

Toronto Torah

Beit Midrash Zichron Dov

Parshiyot Chukat-Balak (Diaspora) 12 Tammuz, 5780/July 4, 2020

Vol. 11 Num. 38 (#459)

This issue of Toronto Torah is dedicated for the yahrtzeit
of Mr. Meyer Zeifman ז"ל יחיאל מאיר בן חיים יוסף, by his loving family

This issue of Toronto Torah is dedicated for the second yahrtzeit (12 Tammuz)
of Mr. Murray Zoltak ז"ל משה יהודה בן יצחק אייזיק, by his loving family

Bilam, the Home and the Synagogue

Rabbi Alex Hecht

Bilam, in his unintentional blessing of the Jewish people, proclaimed, "How goodly are your tents, O Yaakov, your dwelling places, O Israel!" (Bamidbar 24:5, chabad.org tr.) According to the Talmud, "your tents" refers to the Jewish home (Bava Batra 60a), or to synagogues and study halls (Sanhedrin 105b). In the first interpretation, Bilam had initially intended to disrupt the modest nature of the Jewish community, where tents were situated in a manner in which entrances did not face one another; in the second interpretation, Bilam sought to deprive the Jews of synagogues and study halls.

Why did Bilam focus on these two centres of Jewish life?

A midrash (Bereishit Rabbah 65:20) notes that synagogues and study halls provide protection for the Jewish people. This midrash describes how all of the idolaters asked Bilam how they could inflict harm upon the Jews. Bilam replied that if they pass by the Jews' study halls and hear the chirping of children, they will be unable to harm them. Bilam based his assertion on the verse, "the voice is the voice of Yaakov; the hands are the hands of Esav." (Bereishit 27:22) He explained that when the "voice of Yaakov" is found in the synagogues and study halls, they will not be susceptible to harm from the likes of Esav.

Similarly, the Jewish home shares the ideals of the synagogue and the study

hall. Rabbi Samson Raphael Hirsch notes that the Torah says, "*mah tov!*" ("how good!"), and not "*mah yafu!*" ("how beautiful!"), are the Jews' "tents." Rabbi Hirsch explains that Bilam was amazed by the fact that the Jewish homes - even if they are simple "tents," and not more physically impressive "dwelling places" - exemplify moral ideals and concern for the true well-being of the entire nation. Bilam found that his attempts to curse the Jewish people were doomed to fail when he saw the values transmitted in their homes.

In fact, Rabbi Hirsch - who lived in 19th century Germany, where assimilation was rampant - was so certain about the ability of the home to protect the Jewish people from harmful influences, that he wrote: *If I had the power I would provisionally close all synagogues for a hundred years. Do not tremble at the thought of it, Jewish heart. What would happen? Jews and Jewesses without synagogues, desiring to remain such, would be forced to concentrate on a Jewish life and a Jewish home. The Jewish officials connected with the synagogue would have to look to the only opportunity now open to them - to teach young and old how to live a Jewish life and how to build a Jewish home. All synagogues closed by Jewish hands would constitute the strongest protest against the abandonment of the Torah in home and life.* (Translator's Introduction to Horeb, pg. lxix) While Rabbi Hirsch was presumably exaggerating, his argument that we cannot rely too heavily on communal

institutions to perpetuate Jewish life is compelling.

Complementing Rabbi Hirsch's point, Rabbi Moshe Feinstein argued that synagogues and study halls are also absolutely essential: "*Bilam argued that the Jewish people do not need any synagogues. Because their homes are so holy and pure, and they behave there with such propriety, their homes represent the center of religious life. If parents give their children an exceptional education at home, then the yeshivot and other educational institutions are completely superfluous. There is a curse intended here, because the truth of the matter is that we cannot rely solely on the education at home...*" (Darash Moshe ad loc., Artsroll tr.)

