stone was the preferred material used by Kohanim, as it cannot become impure. This finding, coupled with the uncovering of a large private mikvah in

the house, gave rise to speculation that the house had been a home for upper class priests living near the Temple. Our tradition (as well as the agenda-driven account of Josephus) tells us about these kohanim, many of whom were corrupt and had paid their way into high positions, and/or were Sadducees, who rejected the authority of the oral Torah.

However, the most exciting item to be discovered in the house was a small round stone weight, carrying the Hebrew inscription 'Bar Kathros', meaning 'Son of Kathros', and indicating the exact identity of the owners as a specific priestly family – the Kathros. Amazingly, we are familiar with this family from a talmudic passage (Pesachim 57a):

*Abba Saul ben Batnith in the name of Abba Joseph ben Hanin said: ... Woe is me through the house of Kathros and through their pens [Rashi: for they were writing evil letters] ... for they were all high priests, their sons were the treasurers, their sons-in-law were*

*the chamberlains, and their servants would beat us with rods.*

For almost two thousand years, our nation carried the memories of the destruction and the causes leading to it, within its collective memory. Without any physical remnant, Jews sat virtually everywhere on earth, mourning the loss of the Temple and calling for repentance for the social circumstances that caused it. Now that, because of G-d's mercy, we have returned to our land, we need to be reminded even more of hatred's dire consequences. The burnt house of Kathros should serve as a powerful reminder of the dangers of inequity and rifts. There are types of impurity which no stone is immune to, nor can a mikvah purify.

"If we were destroyed, and the world with us, due to baseless hatred, then we shall rebuild ourselves, and the world with us, with baseless love." (Orot HaKodesh, Rav Kook)

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

**The Zionist Idea: Religious Coercion?**

**Rabbi Mordechai Torczyner**

The State of Israel lends itself to religious coercion:

- In a democracy, a popular majority supporting a religious practice can vote for it;
- The government-authorized Chief Rabbinate oversees rabbinical courts and controls realms of religious practice;
- The Knesset is licensed to create laws promoting a religious agenda.

Despite the above, many halachic authorities have been loath to endorse use of this power. At least three halachic arguments have been made against employing democratic, rabbinical or legislative agency to impose observance within the State of Israel.

**1. Coercion is unsuccessful** – Writing in the early years of the State, the Chazon Ish opposed imposition of punishment for violation of halachah, saying, "At a time of [Divine] invisibility, when faith has been cut off from the poor of the nation, punishment does not mend the gap, but only increases it, for it appears like a deed of destruction and coercion, G-d-forbid. Since our entire goal is to repair, the law [of punishment] does not apply when it does not repair." (Chazon Ish Yoreh Deah 2:16) Similarly, Rabbi Chaim David HaLevi wrote, "We will certainly succeed in passing a larger number of laws that will guarantee the Jewish nature of the state, but will this suffice to guarantee their fulfillment?... Moreover, besides the nice impression that a religious law makes on the book of statutes, what is the concrete benefit as long as it is not implanted in the conscience and belief of the heart?" (*Bein Yisrael la'Amim*)

**2. Coercion causes hatred** – For centuries, halachic authorities have been asked: May I provide food for someone who will not recite a blessing before eating, or would I then be guilty of causing him to stumble? Writing in 20<sup>th</sup> century Israel, Rabbi Shlomo Zalman Auerbach responded that withholding food would actually *cause* stumbling, as it would induce animosity toward other Jews; giving the food is an act of saving the person from a serious transgression. (Minchat Shlomo 1:35) This provides a second reason to avoid religious coercion.

**3. Coercion is outdated** – In a 1986 essay, Rabbi Nachum Rabinovich proposed that capital punishment was eliminated toward the end of the Second Beit haMikdash not as a concession to reality, but as an act of progress. Rabbi Rabinovich cited Rabbi Shimon bar Yochai's statement of thanks to G-d for the removal of that judicial power (Talmud Yerushalmi Sanhedrin 1:1) and contended that replacing harsh penalties with judicial compromise was "the elevation of the judicial system to a higher level." To him, "All Torah affairs, *halachic* rulings and judgments in matters that relate to man and his Creator belong solely to the domain of the Torah authorities, etc." However, "The Torah authority may not exercise coercive tactics at all, except insofar as the entire public has granted such powers, etc." To Rabbi Rabinovich, the existence of a State of Israel in which halachah is authoritative but not coercive is a sign of our imminent redemption. (Translation by S. Stollman, published in *Religious Zionism* (WZO 1988), pp. 277-308)

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

## Biography

### Rabbi Yair Bachrach

Rabbi Ezra Goldschmiedt

Unappreciated in his own day, Rabbi Yair Chaim Bachrach (1638-1702) was one of the greatest Torah scholars of his generation. Rabbi Bachrach grew up in Worms, Germany, raised by his father Samson (who was the local Rabbi) as well as his grandmother, Chava, who passed away on an attempted journey to Israel. His grandfather had also previously been the Rabbi of Worms. Chava was the granddaughter of the famed Maharal of Prague, and was known for her own vast knowledge of Torah; it is said that Rabbi Isaiah Horowitz, the Shelah HaKadosh, asked for her hand in marriage but was refused.

