

Toronto Torah

Beit Midrash Zichron Dov

Parshat Mishpatim

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This issue is dedicated by Esther and Craig Guttmann and Family
for the yahrtzeit of Clara Berglas בריינדל בת ישעיהו ז"ל

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on the yahrtzeit of Rabbi Dr. Yeres' father, Rabbi Yitzchak Yeres zt"l
לעילוי נשמת הרב יצחק חיים בן משה יוסף הלוי ירם זצ"ל

This issue of Toronto Torah is dedicated by Label and Leona Silver
in celebration of their son Jeffrey's birthday and Bar Mitzvah parshah

Doing, Hearing and Thinking. Oh My!

Rabbi Steven Gotlib

Parshat Mishpatim includes one of the most quoted verses in the Torah: "Then he took the record of the covenant and read it aloud to the people. And they said: *Naaseh V'Nishma!*" (Shemot 24:7). Those two closing words are at the core of what it means to be a Jew. Although JPS and other popular translations render them into English as "all that the Lord has spoken we will faithfully do," a more accurate and basic translation is "we will do and we will hear."

In addition to cutting out some of the additional flowery language, the more accurate translation also flips the order of statements to match the Hebrew original. But what exactly does it mean to prioritize doing over hearing? Many suggestions are offered throughout the Jewish tradition. For example, Rabbi Ovadiah Seforno (Shemot 24:7) interprets it as a statement designed to ensure the Jewish people perform mitzvot without any thought of reward. Rabbi Shemuel ben Meir, on the other hand, says that it means the people will carry out what was already commanded and hear - the intention to perform - the commandments to come. (Rashbam ad loc.)

Meanwhile, in the Chassidic tradition, Rabbi Menachem Nachum Twersky (*Meor Einayim* Yitro 3) suggests that it means that the Jewish people will exert themselves in this liminal world in

order to enjoy eternal pleasure in the World to Come, while Rabbi Nachman of Breslov (*Likutei Moharan* 33) interprets it to mean that humanity fills the Torah with light as mitzvot are performed. This act of filling the Torah with light is what allows the Divine voice underlying those commands to be heard more clearly in our lives.

Another type of answer, however, is suggested by Rabbi Lord Jonathan Sacks zt"l. (*Covenant and Conversation*, Mishpatim 5780) He first notes that while the word *naaseh* is clearly referring to the realm of action, there are at least three different ways to understand the word *nishma*: hearing, obeying, or understanding. Rabbi Sacks follows this analysis by suggesting that Jews are called upon to be united on the level of *naaseh* ("minor" disagreements between Ashkenazim and Sephardim, Chassidim and Mitnagdim, or amongst leading halachic authorities notwithstanding) but no such call is made on the level of *nishma*. In his words, "Judaism has had its rationalists and its mystics, its philosophers and poets, scholars whose minds were firmly fixed on earth and saints whose souls soared to heaven." The vast majority of the time, observant Jews act uniformly with one another, united in observance of Shabbat, Kashrut, and more. That uniformity in action, however, need not always come with a uniformity of opinion. While Judaism is a religion of creed as well as

deed, Rabbi Sacks notes that there is significant room for individuals to personalize their religious worldviews. I need not view Judaism the same exact way as someone else who has lived a different life full of different experiences.

Such a perspective may also shed light on the talmudic teaching which associates the 365 prohibitions with the days of the solar year and the 248 positive commandments with a person's limbs. (Makkot 23b) Rabbi Yosef Albo (*Sefer HaIkkarim* 3:27) writes that observance of these laws is how human beings attain perfection. He goes on to write (3:28) that this is also why the commandments are split into different internal subsets - *chukim*, *mishpatim*, and *deot* - as well as commandments and prohibitions. Every single mitzvah provides an opportunity to achieve perfection through our thought, speech, and action. So too does every limb of our body have a particular use, and each new day comes with new chances to live up to our unique potential.

Indeed, thinkers such as Rabbi Chaim of Volozhin (*Nefesh HaChaim* 1:4) and Rabbi Shneur Zalman of Liadi (*Likutei Amarim* 1:4) both stress that mitzvot are cloaked in human thought, speech, and actions. All three, no matter how minimal, provide unlimited room for us to connect with our Divine Source and achieve perfection here and now.

