

Toronto Torah

Beit Midrash Zichron Dov

Parshiyot Acharei Mot-Kedoshim

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This issue of Toronto Torah is dedicated by the families of Irwin, Jim and David Diamond in memory of their mother, Rose Diamond ז"ל עזריאל ז"ל ר' עזריאל ז"ל

This issue of Toronto Torah is dedicated by Ruthie and Michael Mammon to thank Hashem for the birth of a grandson, Bekhor Shalom (Charles Barry), son to Ashley and Jeremy Mammon

Atonement Through a Scapegoat?

Rabbi Sammy Bergman

Parshat Acharei Mot begins with the description of the Temple service performed by the kohen gadol on Yom Kippur. While this process involves many different rituals, the selection and killing of the goat for "Azazel" might be the most perplexing. After selecting two identical goats, the kohen gadol would perform a lottery which designated one of the goats as a sacrifice "to Hashem" while the other was set aside to be sent to "Azazel" and thrown off a tall cliff in the desert. (Vayikra 16:7-10; Mishnah Yoma 6:1, 6:7) Nevertheless, the goat for Azazel played an essential role in atoning for the sins of the Jewish Nation. The kohen would then place his hands on the goat, confess the sins of the Children of Israel, "place them" on the head of the goat, and send the goat away with an appointee to the desert. The goat would then "carry away all their sins" to a desolate land. (16:21-22, Rashi ad loc., Chizkuni ad. loc.)

It's difficult to comprehend the atonement brought about by the goat to Azazel. First, why select a goat in the Temple only to send it away to the desert to throw it off a cliff? Second, how can the kohen gadol grab hold of the sins of Israel and transfer them onto an animal? Surely, sins have no material substance such that the goat could physically transport them. Third, how could a ritual performed by one person atone for the sins of an entire nation? Certainly, to achieve repentance each person must undergo the difficult process of teshuvah. Yet, the verse implies that the kohen can

cast away the sins of the entire nation by simply confessing on their behalf and sending a goat away to the desert! [See Mishnah Shevuot 1:6, which indeed records the puzzling effectiveness of this atonement ritual.]

A midrash (Bereishit Rabbah 65:15) connects the service of sending the goat for Azazel to the rivalry between Yaakov and Esav. This midrash suggests that the goat represents Esav, "the hairy man" (*ish sa'ir*), which bears the sins of Yaakov, "the complete one" (*avonot tam*). Ramban (Vayikra 16:8) explains that Hashem mandated the goat to Azazel as a Divinely ordained gift to Samael, the ministering angel of Esav in charge of death and destruction, who rules in the desert. Ramban emphasizes that by presenting this "offering" we intend only to fulfill the will of Hashem and not, heaven forbid, to give a sacrifice to the angel.

But how does this "offering" bring atonement? I would present two approaches. Rabbi Chaim ibn Atar (*Or haChaim* to 16:7) argues that the sins we commit create pollutants which have a damaging impact on our souls. Hashem refuses to allow these filthy pollutants in His Sanctuary and therefore instructs us to have our representative, the kohen gadol, send a "goat for Azazel" to carry them outside the Temple. According to this approach, rather than replacing the need for repentance to achieve forgiveness, the goat for Azazel cleanses the people from contaminants caused by sin. Indeed,

Rabbi Ovadia Seforno (commentary to 16:30) distinguishes between the "atonement" brought about by the kohen gadol which refers to reducing the impact of sin, and "purity" which entails complete forgiveness and requires individual confession and repentance.

Rabbi Tzaddok haKohen of Lublin (*Tzidkat haTzaddik* 40) presents an even more novel approach. He argues that the essence of teshuvah involves transforming sins into merits through the recognition that in a sense, even our sins reflect the will of G-d. Just as offering the goat to Azazel would constitute idolatry had Hashem not commanded us to do so, teshuvah requires us to retrospectively see our repulsive sins as a reflection of Hashem's will. When a person's struggles inspire her to contemplate her deficiencies, and make real, sincere improvements in her life, sin ultimately strengthens her relationship with G-d.

