



ניצחון
NITZACHON

Adas Torah Journal of Torah Ideas

Dedicated in Memory of Rabbi Chaim Fasman *zt"l*
הרב חיים זליג בן הרב אשר זצ"ל

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Nitzachon

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Editors' Preface

Hodu Lashem ki tov, ki l'olam chasdo. We have a lot to celebrate at Adas Torah, *bli ayin hara*. We have a beautiful new building with room for our *kehilla* to grow. We have more *Talmud Torah* and participation in *shiurim* and Torah programs than ever before. Our *davening* is inspired and inspiring. Thanks to the extraordinary commitment of time and money by dozens of our devoted members, and even more extraordinary *siyata d'shmaya*, we have built a genuine *makom torah u'tefilla* – front and center – in the heart of Pico.

We are saddened, though, that Rav Chaim Fasman *zt"l* cannot celebrate with us. While many of us did not know Rabbi Fasman, he most definitely knew us. A remarkable visionary, he devoted his entire life to making Los Angeles a true *makom Torah* and a community filled with *b'nai Torah*. While he had so many successes, he took special pride in watching the growth and development of our *kehilla*, seeing us as a fulfillment of many of his dreams for Torah in Pico and Los Angeles. Our new shul would have surely brought him much *nachas*.

In this volume, in addition to thoughtful essays by our members on the *parshios* of *Bereishis* and *Shemos*, we have included *divrei azkara* and Torah essays in Rabbi Fasman's honor from leaders of our community – Rabbi Revah, Rabbi Baruch Yehuda Gradon, and Rabbi Avrohom Union – all *talmidim* of Rabbi Fasman and partners in his mission. We have also included Rabbi Fasman's beautiful introduction to *Ner Maaravi* – his own *kehilla's* Torah journal – in which he presents his successful formula for building Torah in Los Angeles, and in which we can see a little of our own reflection.

Michael Kleinman Yaakov Siegel Yaakov Rich



*Sharon and Morris's
Silver*

*Dalia, Evan, and
Leah Silver*

*Alison, Eli, and
Aliza Snyder*

In Honor of our Dear Friend

אליעזר מרדכי בן פריידל גיטל

Who Shares his Creative and Inspiring
Torah Ideas In Each Volume of
Nitzachon with an Unrelenting
Dedication to *Talmud Torah* and
Harbotzas Hatorah which Should be a
Source of Tremendous *Z'chuyos* for Him
and His Family



The Nitzachon Editors

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הרב חיים זליג בן הרב אשר ז"ל

זכר צדיק לברכה

Dedicated in loving memory of

Harvey and Eva Rich z"l

Kurt Marcus z"l

And in memory of

HaRav Chaim Fasman z"l

May their memories be blessed



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Yitzchok and Barbara Lehmann
Siegel and their family

In gratitude to

Alyssa Wiesel and Joel Shuchatowitz

for all the hard work and dedication
to design and build a beautiful shul
for our kehila



This issue is dedicated to my parents

Dr. Theodore and Frieda Schwarcz z"l

who passed away respectively on the 20th of
Kislev and 18th of Adar Sheni of last year - 5776.

May their memories be a blessing to all *Klal Yisrael*.



David Schwarcz



Dr. and Mrs.
Daniel Wohlgelernter

ראש וראשון



Rabbi Dovid Revah

Rabbi Avrohom Union
Guest Contributor

Realizing our Mistakes: The Brothers' Failure to Recognize Yosef

RABBI DOVID REVAH



Parshas Vayigash continues the story of the riveting confrontation between Yosef and his brothers. Yosef's brothers had gone to Egypt, encountered Yosef and did not recognize him. Why not? *Chazal* explain that Yosef had left them at a youthful age 17, and now, 22 years later, he had aged and grown a beard.

My *rosh kollel*, Harav Chaim Fasman *zt"l*, in one of his speeches on Shabbos morning, asked several questions. First, if you grew up with someone for 17 years, you would likely recognize him even if he had aged. Second, it is not as if the brothers had forgotten about Yosef; to the contrary, they were actively looking for him. If so, how could they miss who he was? Third, the story of Yosef's dramatic rise from prisoner to president, from foreigner to ruler of the country, must have been well known. The brothers surely heard it as well. Knowing Yosef's ingenuity and charisma, wouldn't it be obvious that this must be their brother? Fourth, Yosef practically gave himself away, shocking them by revealing their birth order. How did he know their ages? Obviously because he was their brother! The fifth and perhaps most difficult question is, even if somehow the brothers did not recognize Yosef, what was Yosef thinking? Wasn't he afraid that he would give himself away by revealing his knowledge of their lives? If, for whatever reason, Yosef chose to not immediately reveal his identity, one

I was privileged to learn under the *rosh kollel*, Harav Chaim Fasman *zt"l*, in Kollel Los Angeles for ten years. Like everything else about his life, the *rosh kollel's drashos* and *divrei Torah* were always ideas which he worked hard to develop, refine and clarify. Nothing was ever extemporaneous, but a product of serious reflection and *avoda*. I am pleased to share a *dvar Torah* which was inspired by the *rosh kollel*.

Rabbi Dovid Revah has served as the *Rav*
and *Mara D'Asra* of Adas Torah since 2005.

would have expected him to do his best to conceal himself. Instead, he seems to be toying with his brothers without any fear that he would give himself away.

Rabbi Fasman answered that Yosef, who immediately recognized his brothers, was surprised that his brothers did not recognize him. He realized that this could only be because the *hashgacha* of Hashem did not allow the brothers to recognize him. Sensing that, and cognizant of the *hashgacha* clearly directing his travails in Egypt, he knew that if Hashem ordained that his brothers should be blinded, then no matter what he would do, his brothers would still not recognize him.