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Summary

Our chapter tells us about the monarchy of Azariah, son of Amatziah, king of Judea. [Azariah is also known as Uziah; see the opening chapters of the book of Yeshayah.] He was crowned when he was sixteen years old and he ruled for 52 years. Azariah was a righteous king, but he didn't remove private shrines and people kept sacrificing offerings on them, instead of in the Beit haMikdash. Azariah was afflicted with *tzara'at* and his son Yotam ruled on his behalf. After Azariah's passing, Yotam became king. (15:1-7).

We are then told about the monarchy of Zechariah ben Yeravam of the northern kingdom, Israel. He was a wicked king like his ancestor Yeravam ben Nevat. Shalum ben Yavesh conspired against him and killed Zechariah in front of the people. This was a fulfillment of the prophecy told to Yehu that only four generations of his descendants would rule Israel. (15:8-12).

The monarchy of Shalum only lasted a month before Menachem ben Gadi killed him and took the throne. We are then told about a massacre that Menachem ordered in the town of Tifsach

which didn't accept his kingship; he even killed the pregnant women. Menachem was a wicked king and ruled for ten years, during which he and the people kept worshiping idols. As king, he made a peace agreement with Ashur by paying him with money collected from the people. (15:13-22)

After the passing of Menachem, his son Pekachiah was king for two years. His monarchy ended after Pekach son of Remaliahu, his aide, conspired against him and attacked him in the palace. (15:23-26)

Pekach was a wicked king who ruled Israel for twenty years. He and the people worshipped idols. The king of Assyria, Tiglat Pileser, conquered a few cities in Israel during Pekach's rule. His monarchy ended when Hoshea, son of Elah, conspired against him and killed him. (15:27-31)

The text then fills in the timeline of Judea during this period. Yotam started ruling during the second year of the monarchy of Pekach son of Remaliahu. He was crowned at the age of 25, and ruled for sixteen years. He was a righteous king, but he didn't remove the

private shrines and people kept sacrificing offerings there instead of in the Beit haMikdash. (15:32-38).

Insight

The text doesn't tell us the reason why Azariah was afflicted with *tzara'at*. The reason is given in Divrei HaYamim II: he wanted to offer incense on the altar, and this was a ritual performed exclusively by the kohanim. Since he wanted to take over their duty, Hashem punished him with *tzara'at*. (26:16-21)

A midrash tells us that Azariah's sin was similar to the sin of Korach, who wanted to be the Kohen Gadol instead of Aharon. (Midrash Tanchuma, Tzav 15) One might ask: how is it that our chapter labels him as a righteous king? Maybe one could suggest that although he clearly sinned by trying to take hold of the kehunah, this came from a great attraction to holiness. Although his actions were wrong, perhaps he was on a very high spiritual level.

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It Happened in Israel: The Unanswered Prayer**Idan Rakovsky**

Our prayers are not always answered as we wish. This is true not only for us; we also find this happening to our great Sages. Sometimes, even though they prayed as hard as they could, G-d decided not to respond with what they wanted. The Talmud tells about a time of drought in Eretz Israel when two great rabbis prayed for rain but G-d answered only one of them:

"There was an incident involving Rabbi Eliezer the son of Hyrcanus, who descended to serve as prayer leader before the ark on a fast day. And he recited twenty-four blessings, but he was not answered. Rabbi Akiva descended before the ark after him and said: "Our Father, our King, we have no king other than You. Our Father, our King, for Your sake, have mercy on us." And rain immediately fell." (Taanit 25b, Koren trans.)

This is an amazing scene. The great Rabbi Eliezer, who was a Rosh Yeshiva and a judge in the ancient city of Lod, prayed but was unsuccessful in bringing rain. This would not be so dramatic if not for the fact that Rabbi Eliezer's own student, Rabbi Akiva, descended before the ark right after him and was immediately answered with rain. The story continues:

"The Sages were whispering among themselves that Rabbi Akiva was answered while his teacher, Rabbi Eliezer, was not. A Divine Voice emerged and said: It is not because this Sage, Rabbi Akiva, is greater than that one, Rabbi Eliezer, but that this one is forgiving, and that one is not forgiving." (ibid.)