The mystifying offering of the goat for Azazel reminds us that the process of teshuvah and achieving forgiveness ultimately transcends rational analysis. Hashem sometimes chooses rituals that seem counterintuitive. Yet, we perform these rituals faithfully in deference to our Creator. Perhaps Hashem wants us to understand that we can always have confidence in our loyalty toward Him, even when it's complicated.

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This chapter details the construction of the Mikdash, the exterior, the interior, as well as a focus on the Keruvim. The process took seven years, beginning in Iyar (also known as *Ziv*) in the fourth year of his reign and concluding in Cheshvan (known then as *Bul*) in the eleventh year of his reign. While we will not review the details, several points are worth highlighting.

First: in addition to noting the dates as they relate to the reign of Shlomo, the date as connected to the Exodus from Egypt is also recorded, stating that the building took place in the 480th year from the Exodus. Why is this relevant?

- Some attribute symbolic meaning to the number 480 (see *Chomat Anach*).
- Others suggest the goal is to connect this construction with the building of the Mishkan which happened in the year of the Exodus, highlighting the connection between these homes for G-d. (Abarbanel)
- Rabbi Alex Israel suggests an alternative: "One can view *Yetziat Mitzrayim* as the birth of the nation. If the process that began with the

Exodus ends now, then we are witness to a critical watershed here. The early stage of development, the foundational period of becoming a nation, has reached its completion. We now move towards a state of national maturity, adulthood." ([link](#))

The second point is that Shlomo ensured that the entire Beit HaMikdash was built without any cutting by metal instruments being heard when the stones were cut. This seems to be an expansion of the Torah's demands; the Torah forbids the use of metal in the construction of the altar, but not the entire building. (Shemot 20:22) This divergence may drive the debate found in the Talmud (Sotah 48b) as to whether Shlomo indeed refrained from using metal. Rabbi Yehudah believes that he did, and thus explains that Shlomo used the *shamir* worm to miraculously cut the stones. Rabbi Nechemiah, on the other hand, claims that Shlomo cut the stones with metal, but had this done before the stones were brought to the area of the Temple of the Mikdash, so that the cutting was literally not heard, though it did take place.

Rambam (Hilchot Beit haBechirah 1:8) takes Rabbi Nechemiah's position as law; Rabbi Yosef Karo (*Kesef Mishneh*) explained that Rambam adopted Rabbi Nechemiah's view because it is the only one mentioned in the Mechilta. Ramban, however, suggests that Shlomo was going beyond the letter of the law, channeling the spirit of the law derived from the altar to the entirety of the building. [See his commentary to Shemot 20:22 for suggestions as to the rationale for this mitzvah.]

Rabbi Alex Israel argues that this is part of a pattern. Shlomo strove for excellence and luxury in his fulfillment of the mitzvah of building the Beit HaMikdash. While this is evident from the extravagant descriptions of the physical structure, perhaps it points to a perfectionism in the spiritual realm as well.

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The Israeli Farmer: Watering During Shemita

Rabbi Chaim Metzger

May one water one's field and garden during the shemita year?

Mishnayot seem to convey different views on this issue.

- On the one hand, Moed Katan 1:1 says that one may water one's *beit hash'lachin* (a field that requires constant irrigation) during shemita and on chol hamoed. This may imply that there is no issue with watering during shemita, if without watering, the plants or field would be ruined.
- However, another mishnah (Sheviit 2:4) says that one may only water plantlings until the Rosh HaShanah before shemita. This mishnah also quotes the view of Rabbi Eliezer, who maintains that one may water the foliage of the tree, but not by the base of the tree. Whereas according to the first opinion in this mishnah, watering plants is forbidden, Rabbi Eliezer permits watering in an atypical fashion.
- The Talmud Yerushalmi seems to follow the view of Rabbi Eliezer, quoting various ways in which the Sages would water atypically during shemita.

As a result of the ambiguity surrounding this issue, there are differing approaches among later authorities:

- Rabbi Moshe ben Yosef di Trani (Responsum 2:64) said that when maintaining plants - even decorative plants - during shemita, one may water in a fashion that will ensure that the plants survive, but not in a way that improves them.
- Rabbi Akiva Eiger (commentary to Orach Chaim 537) contended that there is more room for leniency regarding watering; therefore, once the plants or fields need to be watered, the owner can add as much water as desired.

