

Toronto Torah

Beit Midrash Zichron Dov

Parshat Ki Tavo

16 Elul, 5780/September 5, 2020

Vol. 12 Num. 2 (#463)

This issue of Toronto Torah is dedicated by the Goldman Family on the yahrtzeit of Mr. Jeffrey Goldman z"l,

לעילוי נשמת ר' יעקב זאב בן ר' ארי' צבי הכהן ז"ל זי"ע

This issue of Toronto Torah is dedicated by Archie and Tobey Crandell in memory of Tobey's father, Alter Perl, HaRav Alter Avrohom Aharon HaKohen ben HaRav Moshe Yehoshua z"l, for his yahrtzeit

A Confession of Innocence

Rabbi Alex Hecht

The Torah delineates mandatory tithes [*maasrot*] that we separate from Israeli produce in different years of the seven-year shemita cycle. [These are separate from the *terumah* we give first, to a kohen.]:

- Every year, we tithe ten percent of our crop to give to a Levi [*maaser rishon*].
- In the first, second, fourth, and fifth years, we bring ten percent [of the remainder after *maaser rishon*] to Jerusalem and eat it there, or we redeem it for money to bring to Jerusalem and spend on food there. This is called *maaser sheni*.
- In the third and sixth years, the second tithe is instead called *maaser ani*, and we donate it to the poor. (Devarim 14:22-29)

On the last day of Pesach of the fourth and seventh years, we recite *vidui maasrot* [confession of the tithes]. (Devarim 26:12-15) In this statement, we declare that we have not neglected to give any of the required tithes, and we have carefully observed their accompanying laws.

Vidui maasrot is unique, as tithing is the only mitzvah for which we must verbally assert our proper performance. What about tithing warrants this affirmation?

Sefer haChinuch (607) explained that this verbal declaration functions as a safeguard from being remiss in tithing obligations. Since the livelihood of the tribe of Levi depends on these tithes, it is especially important to ensure that

the necessary funds are collected, but people naturally find it difficult to part with their earnings. As a result, they may be tempted to cut corners. The requirement to verbally affirm that one has separated tithes according to the law will help ensure that we don't cut corners, as people will hesitate to speak falsely. Humans are elevated above all other creations by virtue of their ability to speak. Since speech is a characteristic that distinguishes humans from physiologically similar animals, many people are anxious to avoid corrupting it. They may even be more fearful of corrupting their speech than of acting improperly.

Additionally, the announcement of proper tithing serves as positive peer pressure. When we learn that others are scrupulous in this area, we will likely be inspired to act similarly. This may be similar to the halachic sanction to publicize *tzedakah* contributions for the purpose of encouraging others to give generously. (Teshuvot haRashba 1:581)

But regardless of the value of this affirmation, why is it called *vidui* [confession]? *Vidui* is generally understood as admission of guilt, not a declaration that one acted correctly!

Rabbi Ovadia Seforno (Commentary to Devarim 26:13) understood that the separation of tithes earmarked for the Levites is actually an implicit acknowledgement of **guilt**. Originally, the Temple service - and consequently, the tithes given to those involved in the service - was meant for the firstborn of

all tribes. When the rest of the Jewish people participated in the Golden Calf, these privileges were given to the Levites, who had not participated. Thus, the very fact that the rest of the nation has to give tithes to the Levites is a result of their ancestors' sins.

Rabbi Yosef Dov Soloveitchik contended that this is a confession of **innocence**, and it is an important part of repentance. Fundamentally, repentance involves the recognition of potential. Therefore, a person must acknowledge when he has failed to achieve the potential that G-d expects. But a person must reflect upon his potential for greatness - as evidenced by past proper behaviour - in order to accomplish the goal of repentance. Therefore, admission of innocence and guilt are both part of the process of repentance: "On reciting the portion, man says that he is capable of living a life of sanctity and purity in accord with the will of G-d. If hitherto he has demonstrated that it is within his power to fulfill the will of G-d in many difficult situations, it can well be demanded of him that he demonstrate his ability in all situations." (*The Rav Speaks*: Five Addresses pp. 132-34, modified)

These lessons from *vidui maasrot* are particularly relevant during the period leading up to the *Yamim Noraim*. We must put measures in place to keep us accountable for our actions, serve as positive examples for others, and reflect on areas where we have erred, as well as those in which we have excelled.