To understand how Rabbi Eliezer was "unforgiving", we need to understand Rabbi Eliezer's general approach to learning

and implementing Torah, starting with the way he entered the world of Torah. Avot d'Rabbi Natan I 6 reports that Rabbi Eliezer matured in a home which did not stand out for Torah study. His father prohibited him from attending any Yeshiva, instructing him to remain at home and work their fields. When Rabbi Eliezer was 22 he rebelled and fled to Jerusalem to study under Rabban Yochanan ben Zakkai.

Years later, we encounter Rabbi Eliezer's intellectual personality expressed when he is a great halachic authority. Even though he studied under Rabban Yochanan ben Zakkai, who was known as heir to the tradition of Beit Hillel (Succah 28a), Rabbi Eliezer adopted a path which drew on the tradition of Beit Shammai. It is not for naught that the Talmud labels Rabbi Eliezer "Shamuti" – a student of Shammai. (Shabbat 130b; see Rashi there) The spirit of Shammai, who was labelled in the Talmud as demanding and impatient (see Shabbat 31a), is expressed in multiple positions of Rabbi Eliezer in halachic debates. The best-known may be the debate regarding "the oven of Achnai", which resulted in his ex-communication. (Bava Metzia 59b)

If so, we may suggest that our passage regarding Rabbi Eliezer's prayer and his "unforgiving" nature was referring to Rabbi Eliezer's approach in Torah. Perhaps approaches which are legitimate in Torah study may not serve as well when we transition from the study hall to the synagogue.

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Biography
Rabbi Chaim
Hirschensohn

Rabbi Baruch Weintraub

Rabbi Chaim Hirschensohn was born in Tzfat in 1857. His father was Rabbi Yaakov Mordechai Hirschensohn, one of the founders of *Chovivei Zion*, an early Eastern European Zionist movement. The family had made aliyah to Eretz Yisrael in 1848.

When young Chaim was one year old, his family moved to Jerusalem, where his father established Yeshivat Sukkat Shalom. This yeshiva was unique, as it used modern pedagogic methods and pushed the students to academic excellence, in contrast to the classic approach which put the emphasis on the act of learning itself, regardless of its quality. In addition, Rabbi Yaakov Hirschensohn advocated for openness toward the study of modern science. When Chaim was of age, he entered his father's yeshiva. After demonstrating great success in his learning, he was ordained by his father. In accordance with his father's instructions, he received scientific training in addition to his Torah studies.

In 1885, Rabbi Chaim became a teacher in the Lemel school in Jerusalem, where science was part of the curriculum. The school was under a ban by zealous opponents in Jerusalem, and teaching in the school meant entering open war against them. Rabbi Chaim was not shy in his opinions, and four years later he joined Eliezer Ben Yehuda to found the Safah Berurah ("Plain Language") society, advocating for the revival of Hebrew as a daily language. This act was the final straw, and at this point the attacks on Rabbi Chaim and his family became so vicious that in 1903 he had no choice but to leave for Istanbul, where he managed a Hebrew-speaking school.

In 1904, Rabbi Chaim participated in the Sixth Zionist Congress in Basel, at which he accepted a rabbinic position in Hoboken, New Jersey. He served there until his passing in 1935. Rabbi Chaim published more than forty books, many of them dealing with questions regarding Halachah in modern times and the laws of a Jewish state.

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Torah and Translation
Harmonizing Torah and Life

Rabbi C. Hirschensohn, Malki baKodesh 6, Introduction

Translated by Rabbi Adam Friedmann

ימים רבים חשבו רבים כי הדת לא תתאים את החיים, וא"א לעשות שלום ביניהם רק על ידי "ויתור" כי אחד מהם עכ"פ יוותר על שלו, החרדים דרשו שהחיים יוותרו משלהם לכבוד הדת והמשכילים בעיניהם דרשו שהדת יוותר משלו למען החיים, וכה הלכו שניהם הלוך וגדול הלוך ורחב ברעיון הוויתור, עד כי לאלה לא נשאר חיים ולא לה לא נשאר דת, ולדבר פלא הי' למצא משכיל דורש את אלקים או צדיק וטוב לו בעולם הזה.

