

Toronto Torah

Beit Midrash Zichron Dov

Parshiyot Behar-Bechukotai

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This issue of Toronto Torah is dedicated by Allan & Tova Gutenberg to commemorate the yahrtzeit of Allan's father, Menachem Mendel ben Natan Nota Gutenberg z"l

This issue of Toronto Torah is dedicated by Andrew Perlmutter with thanks to Rabbi Torczyner for speaking at a program in the merit of the yahrtzeit of my father, Yosef Ben Avraham z"l

Close, But Not Too Close

Rabbi Mordechai Torczyner

Every Yom Kippur, sometime before the repetition of the musaf amidah, paper towels appear around shul. During the Avodah poem, people place these flimsy napkins on the ground, a barrier between the floor and their foreheads. To quote the Artscroll Machzor for Yom Kippur, "The Torah forbids one to prostrate himself [i.e. with outstretched arms and legs] on a floor of hewn stone. (Leviticus 26:1)" What is this prohibition about?

Idolatry

Rambam wrote that this is prohibited "lest it appear like idol worship, for so they would make decorated stone with sophisticated craft before the statue, and upon it they would bow to the statue." (Sefer haMitzvot, Lo Taaseh 12) This is consistent with Rambam's rationale for many prohibitions, such as limitations on haircuts and diet.

Appearance of Idolatry

In a different facet of the idolatry issue, Sefer haChinuch contended that the issue was "lest one appear to bow to the stone itself. Since they prepare and design it, and it is attractive, there is room for suspicion." (Sefer haChinuch 349) This is not a concern when bowing on other materials; one would only be suspected of worshipping a material with the durability of stone.

Emulating the Beit haMikdash

Rashi offered a third idea, which leads us to a broader theme in Jewish law and thought. Rashi wrote, "The Torah

prohibited this outside the Beit haMikdash." (Commentary to Vayikra 26:1) As Rashi wrote elsewhere, we are not allowed to emulate the service in the Beit haMikdash. Since the floor of the Beit haMikdash is stone, we should not bow low on stone floors in other spaces. (See Rashi to Megillah 22b lo)

Presumably, Rashi was informed by the following Talmudic passage regarding emulating the Beit haMikdash:

One may not make a house in the form of the Sanctuary (*heichal*), a large room in the form of the Entrance Hall (*ulam*), a yard in the form of the Anteroom (*azarah*), a table in the form of the Table, a menorah in the form of the Menorah. (Avodah Zarah 43a)

But this is odd; we have a mitzvah of memorializing the Beit haMikdash! Counting the Omer, as we have done for the past five weeks, is a fulfillment of that imperative! Why does the Torah prohibit bowing on a floor like that of the Beit haMikdash?

Certain relationships are defined by polar mitzvot. – one attracts, the other repels. The first affords intimacy while the second prevents an inappropriate sense of ownership and access:

- We have a mitzvah of honouring parents, which includes feeding and clothing them. But we also have a mitzvah of awe, which requires that we never sit in their seat or contradict them.
- We have a mitzvah of remembering

Shabbat, which includes creating the day itself with kiddush, fine food, bathing, and nice clothing, all of which can create a sense of ownership. But we also have a mitzvah of guarding Shabbat, restricting ourselves from the creative tasks which identify us as masters all week.

- We have a mitzvah of loving Hashem, but we are also commanded to have a distancing awe of Hashem.

The same may be true for our relationship with the Beit haMikdash. We build the Beit haMikdash ourselves, we support it with our half-shekel donations, and we visit there at least three times each year – but we do not own it. We dare not become too familiar – and one way to avoid that familiarity is to impose a law against reconstructing the Beit haMikdash in our communities.

The concern for over-familiarity is not limited to the Beit haMikdash; the same applies in our shuls. We need a space in which we feel comfortable pouring out our hearts. We need to be there daily, morning and evening. But we also need to feel distant, so that we will be respectful when we approach Hashem. Hence our rules about not using a davening space as a shortcut, about not engaging in idle talk there, and about wearing honoured clothing there.

May we merit to learn the lesson of the stone floor, and avoid becoming too close – even as we enjoy a genuine intimacy with Hashem.