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Summary

The previous chapter described King David grieving for King Shaul and his son Yehonatan. Our chapter begins with King David taking the first steps of his monarchy. He had been living in Tziklag, the city granted to him by Philistine King Achish (Shemuel I 27). Now, he inquired of Hashem - possibly via the *urim v'tummim* breastplate of the kohen gadol - as to whether he should try to move to one of the cities of Yehudah. Hashem told him to ascend to Chevron, and David established his first capital city there. He was publicly anointed there by the tribe of Yehudah. (2:1-4)

With his first royal act, King David demonstrated that he wanted a unified kingdom. The people of Yavesh Gilad had buried Shaul with proper honours (Shemuel I 31); they were Shaul loyalists, members of his tribe, and he had saved them from Amon in the beginning of his reign (Shemuel I 11). Now, David pledged to be good to them. (2:5-7)

But King David's wishes for unity were

foiled, as Shaul's general Avner crowned Shaul's forty-year old son Ishboshet as the new king. Avner declared him king over "Yisrael" - the lands north of Yehudah, as well as the lands east of the Jordan River. (2:8-11)

The result was inevitable: a clash between Avner's forces on one side, and the forces of David's general Yoav on the other. At first this was expressed in a competition between representatives of each army, to exhibit military prowess. (Radak to 2:14) However, this led to actual battle, and David's forces were victorious. Yoav's brother tried to kill Avner; Avner warned him off unsuccessfully, and finally killed him. (2:12-25) [The Talmud (Sanhedrin 49a) holds Avner liable for not finding another way to defend himself, but see Kesef Mishneh to Hilchot Melachim 9:4.]

Avner pleaded with Yoav for a truce, and Yoav agreed; Avner and his men retreated east of the Yarden, and Yoav's men returned to Chevron. But the damage was done - David's forces

lost twenty men, and Ishboshet's forces lost 360. (2:26-32)

Insight

Chevron is an interesting choice for King David's first capital. On one level, the residents were already identified as his allies; see Shemuel I 30:26-31, in which he distributed spoils to them. But Chevron was also a spiritual centre. It was the place where Avraham and Sarah lived until Sdom was destroyed; it was the site of the burial of our patriarchs and matriarchs; Kalev visited it as one of the two righteous spies (Yehoshua 14:9-15); it was one of the Levite cities and cities of refuge (Yehoshua 20:7); and Shimshon marked it as the antithesis of Philistine ideals when he uprooted the gate of the major Philistine city of Aza and planted it in Chevron (Shoftim 16).

By placing his throne in Chevron, King David declared that his reign, although a break from Shaul's reign, was not a break from our history; he was continuing the tradition that began with Avraham and Sarah.

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The Israeli Farmer: Planting Potatoes in a Vineyard**Rabbi Adam Friedmann**

The Torah twice prohibits planting different species together. In one place, we are commanded not to "sow the field with two types of seed." (Vayikra 19:19) This is understood to be referring to planting two or more species of vegetables or legumes together. Elsewhere, the Torah tells us not to do mixed planting in a vineyard, lest the field's crop become prohibited. (Devarim 22:9) Note that in this case, the text provides reasoning for the prohibited planting (more on this later).

A mishnah limits the second prohibition: "Seeds (*minei zera'im*) of all types do not cause mixed planting in a vineyard." (Kilayim 5:8) This statement leads to two questions: What constitutes a "seed", as opposed to other vegetables? And is this mishnah allowing this type of planting entirely, or is it still rabbinically prohibited?

In his *Chavot Binyamin* (3:105), Rabbi Shaul Yisraeli presents several answers to the first question.

- Rabbi Yisrael Lipschitz (in *Tiferet Yisrael*) suggests that "seeds" include any food where only the subterranean sections are eaten (e.g. legumes, root vegetables), as opposed to vegetables (*minei yerek*), where the leaves growing above ground are eaten. But Rabbi Yisraeli argues that this distinction does not fit with the primary sources.
- Rabbeinu Nisim (commenting on the Rif to Menachot 15b) suggests that "seeds" are plants which are not edible for people, but which are grown for other reasons (e.g. animal feed). Everything else is included in the biblical prohibition.
- Rambam (Hilchot Kilayim 1:9) distinguishes between things which are planted in smaller garden areas (*minei yerek*) and things which are planted throughout larger fields (*minei zera'im*).

Per Rabbeinu Nisim's understanding, we may not plant potatoes in a vineyard. However according to Rambam and Rabbi Lipschitz, there is, at least, no Torah prohibition involved.

Rabbi Yisraeli goes on to argue that according to Rambam, there would also be no rabbinic prohibition. This would be especially true if potatoes were the only other thing planted in the vineyard. In this case, combining several other lenient positions might allow for a permissive ruling.