ובאמת כלם סג יחדיו נאלחו, כי באמת דת ישראל והחיים תאומים המה מלידה ומבטן... הסתירות בין הדת והחיים רואים רק אלה אשר לא הבינו את שניהם, לא הבינו את התורה והמצוה חוקים ומשפטים כי חיים הם למוצאיהם, ולא הבינו את החיים לידע כי חיים ריקים בלי אידיאל בלי תורה בלתי חק ומשפט רק פרעות הוא לא חיים...

התורה לא תפריע את החיים כלל וגם מוסריה ואיסוריה המה עילות וסבות להארכת החיים חיי הכלל והפרט, ואם פעמים יתנקשו החיים המדיניים עם חוקי החיים של התורה והמצוה אין זאת התנקשות מצד הדת והחיים, רק מצד הגרות הגלות והעוני הגורמים לחיות יחד עם אלה אשר מבינים את החיים והדת באופן אחר ממה שאנו מבינים, ולזה יש בתורת ישראל תנאים ואופנים, פרטים, כללים ושיטות. אשר המעמיק בהם ימצא עצה לכל מכשול ופגיעה בחיים להסיר ולהרחיב החיים על פי התורה...

אמנם כמו שיש מן המשכילים אשר כשל יכשלו בכפירה וכפירות, כן יש בין החרדים אלה אשר נתפסו בלבם ונכשלים באבק ע"ז ולא ידעו במה יכשלו, והם אלה אשר חושבים כל איסורי וכנויי למצות אנשים מלומדה, ולדגמא קבועה, אשר כל יסוד הלכותי הגיוני לא יזיז אותם ממקומם... כשם שאסור להתיר את הדבר האסור לפי יסודי ההלכה כן אסור לאסור את הדבר המותר על פי יסודי ההלכה.

For a long time, people have thought that religion cannot fit together with life, and that it's impossible to make peace between them except through "concession". One of them would have to concede. The "tremblers" (*Chareidim*) demanded that life concede elements to religion and the self-styled "intellectuals" (*Maskilim*) demanded that religion concede elements to life. They carried on this concept of concession, growing in magnitude and breadth, until these had no life left and those had no religion left. It became a wondrous thing to find a *Maskil* who sought out G-d or a righteous person who had a good life in this world.

But in truth, "All is dross, it's all foul." (Tehillim 54:3) Because in truth the religion of Israel and life are twins from the womb and from birth... The contradictions between religion and life appear only to those who don't understand both. They haven't understood that Torah and commandments, laws, and statutes "are life to one who finds them." (Mishlei 4:24) And they haven't understood life to know that an empty life without ideology, without Torah, without laws and statutes is savagery and not life...

The Torah never interferes with life, its ethics and its prohibitions are causes and reasons for extending the life of the masses and the individual. And if, sometimes, national life clashes with the laws for living of the Torah and commandments, this is not due to a clash between religion and life. It is only because our sojourning, exile, and poverty cause us to live together with those who understand life and religion in ways that are different from ours. For this reason, the Torah contains conditions and circumstances, details, principles, and legal positions in which, when one studies them in depth, one discovers solutions for obstacles and harm in life, to remove them and expand life according to the Torah...

However, just as there are among the *Maskilim* those who are tripped up by heresy, so too there are those among the *Chareidim* whose hearts have been taken over and are tripped up by a derivative idolatry without knowing it. They are those who turn every extra stringency

into a mitzvah performed by rote and a fixed behavior, such that no logically presented legal principle will move them from their position... Just as it is forbidden to permit something that is forbidden according to basic law, so too is it forbidden to forbid something that is permitted according to basic law.