Rabbi Bachrach is known most for his responsa, the *Chavot Yair*, which were named after his grandmother Chava. A major authority in Jewish law, Rabbi Bachrach also wrote *Mekor Chaim*, a running commentary on the Orach Chaim section of Shulchan Aruch. However, after finding that printers were beginning to include the commentaries of the Taz and Magen Avraham alongside the Shulchan Aruch, he humbly withdrew from having his work published. (In 1982, this valuable work was finally produced by Mechon Yerushalayim.)

Besides possessing a vast knowledge of Torah, Rabbi Bachrach was also well-educated in the arts and sciences. He compiled a 46-volume encyclopedia on a range of different topics.

Rabbi Bachrach served briefly as the Rabbi of Koblenz, Trier (Germany), before his position was denied renewal by the German authorities. When he moved back to Worms, the community was hesitant to hire him as Rabbi to succeed his father Samson. Though he was more than qualified, the community felt it inappropriate to hire Rabbi Bachrach, who had grown up alongside them. Ultimately, he did become the Rabbi of Worms in 1699, though he served for only three years until his death. The epitaph on Rabbi Bachrach's headstone begins, "A great and dark horror befalls us from the hiding of the light of our Rabbi..." It was too late when the community of Worms realized whom they had lost.

[ezragoldschmiedt@gmail.com](mailto:ezragoldschmiedt@gmail.com)

## Torah and Translation

### Use of Folk Medicine

#### Rabbi Yair Bachrach, Chavot Yair 234

Translated by Adam Friedmann

שאלה שאלת בענין הלחשים שיודעים איזה נשים לאיזה מיחושים וכאבים וחללים אם יש בהם משום דרכי האמורי או לאו...

[ואפילו רפואות טבעיות שזכרו רז"ל בש"ס בכמה דוכתי הם רחוקים מן השכל ומן הסברה ומצאתי מהם בפרק שמונה שרצים ק"ט ע"ב שזכרו מי רגלים בני מ' יום ברזינא לזיבורא ריבעא לעקרבא וזה צ"ע איך נושא אחד יפעול שני הפכים כי זבורא ועקרבא הם שני הפכים כדרז"ל... בפ"ב דע"ז חמימא לעקרבא וקרירי לזיבורא וחילופי סכנתא... ואיך יתכן שדבר אחד בעצמו מלא כוס אחד יקרר החמימות ואם ישתה עוד כוס ממנו יחמם הקרירות... ולעד"נ דאפשר לקיים דרז"ל שאין כוונתם שאותן דברים יפעלו מצד עצמם לבד רק ע"י תערובות דברים ההם במיני סמים ואבקת רוכל אחרים, וע"י אותן הסמים ותערובתן ובישולם יחד יכול להיות שישתנו פעולת הדברים שזכרו רז"ל מדבר להיפכו. ומצאתי ראיה לזה מספר הקנון לאבן סינה...

ולענין הלכה למעשה נראה דכל מה שנתפשט אצל הנשים מצאנו הנח לישראל דמסתמא נודעו בנסיון והורה להם מורה להתיר. ולכך אין לאסור מה שמקיפין לילד שאחזתו חמה ונולדו בו סימני אבעבועות טרם שנראו את נקבי גופו בטבעת שהסירו מאצבע המת, וכן כל כה"ג.

[The permissibility of using magical incantations and practices to treat disease is discussed in the halachic literature. In this responsa Rabbi Bachrach argues that seemingly irrational medical practices ought to be assumed to be based on rational science.]

You asked a question regarding the incantations which some women know for certain aches, pains, and diseases, if they (i.e. the incantations) are prohibited because of "the ways of the Emorites..."