The COVID-19 crisis has forced us to focus more consciously on the Jewish home. For roughly three months, our homes became the exclusive venue for all aspects of serving G-d, including prayer and Torah study. During that time, we did our best to ensure that our homes could fill the role of the synagogue and study hall. Now that communal institutions are beginning to open for prayer and Torah study, we have a unique opportunity to build on the religious life we renewed in our homes, and to cultivate a synagogue and study hall environment that will render us impervious to Bilam's curses, and worthy of blessing.

achecht@torontotorah.com

OUR BEIT MIDRASH

ROSH BEIT MIDRASH	RABBI MORDECHAI TORCZYNER
SGAN ROSH BEIT MIDRASH	RABBI SAMMY BERGMAN
AVREICHIM	EZER DIENA, RABBI ALEX HECHT, NETANEL KLEIN
SEDER BOKER DIRECTOR	RABBI MOSHE YERES
ISRAELI CORRESPONDENTS	RABBI ADAM FRIEDMANN, RABBI BARUCH WEINTRAUB, RABBI JONATHAN ZIRING
CHAVEROT	ORLY AZIZA, MINDY CHAPMAN, SOFIA FREUDENSTEIN, ATARA GASNER, TEHLA HELFENBAUM, AILEEN MORRIS, HADAS MOYAL, TIFERET NICKERSON
CHAVERIM	MOISHY KANOFKY, ARI KARON, YEHUDA LEVI, COBY LYONS, ILAN SHIELDS, NATAN SNOWBELL, DANIEL SUTTNER, URIEL WEISZ, ELI WELTMAN, MARK WERNER



An affiliate of Torah MiTzion and YU

Find our upcoming classes on-line at
www.torontotorah.com

We are grateful to
Continental Press 905-660-0311

Summary

In Chapter 27 we saw [King] David find safe haven from King Saul by establishing himself among the Philistines. At first he lived in Gat, where Philistine King Achish resided; later, he moved to the Philistine town of Tziklag. David and his men would raid local non-Philistine populations and pretend that they had attacked the Jews, to gain the confidence and protection of King Achish.

In Chapter 29, the main Philistine force prepared for war against the Jews, massing thousands of troops. This placed David in a bind; how far could he go in his pretense? David gambled, joining his men with those of King Achish. (29:1-2) According to Ralbag, David realized he could not decline to go, and he hoped he might be able to foil the Philistine battle plans. (Commentary to 29:2) Abarbanel argued that David would not have betrayed his benefactor; he would have protected Achish, without attacking the Jews. (Commentary to 29:5)

In the end, Achish's nobles protested David's presence in the battle. They argued that David could not be trusted, quoting the Jewish praise for David

from 18:7, "Saul has struck thousands, and David has struck myriads." They warned that David would seize the opportunity to attack them and so gain Saul's good graces, and they insisted that Achish deny David a place at the battlefield. (29:3-5)

Achish acceded to the request of his men, despite apologetically acknowledging that David had done nothing wrong. He said of David, "You are great in my eyes; you are like an angel of G-d." He even swore by Hashem! Nonetheless, he insisted that David and his men remain behind, and David complied. (29:6-11)

Insight

Professor Yehudah Kil, in his summary of this chapter in the Daat Mikra edition of Shemuel, notes that this chapter parallels Chapter 28.

- In Chapter 28, we learn that Saul had campaigned to eliminate sorcery and necromancy from Israel, but in his desperation for prophetic counsel he turned to necromancy to seek the spirit of Shemuel.
- Now, we find David, who built his public career on military success against the Philistines (Chapters 17-

18), turning to the Philistines for support and even attempting to join their war against the Jews.