- Conversely, Rabbi Avraham Yeshayah Karelitz (*Chazon Ish* Shemita 21:17) limits the amount of watering to what the field absolutely requires.
- Rabbi Nissim Karelitz (*Chut HaShani* 1:10 page 101) maintained that even according to the *Chazon Ish*, one need not minimize watering.
- Rabbi Yosef Zvi Rimon (*Shemita*) maintains that during shemita, there is no need to wait until the plants and field are already dying; one must only wait until the plants definitely require watering, and at that point, one may water as much as desired.

Contemporary authorities have also discussed the permissibility of using an automated sprinkler to water during shemita. There is a disagreement between Rabbi Yechiel Michel Epstein and Rabbi Zvi Pesach Frank about whether the requirement to abstain from working the fields during shemita is tied to performing the action, or to allowing the action to take place at all. According to Rabbi Rimon, ideally, one should set up timers before shemita, in order to avoid performing any potentially forbidden action during shemita. However, one who did not prepare timers beforehand may be lenient to set a timer to water as they would do in a non-shemita year, even if this amount provides more than basic maintenance. One should program the timers according to when watering is truly needed. In Rabbi Rimon's view, the requirement to water in an atypical fashion is required only when one has accidentally completely shut off water flow, and needs to reset the timers.

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Biography
Rabbi Tzidkiyahu Anav
Ezer Diena

Rabbi Tzidkiyahu ben Avraham Anav (De Mansi) was born in the early 13th century, in Italy. At a young age, he studied in Wurtzburg, Germany, under some of the leading German rabbis of the day, including students of the Tosafist Rabbi Shimshon of Sens. He later returned to Rome and learned from his brother, Rabbi Binyamin (who is cited in the accompanying translation), as well as a cousin of his, Rabbi Yehudah ben Binyamin (RiVeVaN), and other Italian rabbis. We also have a record of his correspondence with other leading Torah scholars of his time, including Rabbi Meir of Rothenburg.

Rabbi Anav is best known for his magnum opus, *Shibbolei haLeket*, a well-organized collection of halachic material from the greatest Torah scholars of the previous few hundred years. The 372-chapter work, published around 1250, includes sections on the laws of prayers, blessings, Shabbat and Jewish holidays, but editions of the work also include appended responsa and small works covering a variety of other topics as well. These additions were later published as a second volume of the work.

Shibbolei haLeket became an instant classic in Italy, where it was accepted as a primary halachic text for many years, and a number of works were published summarizing its rulings. It also served as a source for many rulings in Shulchan Aruch, as it is cited over 150 times by Rabbi Yosef Karo in his Beit Yosef.

Due to his studies in Germany and acquaintance with so many leading rabbis from different communities, Rabbi Anav was well-versed in the customs found across Europe. In his writing, he often provided explanations or justifications that he had heard from others over the years, which were often not recorded elsewhere. [See accompanying translation.]

Not very much is known about Rabbi Anav's personal life, although it seems that he did not have any children. While he is sometimes referred to as Rabbi Tzidkiyah ben Avraham HaRofeh ["the doctor"], scholars conclude that this was a family name (a branch of the larger Anav family), and not a profession. There are various contradictory dates given for his passing, ranging from 1275 until close to 1300.

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Torah and Translation
A New Take on Omer Mourning Customs
Rabbi Tzidkiyahu Anav, Shibbolei haLeket 235
Translated by Ezer Diena

מה שנהגו הנשים שלא לעשות מלאכה לאחר שקיעת החמה בימים שבין פסח לעצרת, יש תולין הטעם לפי שבין פסח לעצרת מתו תלמידי ר"ע קרוב לשקיעת החמה...

ויש מקומות שנהגו שלא להסתפר לאחר פסח עד ל"ג לעומר, וכן יש נוהגין שלא לישא נשים בין פסח לעצרת לפי שהימים עלולין הן, שנפלה מגפה בתלמידי ר"ע. ויש מקומות שנהגין לישא עד ר"ח אייר אבל לאחר ר"ח מתחילין שלא לישא.