However, Rabbi Yisraeli questions the logic of Rambam's distinction. Why should there be a difference between crops planted in close quarters and those planted in fields? Rabbi Yisraeli suggests, based on Rambam's own intimation in Kilayim 5: 3, that the Torah only prohibited planting things which are likely to yield produce at the same time as the vines, causing the crop to be prohibited as mentioned in the Torah itself.

This would lead to a stringency in our generation. In antiquity, vegetables grown in small gardens were watered by hand and therefore yielded produce throughout the year. Things grown in the field relied on the yearly rainwater cycle and produced crops before the grapevines. By this reasoning, the fact that we also irrigate fields today shifts potatoes into the prohibited category, since they can yield produce year-round. On this basis, Rabbi Yisraeli did not allow planting potatoes in a vineyard, despite the technical leniencies available.

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Biography

Rabbi Akiva Schlesinger

Rabbi Baruch Weintraub

Rabbi Akiva Yosef Schlesinger was born in 1838 in Pressburg, Hungary (now Bratislava, Slovakia). He studied under Rabbi Avraham Sofer (*Ktav Sofer*, son of the *Chatam Sofer*), who ordained him. At the age of 22 he married Leeba Lichtenstein, a daughter of Rabbi Hillel Lichtenstein, who was well-known for defending traditional Jewish values against the Neolog (Hungarian Reform) movement. Rabbi Schlesinger joined his father-in-law's endeavours, writing and printing a book titled *Lev Halvri* which included a commentary to the Chatam Sofer's ethical will as well as a piercing polemic against the Reform and Enlightenment movements. Thousands of copies of the work were printed, and Rabbi Akiva Yosef became known as the *Lev Halvri*. However, he was not only a staunch traditionalist, but he also proposed some very radical steps he saw as necessary to reawaken the Jewish soul. One of these ideas was the advancement of the use of *Lashon HaKodesh*, which he saw as an important element in recreating the "Hebrew heart" (a translation of the name of his book).

At the age of 32, Rabbi Schlesinger decided to go to Eretz Yisrael, where his dreams of Jewish revival might come true. He settled in Jerusalem, but made many journeys in order to see the land, and he wrote books and pamphlets in which he encouraged Jews from all over the world to come the Holy Land, or at least to donate money to redeem its lands. He even published a detailed plan for the establishment of a Jewish state with a government, industry and army. Notably, one of his students at that time was Yoel Moshe Salomon, who later founded Petach Tikva.

Rabbi Schlesinger was also known for his attempts to renew *techeilet* and blow the shofar on Shabbat – acts he saw as part of the Jewish revival. This combination of new and old in the same person led a famous historian to define him as "the grandfather of both Religious Zionism and Neturei Karta."

Rabbi Akiva Yosef Schlesinger passed away in 1922 at the age of 84 and was buried on Har HaZeitim.

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Torah and Translation

Investing in Israel

R' Akiva Schlesinger, Torat Yechiel, Haftarah Ki Tavo

Translated by Rabbi Baruch Weintraub

"להביא בניך מרחוק כספם וזהבם אתם, לשם ד' אלקיך ולקדוש ישראל כי פארך." (ישעיה ס:ט)...

המצוה זאת זה ישיבת ארץ ישראל, ונעזבה כי אם לנעזבים ר"ל – לא כן כבודה, כי אם אשרי וגו' כדרז"ל כאשר הוא איש בכחו, כאשר יבואו עם כספם וזהבם אתם, זה האות לשם ד' אלקיך ולקדוש ישראל כי פארך... לא כן כבזמן הזה אין מנהל לה, ואין דורש ואין מבקש, ואשר בא לשם ד' לעשות חיל מורדף מארצך ר"ל, ואין מחזיק בידו. ואם אין עושים, עכ"פ להחזיק בכל מאודם.

והנה בעניינינו צע"ג בתנאי בני גד ובני ראובן שבטלו מצות ישיבת ארץ ישראל, והוא מצות עשה מן התורה ככ' הרמב"ן, כל שכן בזמנם עם כל ישראל לכולי עלמא הוא מן התורה. הלא זה מתנה על מה שכתוב בתורה, ואיך כתב והייתם נקיים מד' וגו'?