There is an important difference between the two stories, though. In Chapter 28, G-d could have saved Shaul from pursuing sorcery, by sending him the advice he sought via a prophet. Instead, G-d let Shaul fail. In contrast, G-d saves David from going to war against his brethren beside Achish. This is consistent with what we learned about David early in his career: "G-d is with him." (16:18, 18:14) As the Talmud teaches, G-d's presence at David's side meant that G-d would not allow him to fall into sin. (Shabbat 56a) Or as David's son would later say, "No corruption will occur via a righteous person." (Mishlei 12:21)

torczyner@torontotorah.com

Holy Land Halachah: Taking Spoils of War**Rabbi Jonathan Ziring**

Rabbi Yosef Tzvi Rimon (*Halachah M'Mikrah: Tzava*, Mercas Halacha V'Horaah, 2010, Volume 1, pp. 312-3) was asked whether a soldier could take spoils from a terrorist group. The questioner emphasized that 1) he was not talking about taking private property, but rather the property of the terrorist group and 2) much of the property would otherwise be destroyed.

Rabbi Rimon ruled that it is forbidden, for the following reasons.

In truth, in most wars, the Torah permits taking spoils (Devarim 20:14). However, there are other wars, such as the wars against Sichon and Og (discussed in this week's parshah) and the war against Amalek, where it is forbidden. The record in Tanach does not provide clear guidance.

From the standpoint of halachic ownership, authorities debate the exact nature of the act of acquisition, with many claiming that the act of war itself can acquire property (Shut Dvar Avraham 1:10, Shut Beit HaLevi 1:21). Therefore, one might argue that taking spoils would be permitted.

However, Rabbi Rimon argues that in the case of modern Israel, one may not take spoils, for three reasons:

- 1) Spoils, he argues, become the property of the army, not the soldier. Thus, if the army forbids taking spoils, the soldier may not take it.
- 2) Philosophically, Rabbi Rimon thinks that we can derive relevant principles from the war with Amalek, where the taking of spoils was forbidden. He notes that [Rabbi Aharon Lichtenstein argued](#) that the reason Shaul was punished so severely for taking spoils and not killing

Agag, the King of Amalek, was because this violation of the law was more than a mere sin. Killing Amalek is problematic ethically and can only be justified if one does so ONLY because G-d commanded it. However, once one diverges from G-d's law at all, this indicates that one is making the moral judgments himself rather than surrendering to G-d's will, thus negating the justification for the war in the first place. Based on this, Rabbi Rimon argues that an entire army may choose to take spoils for military or national purposes. However, for an individual to do so would make it as though he was fighting for personal gain rather than for the higher good. What justifies war is that the soldiers are fighting on behalf of national needs, and the individual soldier must never lose sight of that, as that would compromise him ethically.

- 3) He argues that even when the army divided property among the individual soldiers, the fact that the army divided it meant that the division took on a national character and divorced it from the whim of the individual.

Thus, Rabbi Rimon concludes that an individual soldier may not take spoils. He does note, however, that if at a particular moment in battle a soldier needs to use spoils for the war, such as he is low on food, that would be permitted.

jziring@torontotorah.com

Biography
Rabbi Chaim ibn Attar
Rabbi David Teller

Rabbi Chaim ben Moshe ibn Attar, better known as the *Or HaChaim* (the name of his monumental commentary to Chumash) or the *Or haChaim haKadosh*, was born in Sali, Morocco in 1696, into a wealthy family. He established a yeshiva in his hometown, but troubles ranging from being falsely accused of crimes and imprisoned by the government, to experiencing a devastating famine in 1738, forced him and many of Morocco's remaining Jews to flee. He decided to emigrate to Eretz Yisrael.

The journey took Rabbi Chaim ibn Attar through Italy, and it was there that he published *Or haChaim* in 1741. In Elul of 1741 he reached the shores of Israel, but a plague in Jerusalem prevented him from entering the holy city. Only a year later was he able to enter, eventually establishing a small yeshiva there before moving to Akko. He passed away shortly afterward, on the fifteenth of Tammuz, at the age of 47; his *yahrtzeit* is observed this coming Tuesday. He was buried on Har HaZeitim.

It is reported that in 1948, when Har HaZeitim fell into the hands of the Jordanians, the invaders began building a road through the cemetery. When the tractor reached the grave of the *Or haChaim* it broke down and could not start again. Repeated efforts to clear the path failed, and plans were altered to build the road higher up on the mountain. The beginning of that earlier road is still visible today.