ואחי ר' בנימין נר"ו פי' הטעם מה שנהגו שלא לישא בין פסח לעצרת לפי מה שמצינו בסדר עולם פ"ג "משפט רשעים בגיהנם שנים עשר חדש, שנאמר 'והיה מידי חדש בחדשו.' ר' יוחנן בן נורי אמר מן הפסח עד עצרת שנאמר 'ומדי שבת בשבתו.'"

וכן פי' הטעם מה שנהגו שלא לעשות מלאכה לאחר שקיעת החמה בימי ספירת העומר לפי שהעומר בא משעורים, ושיעורו עשירית האיפה קמח, וכן מנחת סוטה היתה עשירית האיפה קמח שעורים. על כן נהגו הנשים צדקניות שלא לעשות מלאכה כל הלילות של ספירת העומר, להיות להם לכבוד ולתפארת ולהיות להם לזכר וסימן לבעבור תהיה יראת ד' על פניהן ונווסרו כל הנשים אשר לא תבגודנה אשה מריעה. ומצינו כיוצא בה "ויעש את כיוור נחושת במראות הצובאות אשר צבאו פתח אהל מועד."

Regarding the custom of women not to perform *melachah* [certain types of labour] after sunset on the days between Pesach and Shavuot, there are those who [explain] that between Pesach and Shavuot, the students of Rabbi Akiva died close to sunset...

There are places which have the custom not to take haircuts after Pesach until the 33rd day of the Omer, and there are also those who have the custom not to marry between Pesach and Shavuot since the days are predisposed [to negative things], as the plague struck the students of Rabbi Akiva [during this time]. There are some places that have the custom to marry until Rosh Chodesh Iyar, but after Rosh Chodesh, they begin a period of not marrying.

My brother, Rabbi Binyamin, may G-d protect him, explained the reason for the custom not to marry between Pesach and Shavuot based on what is written in Seder Olam, Chapter 3 [editor's note: the same text is found in Mishnah Eduyot 2:10]: "The judgment of sinners in *gehennom* is 12 months, as it says 'and it will be from month to month (Yeshayah 66:23).' Rabbi Yochanan ben Nuri said: From Pesach until Shavuot, as it says, 'and from Shabbat to Shabbat (ibid.).'"

He also explained the reason why they have the custom not to perform *melachah* after sunset in the days of the counting of the Omer, since the Omer [offering] comes from barley, and is in the amount of one-tenth of an ephah of flour, as is the offering of a *sotah* one-tenth of an ephah of barley flour. Therefore, the righteous women became accustomed to abstain from *melachah* all of the nights of the counting of the Omer, that it should be for them honour and beauty, and that it should serve [to demonstrate] that the awe of Hashem is on their faces, and all of the women take heed that they should not betray their loved ones [unlike the *sotah*]. And we find similarly, "And they made the sink out of copper from the mirrors of the attending [women], who had gathered at the opening of the Tent of Meeting." (Shemot 38:8)

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7:30 PM Tue. Apr. 27: From Ignoramus to Inspiration, R' Alex Hecht

7:30 PM Wed. Apr. 28: From Firebrand to Peacemaker, R' Mordechai Torczyner

7:30 PM Thu. Apr. 29: Rebellion or Religious Revolution?, R' Chaim Metzger

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Tuesday Apr. 27

1:30 PM Megilat Ruth, Rabbi Mordechai Torczyner

7:30 PM Shemuel Ch. 1, Rabbi Mordechai Torczyner (men) (not this week)

Wednesday Apr. 28

6:15 AM Talmud Eruvin, Rabbi Sammy Bergman

7:00 PM Religious Zionism: What Is It?, Rabbi Sammy Bergman (not this week)

7:00 PM Pirkei Avot, Rabbi Alex Hecht (not this week)

Thursday Apr. 29

8:30 AM Daniel, Rabbi Chaim Metzger (University)

1:30 PM Shemuel Ch. 19, Rabbi Mordechai Torczyner (women)

8:00 PM Gemara Beitzah, Rabbi Eitan Aviner (men, advanced)

8:45 PM Gemara Bava Metzia, Rabbi Sammy Bergman (University women)

Friday Apr. 30

8:30 AM Parshah, Rabbi Sammy Bergman (University)

11:30 AM Shemitah! with Rabbi Sammy Bergman and Rabbi Mordechai Torczyner

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