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Summary

The chapter continues where the last chapter left off, with G-d naming Cyrus as His *mashiach* (anointed one). G-d commits to granting him victory against other nations, without impediments, promising to open doors, level hills, sever locks, and reveal hidden treasures. This success will prove that G-d is behind Cyrus. (45:1-3)

G-d then explains that He is doing this for the sake of the Jewish people. (4)

Cyrus's victories will prove to the world the Oneness of G-d, that there are no powers besides G-d. G-d is the Creator of light and darkness, maker of peace and evil. He makes it rain, and enables victory. (5-8)

G-d then declares that no one can challenge His decisions; in context, this seems to refer to His choice to use Cyrus to accomplish His goals. Several metaphors are offered. People cannot argue with their Creator, just as clay cannot challenge the potter, and a child cannot ask a father or mother why they have children. G-d, who created the heavens and earth, cannot be questioned for how He fashions the destiny of the Jewish people, as He chose to

save the Jewish people by granting Cyrus victory. (9-14)

In seeing this process, the nations of the world will come to recognize G-d as the only G-d. They will thus reject their idols. They will also recognize the place of the Jewish people in G-d's plans. (15-17)

The purpose of the world is for it to be inhabited. (18-19)

G-d calls all nations to reject their idols and serve Him, the only G-d, and thus the only One who can affect anything. He foretells that all will bow and acknowledge these sentiments. When this happens, the Jews will be vindicated. (20-25)

Insight

Verse 18 declares that the goal of the world is for it to be inhabited. My late teacher, Rabbi Aharon Lichtenstein zt"l noted that while some early authorities interpret this as providing a rabbinic commandment to bear more than the required male and female child mandated by the biblical obligation to procreate, an alternative seems more likely. Namely, this verse reveals that building a family is not just one

commandment among many, but one of the highest expressions of G-d's will for the world.

"The importance attached within Judaism to the mitzva of procreation can hardly be overemphasized. It is conceived in religious, rather than primarily social, categories; and this, not simply as an affirmative response to a normative commandment as any other mitzva, but as the implementation of the divine design in the creation of the world: "He did not form it for waste, but created it for habitation" (Isaiah 45:18). Hence, willful abstinence is not regarded as merely the failure to do good but is equated with the perpetration of evil (Yevamot 63b): "Ben Azzai said: As though he sheds blood and diminishes the divine image; so severe is the judgment passed upon the shirker." (<https://tinyurl.com/3vjpvx9x>)

For this reason, he explains, the procreation imperative is seen to override other commandments. (See, for example Gittin 41a-b.)

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Siddur Insights: Tachanun**Rabbi Adam Friedmann**

Skipping the Tachanun prayer on days when it's not recited is the guilty pleasure of many Jews. It's occasionally long and involves some kind of head-bowing motion. What is the nature of this mysterious prayer and why does it appear in the Siddur?

A mishnah (Berachot 4:4) includes Rabbi Eliezer's statement that "whoever makes their prayer fixed, their prayer is not a supplication (*tachanunim*)."¹ The implication is that prayers ought to be supplications and that something is lacking if they are not. The Talmud (Berachot 29b) offers many explanations about what a "fixed" prayer is. Let's consider three:

- One whose prayer is like a burden (and he seeks to get rid of it quickly).
- One who recites prayer as a rote text without personal attachment and feeling.
- One who doesn't introduce novel elements into his prayers.

These explanations all point to the same idea. Halachah defines a set routine and formula for prayers. However, engaging in this system as a technical obligation without personal engagement and feeling is insufficient. Halachic prayer has to strike a balance between formality and spontaneity.

How do we incorporate spontaneous prayers of supplication into our regular routine? The Talmud indicates that some Sages had the practice of falling on their faces and reciting extra supplicatory prayers in addition to the *Amidah*. We see this, for example, in a story about Rabbi Eliezer ben Hyrcanus (Bava Metzia 59b). The Gemara tells that Rabbi Eliezer had been excommunicated and greatly embarrassed by his brother-in-law, Rabban Gamliel. After this, Rabbi Eliezer's

wife, who was also Rabban Gamliel's sister, would stop her husband from "falling on his face" in prayer. Her fear was that G-d would hear her husband's cries and punish her brother, Rabban Gamliel. One day she failed to prevent her husband's prayers and these fears were realized. This story provides us with a model for what the supplications that are part of spontaneous prayer might look like.

The Tachanun prayer we have today seems to have emerged out of the preceding source. It is a spot in the routine of prayer where we are encouraged to incorporate personal petitions. Following the example of the Talmudic sages, contemporary Jews literally fall on their faces while reciting these prayers.

The Tur (Orach Chaim 131) records that originally everyone fully bowed during Tachanun and recited personal prayers without much of a set text. Over the course of time this changed. Today we make do with resting our heads on our arms instead of bowing, and the text is much more formalized. Still, this does not preclude adding more of one's own personal prayers. This would seem to be in the spirit of Tachanun; to take a moment to address G-d with spontaneous, personal, and heartfelt words.