I would like to suggest a different approach to answer the *rosh kollel's* question. First we must explain what Yosef was trying to accomplish by this whole ruse. Why did he not immediately reveal himself to his brothers? The *Shem MiShmuel* explains that Yosef was trying to compel his brothers to realize their mistake on their own. When *tzadikim* are faced with adversity, they use it as an impetus to introspect, to examine if something in their lives needs correction. This actually happened in *Parshas Miketz*, when the brothers accepted some measure of responsibility for selling Yosef.

ויאמרו איש אל אחיו אבל אשמים אנחנו על אחינו אשר ראינו צרת נפשו בהתחננו אלינו ולא שמענו על כן באה אלינו הצרה הזאת.

The brothers said to each other, "Just as we did not show mercy and understanding to our brother, so this man is not showing mercy and understanding to us." (Bereishis 42:21)

When the brothers were falsely accused of being spies, and the ruler would not listen to their defense, they looked at their previous behavior and reflected that twenty years earlier they had done the same thing to their own brother. Now being in Yosef's shoes made them reconsider their own actions.

However, this was only a partial recognition of guilt. The brothers felt that they were ultimately justified in wanting to kill Yosef, and were only guilty of not showing compassion, despite his guilt. But in reality, their entire judgment against Yosef was wrong and they had actually acted with bias. Yosef was trying to force them to confront their unfairness and to realize that their entire approach to him was unjustified. He upped the ante by deliberately framing them, planting his cup in Binyamin's sack. He hoped that the brothers would again question what was happening to them and come to the realization that just as someone was falsely accusing them, they too were guilty of the very same thing towards Yosef.

Why didn't the brothers recognize Yosef? They couldn't! To recognize Yosef

would be to admit that they were wrong all along and Yosef was innocent of their suspicions; that his dreams were truly prophetic and not merely a reflection of his ambitions. This was not a possibility they were willing to explore. Of course they were looking for Yosef, but as a slave, certainly not as the leader of Egypt. When a truth is hard to swallow, we can be willfully blind, even if it is staring directly at us.

How was Yosef not afraid that he would give himself away? Actually, that was his goal - he was doing everything he could to reveal himself. Had they recognized who he was, it would indicate that they recognized their errors. Short of saying "I am Yosef," his actions were screaming his identity. Unfortunately, they refused to see. The brothers could not come to the self-realization that Yosef was correct all along.

It is clear from the *pesukim* that Yosef's plan was to continue his performance until the brothers would recognize who he was on their own. That would allow them to come to terms with the underlying jealousy that may have motivated their action. However, his plan failed.

ולא יכל יוסף להתאפק לכל הנצבים עליו.

Yosef could not resist the pleas for mercy from his attendants. (Bereishis 45:1)

Yosef revealed himself early. With all the hugging and crying, Yosef realized that he had failed to bring about a true lasting reconciliation. As Rashi explains, Yosef's tears were not just tears of relief, of a terrible story coming to an end but tears of prophesy:

על שני מקדשות שעתידין להיות בחלקו של בנימין וסופו להחרב.

Yosef was crying because he prophetically saw the destruction of the two Batei Mikdash. (Rashi on Bereishis 45:2)

Yosef recognized that if the brothers could not recognize him, the seeds of envy and division were not truly healed and would rise once again to the surface hundreds of years later resulting in the destruction of the *Bais Hamikdash*.

It is *Klal Yisrael's* mission to complete the reconciliation that never took place.

Damage Caused by Computer Code¹

RABBI AVROHOM UNION



Two partners approached our *beis din*, each one submitting serious accusations against the other. One of the claims submitted was rather unusual, and it will be the subject of this discussion.

The *baalei din* were in the business of bartering systems. This type of business is intended for all types of people who, at times, wish to buy or sell via an exchange of

¹ This article originally appeared in Hebrew in *Shaarei Tzedek* Vol. 3, published by *Machon Mishnat HaRambam* in 2002. The English translation has been provided by the editors of *Nitzachon*.

Paying an appropriate tribute to Rav Chaim Fasman *zt"l* is challenging because he was multifaceted and accomplished in so many different ways. He was a pioneering builder of Torah and an outstanding *lamdan* in his own right. He was a model of *chesed*, a paragon of humility, and a moving *baal tefilla* who touched the hearts of his *tzibur* on the *Yamim Noraim*. Rav Fasman constantly pushed others to reach their full potential, and never stopped achieving new accomplishments himself.

One distinctive endeavor that Rav Fasman distinguished himself in was his involvement in community *kashrus*. In this area he followed in the footsteps of his late father Rav Oscar Fasman *zt"l*, who was president of the Chicago Rabbinical Council for decades. Rav Fasman believed wholeheartedly in community *kashrus*, and devoted time and energy to raising standards and awareness of *kashrus* in Los Angeles. He fought for changes, carved time from his busy schedule to participate in meetings, and took a genuine interest in bringing our community to a standard we could be proud of. For Rav Fasman, an involvement in the mundane matters of community life was a natural extension of his *avodas Hashem*. He was tireless and indefatigable in his pursuit of whatever he understood Hashem wanted.

יהי זכרו ברוך

Rabbi Avrohom Union has served as a *Dayan* and *Rov* in the Los Angeles community for close to thirty years. He is the Rabbinic Administrator of the Rabbinical Council of California and serves as a *Dayan* and the *Menahel* of its *Beis Din*.

goods rather than paying in cash directly. As noted, the two *baalei din* were partners in this business. One was the CEO of the company, and all the transactions from around the country passed through his central office. He provided the equipment and advice for all the franchises of the company, and he managed the essential computer systems for the business. The other was a local franchisee; he was responsible for transactions in Southern California.