Even the natural remedies which our Sages mentioned in the Talmud in many places are far from understanding or logic. I found one of them in the 14<sup>th</sup> chapter of Shabbat, where they suggested regarding urine which sits for forty days that a *barzina* (an eighth of a *revi'it*) is useful for bee stings and a full *revi'it* is useful for scorpion stings. This requires analysis, how could one subject have two opposite effects, since bees and scorpions are opposites, as our Sages state...in the second chapter of Avodah Zarah that heat is good for scorpion stings and cold is good for bee stings, and the reverse is dangerous... And how could it be that one substance itself, with one cupful could cool down the hot, and drinking another cupful would warm up the cold... And in my humble opinion it appears that we can maintain the words of our Sages. Because their intention was not that these things would work in and of themselves, rather [they work] only through mixing those things together with other ingredients and other powders. And through those ingredients and their mixture and their being cooked together, it is possible that the effects of those things which our Sages mentioned can change from one thing to its opposite. And I have found proof for this in the Book of Healing of Avicenna...

In terms of the practical law it appears that whatever practices women commonly practice, that we have found, [we say], "Leave Israel be". Presumably, they have been verified through testing and some authority has ruled to permit them. And therefore, we should not forbid the practice of encircling a child, who has become feverish and developed early signs of smallpox before the lesions appear, with a ring that was taken from the finger of a corpse, and all similar things.

## Introducing: Alex and Judith Hecht!

We are glad to welcome Alex and Judith Hecht!  
Alex will join our Beit Midrash next year

Alex Hecht grew up in Westchester County, New York. He received a B.A. in Judaic Studies and History from the University of Arizona, where he also coordinated the Orthodox Student Minyan and was an intern at Hillel. Upon graduation, Alex studied at Yeshiva Darchei Noam (Shapell's) in Jerusalem. He then returned to the United States to serve as the Director of Student Engagement at Eastern Michigan University's Hillel. While in Michigan, Alex developed a variety of social and educational opportunities for a diverse population of Jewish students.

Realizing his passion for learning and teaching Torah, Alex continued on to study in the Semichah program at Yeshiva University's Rabbi Isaac Elchanan Theological Seminary, and at the Azrieli Graduate School of Education and Administration. Most recently, Alex has served as the Rabbinic intern at the Millinery Center Synagogue in Midtown Manhattan, where teaching classes and learning one-on-one with congregants.

Alex is married to Judith, who works as a speech-language pathologist, and they have a daughter, Tehila. The Hechts are all very excited to be joining the Clanton Park community, where Alex will serve as the Rabbinic Assistant at the Clanton Park Synagogue. You can email Alex at [ahecht@torontotorah.com](mailto:ahecht@torontotorah.com).



### Weekly Highlights: July 14 – July 20 / 2 Av – 8 Av

*Most of our classes are now on summer hiatus, but opportunities remain!*

Time	Speaker	Topic	Location	Special Notes
<b>שבת July 14</b>				
<b>After Hashkamah</b>	Adam Friedmann	Parshah Analysis	Clanton Park	
<b>8:40 AM</b>	R' Jonathan Ziring	Pre-Shacharit Parshah	BAYT	<b>Perlis Hall</b>
<b>6:00 PM</b>	<b>Adam Friedmann</b>	<b>The Sacrifices of Mothers for Their Children</b>	<b>Clanton Park</b>	<b>Women</b>
<b>6:00 PM</b>	<b>Kelly Beker, MedReleaf David Kaufman, JACS Dr. Michael Kirzner R' Daniel Korobkin R' Mordechai Torczyner</b>	<b>Cannabis Legislation and the Jewish Community</b>	<b>BAYT</b>	<b>Perlis Hall</b>
<b>7:00 PM</b>	<b>R' Jonathan Ziring</b>	<b>Shiur b'Ivrit: Substance, Not Symbols</b>	<b>BAYT</b>	<b>Hebrew</b>
<b>After minchah</b>	R' Mordechai Torczyner	Avodah Zarah	BAYT	<b>Simcha Suite</b>
<b>Sun. July 15</b>				
<b>8:45 AM</b>	R' Jonathan Ziring	Responsa	BAYT	<b>Hebrew</b>
<b>Wed. July 18</b>				
<b>11:30 AM</b>	R' Mordechai Torczyner	Muktzeh: Basis l'Davar ha'Assur	Yeshivat Or Chaim	<b>Advanced</b>
<b>8:00 PM</b>	Adam Friedmann	Contemporary Issues	Shaarei Tefillah	
<b>8:00 PM</b>	Yaron Perez	הפרשה ואני	Shaarei Shomayim	
<b>Thu. July 19</b>				
<b>1:30 PM</b>	R' Mordechai Torczyner	Book of Shemuel	49 Michael Ct.	<b>Women Last shiur before the summer</b>
<b>Fri. July 20</b>				
<b>10:30 AM</b>	R' Jonathan Ziring	Muktzeh: Tiltul min haTzad	Yeshivat Or Chaim	<b>Advanced</b>

*Our Ted and George Manson University Student Programs  
are now on Summer Hiatus*