Along with his commentary on the Torah, Rabbi Chaim ibn Attar wrote *Chefetz Hashem* compiling his novellae on gemara, and *Pri To'ar* on the Yoreh Deah section of Shulchan Aruch.

Torah and Translation
The Song of the Well

R' Chaim ibn Attar, Or HaChaim Bamidbar 21:17-19

Translated by Rabbi Sammy Bergman

אז ישיר ישראל וגו'. צריך לדעת שירה זו מה טיבה, גם למה לא אמרו שירה על המן כמו שאמרו שירה על המים, גם כל הפרשה צריכה ביאור.

ואפשר כי שירה זו על התורה אמרוה... נקראת "באר" על שם המקור שהיא שכינה עליונה שנקראת באר, גם (מים) לפי שהתורה נמשלה למים, ואמרו "עלי באר" לשון עליה כי לא על באר שלמטה הם אומרים אלא על באר "עלי" פירוש עליון. "ענו לה" על דרך אומרו (שמות טו) "ותען להם מרים" שהוא דרך השיר:

ואמרו "חפרו שרים וגו'" יתבאר על פי דבריהם (ב"ר ס"ד) שאמרו כי באמצעות עסק התורה מתקנים מקור עליון שנקרא "באר", והתיקון הוא כפי בחינת מעלת העוסקים בתורה. הצדיקים הראשונים שהיו במדרגה גדולה הם שחפרו את הבאר ועשוהו לשתות ממנה והם האבות בסוד (בראשית כט) "והאבן גדולה על פי הבאר ויגל את האבן וישק את הצאן", ומאז היתה ראויה התורה לינתן לישראל. ועודנה לא היתה בבחינת ההשגה לשתות ממנה עד ש"כרוה נדיבי העם" הם משה אשר הורידה לנו. ועמדו אחריו מקבלים ממנו זקנים ונביאים ואנשי כנסת הגדולה ופירשוהו וגילן מצפוניה, והוא אמרו "כרוה נדיבי העם", כי תורה שבכתב בלא תורה שבעל פה אין אדם יכול לשתות ממימיה.

ואמרו "במחוקק במשענותם" הוא מה שהוסיפו לחדש בתורה חכמי הדורות, ואין זה אלא כחוקק בה חקיקה, ואינו כמדת הראשונים שחפרו וכו', וגם זה אינו אלא במשענותם של ראשונים שכל דקדוק ודקדוק שידקדק בתורה צריך לפרשו על פי דבריהם, וכל דבר שלא יהיה מיוסד על פי דברי הקדמונים אין לסמוך עליו:

Then Israel Sang: One needs to know: this song - what is its purpose? Also, why didn't they sing upon the manna as they did upon the water? Also, the whole section requires clarification.

It's possible this song was recited upon the Torah...which is called a well of water. It is called a well due to the source, the elevated Divine presence, which is called a well, and because the Torah is comparable to water. It said: "ascend [*ali*] o well", a term of ascension, for they were not referring to the well below but to the upper well. "Answer to it", as in the statement (Exodus 15), "And Miriam answered to them" which [describes] the modality of singing.

And it said: "princes dug it" - this can be explained based on the words of the Sages (Bereishit Rabbah 64) who say that through Torah learning we repair the upper source which is called a well, and the benefit of that restoration is commensurate with the spiritual level of those who learn Torah. The original pious people who were on a high level dug the well and prepared it for drinking. They are the forefathers, [as described] by the hidden meaning of: (Bereishit 29) "And a great stone was on the well. And [Jacob] rolled off the stone and fed [water to] the sheep." From then, the Torah was fit to give to Israel, but it wasn't at an understandable level to drink from it until "the nobles of the people dug it", Moshe, who brought it down to us. And then stood those who received it from him - the elders, prophets, and the men of the Great Assembly who explained it and revealed its secrets. That is the meaning of its statement, "the nobles of the people dug it," for the Written Torah without the Oral Torah - a person can't drink from its waters.