As a result of several conflicts, the CEO decided to eliminate the other individual from the business, and he did so by way of an advanced technology. The foundation of a business such as theirs is data. Information regarding the business transactions, transfers, etc. is necessary for all the locations to have, and without updated data, the business would not be able to continue to run. Every few weeks, the local systems at the franchises would update their data from the computers at the central office. More specifically, they would receive the updates via their local computer modems. One day, the partner at this Southern California location connected his system to the central system via the local modem to receive updates, but instead of the expected updates, he received an unpleasant surprise. The CEO had prepared a malicious virus for him that would erase all the transaction data belonging to the local franchisee. Among the other claims brought before the *beis din*, he sought compensation for the damage that was caused him through the sabotage of the malware.

Gramma or Garmi?

There are two fundamental questions to discuss here. First, we must define the *maase hezek*, the action that caused the damage. We certainly do not have a case of *adam hamazik*, of a person actively causing damage to another. The damage here occurred as a result of an action on the part of the *nizak*, the person who incurred the loss. We need to determine if the damage is in the category of *gramma* or *garmi* (two types of causative damage, of which the former does not obligate one to pay, and the latter does). And second, even if we conclude that there is an obligation for the *mazik* to pay based on the *maase hezek*, we still must explain how he should pay in a case like this where he damaged a non-physical entity, such as valuable data.

The *rishonim* differentiate between *gramma* and *garmi* in several different ways, so we will mention a few of them here. The Ri, one of the *baalei hatosafos* (*Bava Basra* 22b s.v. “zos”), gave two criteria for *garmi*: (1) the *mazik* does the action causing damage directly to the object of the *nizak*; and (2) the damage occurs immediately as a result of the action of the *mazik*. A third well-known criterion can be found in

the Rosh in several places (*Bava Kamma* 9:13; *Bava Basra* 2:17); that the damage is always a definite result of the *mazik's* action and does not depend on the further actions of anyone else (*bari hezeika*).

If we assess our case by the above criteria, we will find that the damage in this case is defined as one of *gramma* and not *garmi*. The *mazik* did no action to the property of the *nizak*; he just created some computer code that then caused the damage on the *nizak's* computer. The *nizak* is the one who technically issued the command that allowed the code to take effect. It is also clear that the damage occurred much later, and not concurrently with the creation of the code. We cannot say here that the damage is a certainty once the action of the *mazik* occurred (*bari hezeika*), for if the franchisee had not attempted to download the updates, the damage would never have occurred. The Ramban (*Kuntres D'garmi*) establishes a rule that the concept of *bari hezeika* is only when the damage occurs by itself (*baal korcheinu*) through his *gramma* action, rather than being dependent on the prior knowledge of any other person's actions, as is the case here.

Seemingly, this *maase hezek*, as distasteful as it was, was merely a *gramma*, and we would apply the ruling that a *gramma* is not obligated to pay *mi-dinei adam*, in human court.

Chiyuv from the Perspective of Eish

However, it would seem that the above classification of the *hezek* is not complete, and that there is in fact a monetary obligation upon the *mazik* for another reason.

The *mishna* in *Bava Kamma* (47a) says, regarding someone that stored produce on another's property without the latter's permission, that the owner of the property is not liable if his animal ate the produce. The *mishna* then states:

ואם הוזקה בהן, בעל הפירות חייב.

If [the animal] became injured by them [the produce], then the owner of the produce is liable.

The gemara goes on to clarify:

אמר רב לא שנו אלא שהוחלקה בהן אבל אכלה פטור מאי טעמא הוה לה שלא תאכל
אמר רב ששת אמינא כי ניים ושכיב רב אמר להא שמעתא דתניא הנותן סם המות
לפני בהמת חבירו פטור מדיני אדם וחייב בדיני שמים... הוא הדין אפילו פירות נמי
פטור מדיני אדם והא קמ"ל דאפי' סם המות נמי דלא עבידא דאכלה חייב בדיני שמים.
*Rav said: this is only where the animal slipped on the produce [and thus
injured itself], but if it ate it [and became sick or died from it], then the*

owner of the produce is not liable. Why? It should have not eaten it.² Rav Sheshes said: I say that Rav was sleepy and dozing when he said this, since we learned in a braisa: One who places poison in front of another's animal [and the animal ate it and died], is not liable in human court, but is liable in heavenly court. (This implies that only with regard to poison, but not with regard to eating the produce, do we apply the logic of "it should not have eaten it"... [The gemara answers:] Really, even if the animal ate the produce, the owner of the produce is not liable; and this one [the braisa quoted by Rav Sheshes] comes to teach us that even poison, which is unusual for an animal to consume, if it does so, the one who put the poison in front of it is (although not liable to pay) still liable in heavenly court.

What emerges from this *gemara* is that even in the extreme case where one places poisonous food before an animal, he is not liable because "it should not have eaten it." But, following this, what would be the *din* in a case where it would not be possible to apply the logic of "it should not have eaten it," like, for example, if someone took poison and poured it into the mouth of the animal? The *Chazon Ish* (*Bava Kamma*, *Siman* 14) discusses such a case and writes:

אפשר בנתן לתוך פיה חייב דנהי בנותן לפניו עדיין אין ההיזק מזומן כ"כ וחשיב כמביאה על עצמה ולא שם היזק עליה, אבל בנותן לתוך פיה אפשר דחשיב כהזמין את ההיזק. ומיהו כיון דאין דרכה לאכול סם המות אפשר דעדיין אין ההיזק מוכן, וחייב נותן סם המות משום אש וכמש"כ לעיל.