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Biography

Rabbi Mordechai Winkler

Rabbi Mordechai Torczyner

Rabbi Mordechai Yehuda Leib Winkler was born in Hungary in 1844, into a rabbinic family. He studied in the central yeshiva in Pressburg, under Rabbi Avraham Shemuel Binyamin Sofer, son of the Chatam Sofer and author of *Ktav Sofer*. He served as Rabbi for a short time in Brezova, in what is today the Czech Republic; from there he went on to the community of Madd, Hungary, where he served as Rabbi for many years. Rabbi Winkler also served as Rosh Yeshiva in Madd; his students included Rabbi Mordechai Brisk, one of the major halachic authorities involved in resolving Holocaust-era agunah situations. Rabbi Winkler passed away in 1932.

Consistent with the general rabbinic trend in his milieu, Rabbi Winkler was a strong anti-Zionist. When asked regarding those who sought to purchase fields in Israel for settlement with the permission of non-Jewish authorities, Rabbi Winkler wrote in opposition, claiming that we are to wait for Mashiach. (*Levushei Mordechai Yoreh Deah III 49*) Ironically, Rabbi Winkler was one of those to confer ordination upon Rabbi Yissachar Teichtal, who went on to write *Eim haBanim Semeichah*, one of the greatest modern texts supporting religious Zionism and active settlement of the land.

Rabbi Winkler produced several books, but his major work was his *Levushei Mordechai*, a seven-volume collection of responsa on all areas of Jewish law. Another noted book was *Yashav Metzareif*, published with an appended work, *Vicha-Torah haZot*; these texts address the problem, already of grave concern in Hungary of his day, of the Jewish status of children born from intermarriage. He also dealt with the question of the validity of civil marriage and civil divorce, and he supported [an initiative](#) to create a registry recording those who were of known, valid halachic lineage. Rabbi Yechiel Yaakov Weinberg (*Sridei Eish 2:31*) cited Rabbi Winkler in a classic responsum permitting the conversion of a pregnant, non-Jewish woman who was already married to a Jew.

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Weekly Halachah: Hunting

Idan Rakovsky

I would like to discuss a halachic question that can teach us much about the Torah's attitude toward animals. What does Jewish law say about hunting animals for the sake of pleasure and sport?

A quick examination of the sources shows that hunting is mentioned in association with negative characters such as Esav (Bereishit 25:28) and Nimrod (Bereishit 10:9). These references do not completely undermine the legitimacy of hunting, but they do indicate a negative attitude of the Torah toward it.

We also know that the Torah places great importance on the protection of animals and preventing their suffering. This is evident in several verses in the Torah, such as Shemot 23:5. In the Talmud, we find a compassionate attitude toward animals, exemplified by the story of Rabbi Yehudah HaNasi, who did not have mercy on a calf sent for slaughter, and as a result, was punished from Heaven until he displayed mercy upon some rodents. (Bava Metzia 85a)

Of course, Jewish law does not forbid causing harm to animals for a benefit, such as self-defense or medical reasons. (Kitzur Shulchan Aruch 181). But even with regard to ritual slaughter for food consumption, a person must be careful not to be cruel to the animal during the slaughter. (Sefer HaChinuch, Mitzvah 451) We even find an opinion brought by Rabbi Moshe Isserles ("Rama") in Orach Chaim 223:6 that one should not say "May you wear this out and receive another new one" for leather shoes or clothing made from the skin of animals. [However, the Rama rejects this approach.]

In the context of hunting, the best-known source dealing with it is an 18th century responsum of Rabbi Yechezkel Landau. (Noda b'Yehudah Tinyana, Yoreh Deah 10) Rabbi Landau investigates various approaches, from which it arises that hunting is not completely forbidden, but certainly a Jew may not hunt animals unnecessarily. He gives three main reasons:

- 1) Hunting parties are considered the "company of the insolent" (based on Rama Orach Chaim 316:2);
- 2) Hunting can pose a great danger to the hunter;
- 3) A G-d-fearing person will not kill an animal just for satisfaction.

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Sefer haChinuch, Mitzvah 25:

Belief in G-d, Part 2

By Rabbi Mordechai Torczyner

In the 14th century, Rabbi Chasdai Crescas (*Or Hashem, Hatz'ah*) raised a fundamental objection to the concept of a mitzvah of belief. The term "mitzvah" may only include activities one can choose to perform, or not to perform. Belief, on the other hand, either exists or does not exist; it is not a function of choice.

Don Isaac Abarbanel sought to address this problem in the early 16th century. (*Rosh Amanah* Chapter 17) He contended that belief requires preparation through philosophical analysis, and the Torah's 25th mitzvah instructs us to undertake the analysis which will bring us to faith.