ועל כרחך צריך לומר כי על ידי כי יעברו חלוצים וכו', כי גדול המעשה יותר מן העושה... כי המעשה חבירו מעלה עליו כאילו עשאו, והרי זה כמו לימוד תורה, כי על ידי זבולון מחזיק ליששכר, נחשב לו כאילו למד... מעתה זה לכם היסוד לדעת ממנו התחברות כלליות לכל התורה ומצוות ושמרתם את דברי הברית הזאת בקיום תרי"ג ועשיתם אותם להיות גדול המעשה בכל מצות התלויות בארץ וכו' ולמצות כהנים וכו' ועל ידי כך למען תשכילו את כל אשר תעשו לעשותם... לגרום ובא לציון גואל במהרה בימינו אמן.

"[T]o bring your sons from afar, their silver and their gold with them, in the name of Hashem your G-d and for the Holy One of Israel, for He has glorified you." (Isaiah 60:9)...

This *mitzvah* of the settling of Eretz Yisrael, should we neglect it other than for those who are neglected [i.e. poor], G-d forbid? That is not to its honour. Rather, praised is the [man], as the Sages said, who is still in his manly strength, when they will come with their silver and gold – this is a sign [that] he comes in the name of Hashem your G-d and for the Holy One of Israel, for He has glorified you... This is not the situation in our times, as we have no leader, no one is seeking and no one is inquiring, and when one comes in G-d's name to create wealth, he is chased out of our country, G-d forbid, and no one holds his hand. And even if they do not [chase him out], at least they should have tried to assist with all their resources.

Behold, on this topic, the agreement with the tribes of Gad and Reuben, who renounced the *mitzvah* of settling the Land of Israel, requires much further study. It is a biblical *mitzvah*, as written by the Ramban, and even more so in their time, when all of Israel entered the land everyone agrees it was a biblical commandment. Isn't [their agreement] an agreement against what is written in the Torah? How can it be that it was written [regarding this agreement], "And you shall be innocent before G-d"?

One must say that it was because they served as military pioneers – for he who enables [others to do a *mitzvah*] is greater than he who does [the *mitzvah* himself]... For he who enables his fellow is considered as if he has done it himself. It is like Torah learning, for when Zevulun assists Yissachar he is considered as if he himself had learned... Now, this is the foundation you should know, and understand from it the way to connect to the entirety of Torah and *mitzvot*, and to guard the terms of this covenant in keeping all 613 [commandments] and to do them, to be an enabler who is greater in all the commandments relating to the land and the commandments of the kohanim, and through this, you will succeed in all you will enable [others] to do... and cause the coming of the redeemer to Zion speedily in our days, Amen.

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1:30 PM Tuesday September 8

Racism and Rosh HaShanah: Why Was Man Created Alone?
Rabbi Mordechai Torczyner, with *Mekorot* and Shaarei Shomayim
There is no fee; all are welcome; register at mekorot18@gmail.com

10:00 AM Wednesday September 9

Socially Distanced High Holidays, Part 2 of 2: Yom Kippur
Rabbi Mordechai Torczyner; There is a fee; register at <https://torontotorah.com/distanced>

7:30 PM Wednesday September 9

The Book of Jonah, Week 3 of 5
Rabbi Alex Hecht, with Shaarei Tefillah

DAILY

7:30 AM Sun-Fri Rabbi Chaim Metzger, Daf Yomi with BAYT (men), via ZOOM

Adult Seder Boker, Mon-Thu 10 AM to Noon, with Rabbi Moshe Yeres, via ZOOM (men)
Mondays and Wednesdays: Gemara Taanit, Orot haTeshuvah
Tuesdays and Thursdays: Parshah, Tanach: Shoftim

WEEKLY

Shabbat Sept. 5

IN PERSON! 8:00 PM "How Does Justice Allow for Teshuvah?"
at Shaarei Shomayim with Rabbi Bergman, between Minchah and Maariv

Sunday Sept. 6

9:15 AM, Contemporary Halachah with Netanel Klein (not this week)

10:00 AM, Gemara Shabbat, with Rabbi Aaron Greenberg (University, pwd 613613)

7:30 PM Gemara Ketuvot with Rabbi Mordechai Torczyner (men) (not this week)

Monday Sept. 7

8:30 PM Gemara Shabbat, Chap. 15, with Rabbi Moshe Yeres

Tuesday September 8

7:30 PM Shoftim, with Rabbi Mordechai Torczyner (men)

8:30 PM Timeless Tips on Improvement, from Rabbi Moses Maimonides to Benjamin Franklin
Rabbi Sammy Bergman, with Shaarei Shomayim

Thursday September 10

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

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

Friday September 11

9:00 AM, Parshah, with Rabbi Sammy Bergman (university)

10:30 AM Shemitah!, with Rabbi Sammy Bergman and Rabbi Mordechai Torczyner