It is possible that by putting the poison into the animal's mouth, one is liable. In the case of putting the poison in front of the animal, the damage is not as inevitable, and it can be considered as though the animal is bringing the harm upon itself, and not as the person is causing the damage. But by putting the poison directly in its mouth, it is possible that it would be considered inevitable damage. However, since it is not usual for an animal to consume poison, it could be that the damage is still not considered fully bound, and

2 Several *rishonim* explain that the reason for this *p'tur* (acquittal) is that it attains a *din* of *gramma*. See the *Meiri* on the above *mishna*; Mordechai, *Bava Kamma* 9:119; *Tosafos Rid* 3. See also the *Rosh*, who writes about this *p'tur*: "Since it intentionally did an action that brought upon itself harm, we cannot obligate the owner of the produce for this, since he is not obligated to take such circumstances into account - since it is not a usual occurrence that an animal will eat more than it can handle and become harmed by this." It seems that the *Rosh* also thinks that the owner of the produce damaged through a *gramma*, since it should not have even occurred to him that the animal would eat more than is proper from his produce. And the *Shach* as well, with regard to the *halacha* of placing poison before an animal, writes that the *p'tur* is because of *gramma*.

that the liability for placing poison before the animal is because of eish, as I wrote above.

Similarly, the *Chazon Ish* wrote above:

ונראה דאם באנו לחייבו על היזק אכילה חיובו משום בור המתגלגל ומתגלגל למעיה ומזיק, ואפשר שהוא אש.

It seems that if we wish to obligate him for the damages for eating [the produce], the obligation is because it is a moving source of harm (bor hamisgalgel) which moves into its stomach and causes harm. Or, possibly, it is eish.

Let us explain a bit what this means. The *Aruch HaShulchan* (*Choshen Mishpat* 418:2) discerns the category of *eish* relative to the other damage categories as follows:

The category of eish is not similar to the other categories of damage in which a person or an animal cause damage by direct action, like keren, shen, regel, or bor. Rather, a fire burns things by itself outside of where it was originally created, either by consuming things which are in its path [and thus moving in the direction of what it consumes] or by being blown in the direction of the wind. Thus, Chazal defined eish as something which acts together with an external force (koach acher me'urav bo). So anything that moves and damages as it's moving, such as a person's stone, knife, or package that were placed on a rooftop and then fell off by being blown by an ordinary wind, would be a case derived from eish.

So too, in the case of the poison, the *mazik* (i.e. the poisonous food) travels by means of whoever is carrying it or moving it. But to understand this, we must also incorporate the explanation of Rav Aharon Leib Shteinman *shlit"a*, who also mentions in his *Ayeles Hashachar* that this case is one of *eish*:

That which we can obligate him [the owner of the poisonous food] by way of eish is because even though this particular "eish" will not damage the animal without the animal itself approaching it, nonetheless, since the mode of damage was active rather than passive (i.e., the food physically caused harm to the animal rather than the animal harming itself by means of the food), therefore it should be categorized as eish. For if this were not so, although the food is in fact an active source of damage, it cannot do any harm if not for the nizak [the animal] approaching it and

*eating it. Therefore it must be that a case such as this one is indeed eish and not bor.*³

In fact, this *chidush* of the *Chazon Ish*, that this scenario is one of *eish*, is also implied by *Tosafos* in *Bava Kamma* (56b, s.v. “*hamaamid*”), who differentiate between the case of one who places another’s animal upon a third person’s pile of grain [and the animal eats it or ruins it], which is liable based on the category of *shen* or *regel* - not *eish*, and the case of feeding poisonous food:

ואע"פ שאין הבהמה שלו חייב מטעם שן ורגל דאע"ג דכתיב בעירה כדידיה חשיבא הואיל והוא עשה כמו מדליק פשתנו של חברו בנרו של חברו אבל אין לפרש דמחייב מטעם אש דברי הזיקא והוי כאילו נותן לשם אש ואע"ג דפטרינן נותן סם המות לפני בהמת חברו שאני התם או משום דלא עבידא דאכלה או משום דה"ל שלא תאכל כדאמר לעיל (מז:): דא"כ מטעם זה ה"ל להתחייב אפילו ברה"ר ולא משתמע בשום דוכתא דלחייב ברשות הרבים שן אפילו מקרב בהמתו אצל הפירות ומעמידה עלייהו.

Although [in the former case] it is not his animal, he is still liable through shen or regel, since even though the Torah specifies “his animal”, here it is considered his because he did the action with it, similar to one who lights on fire the flax of another with the torch of a third person. But you cannot say that this is a case of eish, since the damage is a certainty, such as if someone touched a fire directly onto an object of damage [which is not considered eish]. And even though we say in the case of one who feeds an animal poison that he is not liable, that case is different - either because it is not ordinary that the animal would eat poison, or because we apply the rule of “it should not have eaten it” as we established earlier. Additionally, if [the case of placing another’s animal upon the grain] were a case of eish, then he would have to be liable even if it took place in public [r’shus harabbim, in which shen and regel are generally not liable], and we do not find any implication in any case related to shen that he is liable in a public space, even where, like this case, one brings his animal to another’s produce or even puts the animal on the produce directly.

3 The *Nachalas David* also writes similarly about the distinction between *eish* and *bor*: “The fundamental difference between *bor* and *eish* is that *eish* goes forth and damages, and it reaches the *nizak* wherever they are; whereas with *bor*, the opposite is true: The *mazik* remains stationary, and the *nizak* comes to it on its own.” See too what he writes to resolve how the Rosh ruled that a wall or tree that damages as it falls over is categorized as *bor* instead of *eish*.

Tosafos here clearly show that the liability in the case of feeding an animal poisonous food is through *eish*, in a scenario where one cannot acquit him by using the rule of “it should not have eaten it.”⁴ This is also evident from the Rashba, who disagrees with this *Tosafos*, and in fact concludes that the liability in the case of placing one’s animal upon another’s grain is indeed from *eish*.⁵

Now, getting back to our original case. In light of the above, it would seem that the *mazik* in our case did an action of *eish*. Sending malicious software to a downloader by way of his modem is similar to feeding an animal poisonous food by inserting it into its mouth. The *nizak* merely connected his system to receive the updated transaction data; and we cannot fault him by saying “he should not have eaten it,” because it’s as if he is just “opening his mouth” in order to continue with business as usual. More technically, the *nizak* sent a command to the central computer system to send its updated transactions, and we cannot expect him to have taken into account the possibility that the CEO replaced it with some malicious computer code that would wipe out all his data.⁶

Conclusion

One who erases transaction databases or similar types of data from another’s computer is damaging in a manner of *gramma*, since the damage is not a definitive outcome, and is not concurrent with the *maase hezek*.