And its statement: "with a chisel, with their staffs" refers to the novel additions of the Sages over the generations, and this is merely like engraving an inscription, and unlike the way of the first [sages] who dug. And this is only with the staffs of the first [sages], for every inference deduced from the Torah must be explained based on their words. Anything which isn't based on the words of the early [sages] shouldn't be relied upon.

This Week on Zoom!

Click Underlined Lines to Open Zoom Sessions
or look for clickable Zoom links at www.torontotorah.com/letslearn

SPECIAL PROGRAMMING

Sunday July 5

10 AM EDT: Midreshet Yom Rishon for Women!

Dedicated by Yossi and Rebecca Salmon in honour of their parents and grandparents

And dedicated in memory of Batsheva Yeres z"l, בתשבע בלימה בת רב משה יוסף הלוי ואסתר

MRS. LORI GRYSMAN, PINCHAS AND ELIYAHU: TWO PEAS IN A POD?

RABBI SAMMY BERGMAN, PINCHAS: ZEALOT FOR G-D?

Tuesday July 7

8:30 PM Rosh Kollole Swap with the YU Torah MiTzion Kollole of Chicago

THIS WEEK: RABBI MORDECHAI TORCZYNER, YIRMIYAHU: A PROPHET FOR OUR TIMES

Wednesday July 8

10 AM EDT Clashes in Jewish Publishing

With Rabbi Mordechai Torczyner, Week 1: Church Censorship of Jewish Texts

7 PM EDT Why Do We Need a Temple?

Rabbi Sammy Bergman, with Shaarei Shomayim

DAILY

Adult Seder Boker, with Rabbi Moshe Yeres

Mondays-Thursdays at 10:00 AM EDT (men)

Mondays and Wednesdays: Gemara, Orot haTeshuvah

Tuesdays and Thursdays: Parshah, Tanach

WEEKLY

Sunday July 5

9:15 AM EDT Contemporary Halachah with Netanel Klein: May You Ever Tell a Lie?

10 AM EDT Gemara Shabbat for university students, with Rabbi Aaron Greenberg (pwd: 613613)

11 AM EDT Contemporary Halachah Rotation (university): Ascending Har HaBayit, R' Alex Hecht

8:00 PM EDT Gemara Avodah Zarah, with Rabbi Mordechai Torczyner (men) (note new time)

Monday July 6

8:45 AM EDT She'arim baTefillah Chabura for university students, with Rabbi Alex Hecht

8:30 PM EDT Gemara Shabbat, Chap. 13, with Rabbi Moshe Yeres

Tuesday July 7

8:00 PM EDT Shoftim, with Rabbi Mordechai Torczyner (men) (abbreviated due to 8:30 program listed above)

Wednesday July 8

7:00 PM EDT Stories from the Talmud, with Rabbi Alex Hecht

Thursday July 9 - Fast of the 17th of Tammuz

2:15 PM EDT Haftarot of the Three Weeks for university students, with Ezer Diena

8:30 PM EDT Gemara Beitzah, with Ezer Diena (men)

Friday July 10

8:30 AM EDT Parshah Chabura for university students, with Rabbi Mordechai Torczyner

10:30 AM Bava Metzia Perek 6, with Rabbi Sammy Bergman and Rabbi Mordechai Torczyner

NOW ON SUMMER HIATUS

Tuesdays: 1:30 PM EDT Yeshayah, with Rabbi Mordechai Torczyner

Thursdays: 1:30 PM EDT Shemuel, with Rabbi Mordechai Torczyner (women)

Thursdays: 9:00 PM EDT Gemara b'Iyun: Laws of Yom Tov, university students, with Rabbi Sammy Bergman (women)

FOR MORE OPPORTUNITIES, GO TO WWW.TORONTOTORAH.COM/LETSLEARN!