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Monday-Thursday

10:00 AM - Noon: Adult Seder Boker with Rabbi Moshe Yeres on ZOOM at <http://tiny.cc/sederboker> (men)

Monday/Wednesday: Talmud Succah, Orot haTeshuvah of Rav Kook

Tuesday/Thursday: Parshah, Tanach: Sefer Melachim

Shabbat January 28-29

After 8:00 AM shacharit R' Yehuda Mann, Halachah from the Parshah, Clanton Park *not this week*

After minchah R' Mordechai Torczyner, Gemara Ketuvot, BAYT: Gruda Beis Medrash (men)

After minchah Idan Rakovsky, Parshah, Shaarei Tefillah

Motzaei Shabbat 7:15 PM R' Jared Anstandig, Parent-Child Learning on ZOOM at <http://tiny.cc/parent-child>

Sunday January 30

9:00 AM R' Zev Spitz & R' Yehuda Mann, Semichat Chaver Program, Clanton Park (men)

9:15 AM Idan Rakovsky, The Thought of Rav Shagar (university)

10 AM R' Aaron Greenberg, Talmud Eruvin, Yeshivat Or Chaim or ZOOM: <http://bit.ly/iliczoom> 613613 (univ)

5:30 PM R' Jared Anstandig, Fish, Meat and Milk, ZOOM at <http://tiny.cc/torontowbm> (univ women)

Monday January 31

A New Parshah Podcast: Parshat Terumah

Apple <http://tiny.cc/apodcast>, Google <http://tiny.cc/gpodcast>, Spotify <http://tiny.cc/spodcast>

8:45 AM Idan Rakovsky, Jewish Thought in the Postmodern Age, Yeshivat Or Chaim (university men)

7:30 PM Prielle and Idan Rakovsky, Song of the Week, ZOOM <http://tiny.cc/weeklysng>

8:30 PM R' Moshe Yeres, Talmud Shabbat (Chap. 15), ZOOM: <http://tiny.cc/talmud>

Tuesday February 1 - Rosh Chodesh Adar I Day 1

9:00 AM Idan Rakovsky, Likutei Moharan of Rabbi Nachman of Breslov, Yeshivat Or Chaim (university)

1:30 PM R' Mordechai Torczyner, King Solomon's Arc (Melachim I 3), ZOOM: <http://tiny.cc/weeklymt>

7:30 PM R' Mordechai Torczyner, Shemuel (Chap. 11), ZOOM: <http://tiny.cc/weeklymt> (men)

Wednesday February 2 - Rosh Chodesh Adar I Day 2

6:15 AM R' Jared Anstandig, Talmud: Beitzah, ZOOM: <http://tiny.cc/beitza>

7:00 PM Idan Rakovsky, Introduction to Jewish Philosophy Week 1 of 5, Shaarei Tefillah *NEW SERIES*

8:30 PM R' Yehuda Mann, Contemporary Halachah Chabura, Clanton Park

Thursday February 3

1:30 PM R' Mordechai Torczyner, Shemuel (Chap. 23-24), ZOOM: <http://tiny.cc/weeklymt> (women)

7:30 PM Panel Discussion "The End of Life" with the Prosserman JCC: <https://virtualjcc.com>

8:00 PM R' Yehuda Mann, Beitzah, at BAYT (Gruda BM), email ymanntorontotorah.com for ZOOM options (men)

8:00 PM R' Jared Anstandig, Gemara Bava Batra, ZOOM: <http://tiny.cc/torontowbm> (university women)

Friday February 4

8:30 AM R' Jared Anstandig, Parshah, Yeshivat Or Chaim (university)

10:30 AM R' Jared Anstandig, R' Mordechai Torczyner, R' Yehuda Mann, Bava Batra Perek 2 *advanced*
In-person at Yeshivat Or Chaim, on Zoom at <http://tiny.cc/frishiur>

NEW SERIES ON ZOOM!

2 PM Mondays

Idan Rakovsky: *On Parents and Children*

Information at <https://torontotorah.com/mondays>

10 AM Wednesdays

Rabbi Mordechai Torczyner: *From Sinful to Sacred: Jews and Food*

Information at <https://torontotorah.com/wednesdays>