If the damage was done by sending a computer virus to the machine, then according to our analysis of a number of *rishonim* and the more explicit comments of the *Chazon Ish*, he would be obligated to pay for the damage because it would be considered an action of *eish*.

4 See as well *Chidushei Rav Shimon, Bava Kamma 22:2*.

5 This is based on the *Kovetz Biurim (siman 48)* who questions *Tosafos* as follows: Why, if it is indeed *bari hezeika*, would it not be a case of *eish*? He answers that *Tosafos* must hold that since the animal is acting of its own volition, we cannot obligate the person who placed it there, since we cannot consider it to be like an arrow that was shot forth by that person (by which we define *eish* in general, and which has no volition of its own). Rashba, on the other hand, holds that since the animal is not capable of rational thought, it is no better than an ordinary wind in the cause of damage, and the person that placed it there would thus be liable for *eish*.

6 Editor’s Note: The original article contains an additional two sections dealing with the evaluation of and payment for the damages in the case described. They have been omitted here.

שפתי ישנים



Rabbi Chaim Fasman *zt"l*
Divrei Azkara by Rabbi Baruch Yehuda Gradon

RABBI CHAIM FASMAN ZT" L

Divrei Azkara by Rabbi Baruch Yehuda Gradon

Rav Chaim Fasman was a *talmid chochom* with the most unusual qualities. We are not discussing his diligence in learning or his analytical mind or his erudition; rather we are discussing his world view. He was a combination of two schools of thought and he combined them in a brilliant manner. On the one hand, he was the son of Rabbi Oscar Z. Fasman, an American rabbi who spent decades in the rabbinate. He and his wife always made every effort to build the communities they served and public service was part of their very fabric. This sense of responsibility for the *klal* and appreciation for the value of community was absorbed by Reb Chaim.

On the other hand, Rabbi Fasman went on to study in the most distinguished *Litvishe yeshivos* where the focus was principally on in-depth study and *mussar* concepts. His final training, after attending Skokie Yeshiva, the Ponovezh Yeshiva in Bnei Brak under Rav Kahaneman, the Brisker Yeshiva and Beth Medrash Govoah under Rav Aharon Kotler, was Beis HaTalmud, the yeshiva par excellence. Normally their *talmidim* tend to stay very much within the confines of the yeshiva and its world.

Our R' Chaim, however, saw his challenge to bring the strongest, most profound and sincere *Talmud Torah* to the wider population.

The Kollel of Los Angeles was established as a center of excellence in Torah studies, producing *avreichim* who were, and are, outstanding in their learning and knowledge, whilst at the same time training them to guide and lead communities both in Los Angeles and elsewhere.

He was able to enthuse his *avreichim* to appreciate the beauty and serenity of bringing Torah in all its splendor to their *baalei batim*, to laymen who may never have learned before or to those who for years had not maintained their yeshiva-style learning.

The L.A. Kollel wrought a venerable revolution in Los Angeles. Albeit a "silent and bloodless coup," it was nonetheless incredible in its impact. Reb Chaim would always say, "The best sign of success is imitation." Since the arrival and development of his Kollel, many similar institutions have been established, all hoping to accomplish something similar to that which Reb Chaim achieved.

His special concern for every individual, his ability to make time for one and all, whether to advise them or simply to learn patiently with them, was legendary. Through his investment in the community members, he not only succeeded in

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changing their outlook on life, but that of their families and future generations too.

On occasion it would appear that he had somewhat extreme views, but in reality he was not extreme at all, merely honest; consistently unwilling to compromise on basic principles. When he believed he was correct, he would not alter his view, irrespective of the stature of the person or group he was arguing with. However, it was all done with great respect and no personal malice.

His presence in our community will always be felt even after his passing, but on the other hand we will surely miss him.

יהי זכרו ברוך

The Power of Community *Limud* *Hatorah*

RABBI CHAIM FASMAN ZT"l



אין ישראל נגאלים לא מתוך הצער, ולא מתוך השעבוד, ולא מתוך הטלטול, ולא מתוך הטרורף, ולא מתוך הדוחק, ולא מתוך שאין להם מזונות, אלא מתוך עשרה בני אדם שהם יושבים זה אצל זה, ויהיה כל אחד מהם קורא ושונה עם חברו וקולם נשמע, שנאמר (עובדיה א, יז): ובהר ציון תהיה פליטה והיה קודש.

The Jews will be redeemed not through pain, nor through oppression, nor through turmoil, nor through rampage, nor through force, nor through lack of sustenance. Rather, through ten men who sit next to one another, and each one reads and studies with his fellow, and their voices are heard. As it says: "On Har Tziyon there will be a survival, and it will be holy." (Ovadia 1:17)
Eliyahu Zuta 14

It is astonishing how this *midrash* learned all that it did from this short *pasuk*, "On Har Tziyon there will be a survival (*p'leita*), and it will be holy." Where does it mention ten people, reading and learning, and sitting with one another, and their voices being heard, and that through this the redemption will come, and that the redemption will encompass all Jews? It's astounding!

With *siyata dishmaya*, and with the *zechus harabbim*, I will humbly attempt to explain the *midrash* as follows.

When Yosef Hatzadik said to his brothers, "Now, don't be saddened... that you have sold me here, for God has sent me before you to provide sustenance... to maintain for yourselves a remainder in the land and to keep alive a great survival (*p'leita gedola*)," he was speaking of ten men (his brothers) and called them "*p'leita*". Here we have a source that ten men are called a "*p'leita*".