Writing in the early 20th century, Rabbi Elchanan Wasserman (*Kovetz Ma'amarim v'Igrot 1*) put forth the same question, but came to a different conclusion regarding this mitzvah. He noted the severity of the Torah's condemnation for one who denies the tenets of faith, and the fact that belief is expected not only of accomplished scholars, but of every Jewish teen! But in contrast with Abarbanel's approach, Rabbi Wasserman argued that belief in G-d's creation of the universe is natural, and that disbelief requires denying the evidence of one's senses. Quoting *Chovot HaLevavot* (*Sha'ar haYichud 6*), he declared that a world without a Creator would be random and unstructured, and that the wisdom visible in human biology is evidence that G-d created it. Only if one is seduced by personal desires will one deny Creation. Therefore, the mitzvah is to believe in Divine Creation, and in the religious concepts which emerge from this.

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Shabbat May 12-13

After hashkamah R' Yehuda Mann, Halachah from the Parshah, Clanton Park

30 min pre-minchah R' Steven Gotlib, Big Topics, Village Shul

After minchah R' Mordechai Torczyner, Gemara Ketuvot, BAYT (Milevsky Bais Medrash) (men)

After minchah, Idan Rakovsky, Halachah in the Parshah, Shaarei Tefillah

Sun. May 14

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

10:00 AM to 1:00 PM ISRAELI IYAR!

Entirely Free of Charge! Full flyer and Registration at <https://torontotorah.com/iyar>

10:00 AM Yom haZikaron: Three Models of Grief, Idan Rakovsky

10:30 AM Yom haZikaron: Remembering the Kedoshim, Rabbi Yehuda Mann

11:00 AM Yom ha'Atzmaut: Between Rav Kook and Rav Soloveitchik, Rabbi Steven Gotlib

11:30 AM Yom ha'Atzmaut: The Zionism of Rav Aharon Lichtenstein, Rabbi Mordechai Torczyner

12:00 PM Yom Yerushalayim: The Miraculous Makom (Place), Rabbi Jared Anstandig

12:30 PM Yom Yerushalayim: Perspectives on Jerusalem: Beyond the Media, Mrs. Esther Shor

Mon. May 15

2:00 PM Idan Rakovsky, Megillat Ruth, ZOOM: <http://tiny.cc/idanrak>

8:00-9:30 PM Nusbaum Family Medical Ethics and Halachah Program: Dealing with Difficult Patients
R' M Torczyner, ZOOM @ <http://tiny.cc/mtethics> / Register @ <https://torontotorah.com/cme>

8:00 PM Prielle & Idan Rakovsky, Song of the Week, ZOOM: <http://tiny.cc/weeklysong> New Season!

8:30 PM R' Yehuda Mann, Non-Jewish Help in Halachah, Shomrai Shabbos (men)

Tues. May 16

8:00 AM R' Steven Gotlib, Sefer Emunah uBitachon, Village Shul

9:00 AM Idan Rakovsky, Tzidkat haTzaddik, Yeshivat Or Chaim (university men)

1:30 PM R' Mordechai Torczyner, Wisdom of King Solomon: Kohelet, ZOOM: <http://tiny.cc/weeklymt>

7:00 PM R' Mordechai Torczyner, Shemuel (Chap. 19-20), ZOOM: <http://tiny.cc/weeklymt> (men)

8:30 PM R' Jared Anstandig, Adventures Through Shas, Shaarei Shomayim (university women)

8:30 PM R' Yehuda Mann, Contemporary Halachah, Clanton Park (women)

Wed. May 17

10 AM R' Mordechai Torczyner, Jewish Migrations: Origins of Ashkenazim and Sephardim, Week 3 of 4
On ZOOM @ <http://tiny.cc/weeklymt> Register @ <https://torontotorah.com/wednesdays>, there is a fee

12:30 PM R' Mordechai Torczyner, Business Ethics #3 of 3: The Ethics of Swag
With Continuing Education credit for Accountants, on ZOOM at <http://tiny.cc/bmlunch>

8:00 PM R' Steven Gotlib, Ashkenazi and Sephardi Differences, The Village Shul

8:00 PM Idan Rakovsky, Megillat Ruth, Shaarei Tefillah

8:15 PM R' Yehuda Mann, Contemporary Halachah, Clanton Park

Thurs. May 18

8:00 AM R' Steven Gotlib, Jewish Mysticism, Village Shul

1:30 PM R' Mordechai Torczyner, Shemuel (Pre-Shavuot Shiur), ZOOM: <http://tiny.cc/weeklymt> (women)

8:00 PM R' Yehuda Mann, Beitzah (advanced), for location: ymann@torontotorah.com

8:30 PM R' Jared Anstandig, Parshah Shiur for Torah in Motion, on ZOOM [here](#)

Fri. May 19 Yom Yerushalayim

10:30 AM R' Jared Anstandig, R' Mordechai Torczyner, R' Yehuda Mann, Ketuvot Perek 1 *advanced*
In-person at Yeshivat Or Chaim, on ZOOM at <http://tiny.cc/frishiur>