This article originally appeared in Hebrew as the *hakdama* to "*Ner Maaravi al Maseches Bava Metzia*," published by the Kollel of Los Angeles in 1997. The English translation (along with the title shown here) has been provided by the editors of *Nitzachon*.

Reading the *pasuk* in *Ovadia* without paying attention, there is room to mistakenly read it as if “*v’haya kodesh*” - “and it will be holy” refers to the “*p’leita*” - the survival. However, this simply cannot be, since it would have had to read “*v’haysa kodesh*” (instead of “*v’haya kodesh*”) being that “*p’leita*” is *lashon n’keiva*. Rather, it must be that “*v’haya kodesh*” refers to Har Tziyon, which is a metaphor for *Klal Yisrael*. (This is how Mahari Kara, Radak, and Malbim all understand it.)

Thus, the idea of this *pasuk* is that through this *p’leita*, this survival, *Klal Yisrael* will be holy. And the *midrash* understood that this *p’leita* is one of *limud HaTorah*, since it is on Har Tziyon, and the *pasuk* says “*ki mitziyon teitzei torah*,” “for Torah emanates from Tziyon” (*Yeshaya* 2:3). And it also understood that the people of this *p’leita* will be learning together, since they make up a “*p’leita*” - in the singular - one entity; not “*pleitim*” in the plural. It is through such a survival that the *geula* will come, since through it *Klal Yisrael* will become holy, “*kodesh*,” and to be called completely “*kodesh*,” it must be eternal. And eternity is the characteristic of the *geula*, as we see in the *pasuk* in *Yeshaya* (4:3) which speaks of the *geula*:

והיה הנשאר בציון והנוותר בירושלם קדוש יאמר לו כל הכתוב לחיים בירושלם
*And it shall come to pass that every survivor shall be in Tziyon, and everyone
 who is left, in Jerusalem; “holy” shall be said of him, everyone inscribed for
 life in Jerusalem.*

The *midrash* additionally understood that if this survival of *lomedei Torah* were to sit in a cave, closed off from the world so that nobody knows of them, it could not be possible for them to lift the entire *Klal Yisrael* to the level of holiness of the *geula*. Therefore it must be that “*kolam nishma*,” “their voices will be heard”.

I remember from when I learned in Yeshivas Ponovezh in Bnei Brak that this *pasuk* alone was displayed on the entrance to the yeshiva. Originally, I didn’t understand why this *pasuk* was chosen for the entrance, being that this was not Har Tziyon. And I couldn’t help but feel that the placement of that *pasuk* there was somewhat arrogant. But I soon found out that that *pasuk* was a favorite saying of the great Chafetz Chaim (to whom the *rov* of Ponovezh, Rav Yosef Kahaneman, was very close).

Many from the younger generation today do not understand how some seventy or eighty years ago, people completely abandoned Torah and *mitzvos*, a source of *mayim chayim*, of fresh sustaining water, in order to chase after broken cisterns that could not hold any water at all. What these young people do not know is that *Klal Yisrael* did not commit the sin of the *Egel Hazahav* until after they concluded: “*zeh Moshe ha-ish, lo yadanu meh haya lo*,” “that man Moshe, we do not know what has

happened to him.” *Chazal* say that the Satan showed them that Moshe had died. And Rav Yerucham HaLevi Levovitz zt"l said that he did not believe that there was ever a generation in Jewish history in which Moshe was more dead than now. (It was 1925 when he said this.)

In those days of spiritual darkness, a darkness greater even than that of the Greek era, many thought that it would not be long until *chas v'shalom* Torah would become obsolete and forgotten.

Based on all this it is understandable why the *Chafetz Chaim* would say this *pasuk* again and again; to affirm to the people of that generation, “You must know that there will survive a *p'leita* through which *Klal Yisrael* will return to the level of ‘*kodesh*,’ to the complete *geula*.”

This is the idea of having that *pasuk* on the entrance of the yeshiva. Not that the hill of Yeshivas Ponovezh is Har Tziyon, and not that the yeshiva is the entirety of all *kedusha*. Rather, it is to have a reminder in writing that no one should think that some new foreign country can be established and prevail and Torah practically cease to exist; on the contrary, a survival, a *p'leita*, will always remain, and through it *Klal Yisrael* will attain its destiny.

Being that such a thing is difficult to comprehend, that ten men learning together can bring *Klal Yisrael* to the level of *geula*, it is worthwhile to dwell on this.

It is well-known (though I don't know who was *zoche* to be *mechadesh* it) that in the listing of the ten sons of Haman in *Megillas Esther* there are a few small letters: *tav, shin, zayin*. These hint to the hangings of the ten Nazi leaders *yemach shemam* in Nuremberg in 5707 (October of 1946). To fully explain this *remez*, we know that throughout our existence there has never been a shortage of those who hate *Klal Yisrael*; in every generation our enemies attempt to destroy us. Nonetheless, with Hashem's kindness, there have only ever been two enemies of the Jews who have ever had the practical ability to completely annihilate us: Haman *yemach shemo*, and the evil one of our generation *yemach shemo*. And when the power of *kedusha* ultimately prevails and they are defeated, there no longer remain in existence people like them with such power. But there do remain many other enemies, the “*b'nei Haman*”, who don't individually have enough power to orchestrate their designs, but this is only when they are taken individually. When they come together to form a group - ten *resha'im* together - then certainly they have the ability to persuade those in power and to put into action their plans to annihilate the Jewish people. This is what Esther meant when she said, “Give to us tomorrow as well... and the sons of Haman will be hanged.” That is to say, even a *tzibur* of *resha'im* should not remain. And this too was

the impact of the hangings in 1946; the destruction of a *tzibur* of *resha'im*.

The power of *kedusha* is infinitely more than that of *tumah*. Only a small amount of light can drive away a lot of darkness. Thus, if a small group of ten *resha'im* can destroy all of *Klal Yisrael*, how much more so that a small group of *lomdei Torah* is able to rebuild *Klal Yisrael* and lift them to the ultimate level of *kedusha*.

Even though no one would compare all of the above to any development of our own time, nonetheless we do see a shadow of it in the many *kollelim* that reside in cities all over the world. The great *gedolim* like the Chafetz Chaim, the Chazon Ish, and the Brisker Rov have gone to their rest and have left us to suffer their absence. So too the *chassidim* have not merited today to have leaders even close to the caliber of those from the previous generation. What remains is the ten men, the *tzibur* of *bnei Torah* occupying themselves, toiling, lifting themselves through Torah. Hashem should grant them a place in every city. Many have returned to their faith through them. In them is shrouded that small amount of light which can push away the clouds of darkness.

Originally in America, *rabbanim* went out to serve in cities throughout the country. After that, eventually, the *kollelim* started to spread. And the latter were more successful than the former, which is to some extent due to the secret of the power of the *rabbim*. An individual involved in Torah and *mitzvos* cannot be compared to a community of those involved in Torah and *mitzvos*. It is not merely a collection of individuals, for if so, ten people should not be able to impact more than ten times the amount of a single individual. Rather, it's a different matter entirely; it's a *rabbim*, a community.

This creates a huge responsibility on the part of the members of the *kollel* and on its supporters. The future of *Klal Yisrael* depends on them.

Bereishis



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The Battle of Brothers: Sibling Rivalry vs. Symbiosis – What Wins Out?

DAVID R. SCHWARCZ



Sibling rivalry and its deleterious consequences is a recurring motif in *Bereishis*. According to the New World Encyclopedia, sibling rivalry refers to competition that exists among brothers and sisters for attention. Sibling rivalry happens in most families, as nearly 80% of all families in the Western Hemisphere have at least two children. The subject of rivalries among siblings isn't unique to the Western countries of the world, though. The main purpose of this article is to investigate the well-known examples of sibling rivalry in *Bereishis* as an instructive model for understanding the dynamics of this rivalry.

Kayin and Hevel

The most well-known example of a sibling rivalry in history would probably be the story of Kayin and Hevel. In *Bereishis* 4:1-19, Kayin is shown as a “tiller of soil” while Hevel becomes the keeper of sheep, a shepherd. In the course of time, Kayin brought an offering of “fruit of the soil,”¹ and Hevel brought the healthiest, choicest firstling of his flock of sheep as his offering. The story goes on to show that God was very pleased with Hevel's offering, but ultimately rejected Kayin's. Kayin was disheartened and God explained to him that if he is upset, he merely needs to “do right” to be uplifted. Kayin became jealous of God's approval of Hevel, and instead of heeding God's words, Kayin directed his anger towards Hevel, luring his brother away into an open field to kill him.²

¹ According to Rashi the “crop” was flax or flax seed.

² According to the *Midrash Agadda*, the term “he rose up” refers to the fact that Kayin instigated an argument with Hevel and Hevel threw Kayin down and lay beneath Hevel. Whereupon Kayin begged for mercy saying: “We are the only sons in the world. What will you tell Father (*viz.* Adam) if you kill me?” Hevel was filled with compassion and his released his hold, whereupon Kayin rose up and killed Hevel. Rashi omits this *midrash* in

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There are a number of theories when it comes to finding the root of sibling jealousy and endless combinations of possible factors. In some cases, perhaps the first-born child received the most love from his parents. In other cases, it was the brilliant and extremely good-looking child. Researchers agree, no matter which side of the spectrum a person is on, those childhood feelings can manifest themselves into ugly resentment.

The Torah records that Kayin was jealous of Hevel because God showed favor to Hevel's sacrifice and rejected Kayin's.³ It is apparent that Kayin envied Hevel for his approval from God. Kayin was deeply fired with anger in response to God's apparent favoritism and his countenance fell. God responded to Kayin's indignation by stating "is it not true that if you do good you will be forgiven? But if you do not do good at the entrance, sin crouches; its longing is toward you, yet you will rule over it." (*Bereishis* 4:7) Instead of taking heed to God's advice about improving his conduct by committing himself to the performance of good deeds, Kayin blames his brother Hevel for his shortcomings. Such resentment and frustration leads to the first fratricide recorded in the Torah.

Being frustrated and even jealous with a sibling for "outshining" you is something a lot of people can relate to. Even for people without siblings, but with cousins or peers, there is a competition for attention from parents, teachers, etc. This phenomenon happens constantly, but seldom becomes violent. Why then was Kayin driven to kill his brother? After a close look at the story of Kayin and Hevel, and the dynamics happening in the story, it seems that ultimately Kayin was not willing to sacrifice more for God. Instead of striving to "do right" like God told him, Kayin took the "easier road" and tried to eliminate his competition. Kayin's unquenchable desire to eliminate the competition, instead of genuinely engaging in self-reflection and sacrifice for the better good of mankind, sowed the seeds for an endless societal class struggle. Indeed, Kayin's sacrifice of "flax seed" pruned from an open field lacked sincerity and evinced his inner desire to flout his wealth and to garner false

his attempt to explain why the verse fails to state what Kayin said to Hevel that resulting in Kayin killing Hevel. The plain meaning of the verse that Kayin initiated an argument with Hevel was the pretext for murdering his brother Hevel.

3 See the following excerpt: "What is sibling rivalry? Sibling rivalry is the jealousy, competition and fighting between brothers and sisters. It is a concern for almost all parents of two or more kids. Problems often start right after the birth of the second child. Sibling rivalry usually continues throughout childhood and can be very frustrating and stressful to parents. There are lots of things parents can do to help their kids get along better and work through conflicts in positive ways." (Written and compiled by Kyla Boyse, R.N. Reviewed by Brenda Volling, Ph.D. Updated October 2011.)

recognition of his mock generosity.⁴

The *Kli Yakar*, commenting on the words “*Vayehi miketz yamim*, After a period of time” (*Bereishis* 4:3), posits that the hidden meaning of this phrase is that Kayin and Hevel developed different perspectives on the meaning of life. As a landowner and tiller of the soil, Kayin perceived this world and its bounty as the ultimate goal of man. On the other hand, Hevel, a shepherd like our Patriarchs, wants to sacrifice self in the service of others, to live in obedience to Hashem, to have a cohesive soul that owns creation and recognizes that the ultimate fulfillment of Hashem’s blessing is the World to Come.⁵ The tension between these perspectives exists within all of us, as aptly portrayed in Rav Yosef Dov Soloveitchik’s classic essay “*The Lonely Man of Faith*.”⁶

Based on *Shemos Rabba* 31:18, the *Kli Yakar* astutely observes that Kayin and Hevel’s choice of occupation demonstrated their respective contrasting life priorities. Kayin chose to be the master of destiny by owning land and have workers toil the fields while Hevel chose the contemplative life of watching flock and caring for their needs. Kayin viewed the “*miketz yamim*, period of time,” as this world, with a finite bounty meant to be amassed as an end unto itself. Hevel, on the other hand, viewed this world as an opportunity and call to seek a higher order of service of Hashem.

Indeed, God’s response to Kayin after Hevel’s murder is quite instructive and telling. Like a father trying to engage his son in a constructive dialogue, God inquires of Kayin as to the whereabouts of his brother Hevel. In mock defiance of God’s rhetorical question, Kayin misses the grand opportunity to confess his sin and commence the process of repentance. Instead, Kayin cynically responds “Am I my brother’s keeper?” (*Bereishis* 4:10) Wherein God chides Kayin “The voice of your brother cries out to Me from the ground!”⁷

God seized the opportunity to mete out the appropriate remedial punishment based on the forewarning to Kayin not to be jealous of his brother but rather to learn from him to do acts of kindness to better serve society at large. Put simply, God adjured Kayin: don’t view Hevel as your fierce competitor but rather as a partner.⁸

⁴ See the *Kli Yakar*’s commentary on *Bereishis* 4:3-5.

⁵ Brooks, David - *The Road To Character* (Random House, 2016), pages 10-12

⁶ Soloveitchik, Rabbi Joseph B, *Lonely Man of Faith*, Tradition 1963

⁷ *Bereishis* 4:10 – “*D’mai*,” bloods - the word is in the plural implying that Kayin’s crime was not limited to one person; he had shed Hevel’s blood and the blood of his descendants. (Rashi; *Sanhedrin* 37a)

⁸ See the *Kli Yakar* on *Bereishis* 4:2, “*Gam Hu*,” based on the *Tzror Hamor*. Hevel waited one year before he decided to bring a sacrifice like his brother Kayin. Kayin took issue with the fact that his younger brother copied his noble act and outshone him by bringing a sacrifice from the “firstlings of his flock and from their choicest.” The Sages derive that Kayin’s offering was from the inferior portions of the crop, while Hevel chose only the

God's response to Kayin's rhetoric "Am I my brother's keeper?" is yes, Kayin, you are responsible for your brother's welfare, just like all members of society are responsible for each other's welfare. Accordingly, God declares to Kayin that he will live as a sojourner in exile throughout the world, to act as a facilitator for people to properly integrate into their respective communities. Kayin will gain repentance by helping and influencing others to build productive families, communities and societies at large.⁹

Yosef and his Brothers

This isn't the only example of this course of action being taken in the Torah. Another shining example of siblings trying to eliminate their competition out of jealousy and rage is in the story of Yosef.

Bereishis perakim 37 - 50 depict the life of Yosef. As indicated in 37:3-4, Yosef's father, Yaakov, loved him more than the other sons. Yaakov regularly displayed this affection and even made Yosef an ornamented tunic. This bestowment of affection to Yosef angered his brothers. Yosef was one of twelve and was a dreamer. In Yosef's first dream, the brothers' bound sheaves were all laying in a field when suddenly Yosef's stood upright and his brothers' sheaves all began to bow to his. Yosef's second dream was very similar in that eleven stars, and even the sun and the moon, were bowing to him. Yosef's brothers were infuriated by his dreams as shown in 37:11, where it says his brothers were "wrought up at him."

Later on, Yosef's father sent him to meet his brothers who had been pasturing in a distant area. When Yosef's brothers saw him approaching from afar, they plotted to kill him. But Reuven protested the idea of bloodshed and suggested abandoning Yosef in the wild instead. So the brothers agreed to throw Yosef into a pit and leave him to die. But Yehuda also seemed apprehensive about killing their brother as shown in the following verses:

"And they sat down to eat bread: and they lifted up their eyes and looked, and, behold, a company of Ishmaelites came from Gilead with their camels bearing spicery and balm and myrrh, going to carry it down to Egypt. And Yehuda said unto his brethren, what profit is it if we slay our brother, and conceal his blood? Come, and let us sell him to the Ishmaelites, and let not our hand be upon him; for he is our brother and our flesh. And his brethren were

finest of his flock. Therefore, Hevel's sacrifice was accepted, but not Kayin's (Ibn Ezra, Radak).

⁹ *Gutnick Chumash, Bereishis 4:12-16*, excerpted from Rabbi Menachem Mendel Schneerson's *sichos* that Kayin is the archetype or a model for the penitent.

content. Then there passed by Midianite merchants; and they drew and lifted up Yosef out of the pit, and sold Yosef to the Ishmaelites for twenty pieces of silver; and they brought Yosef into Egypt.” (Bereishis 37: 25-28).

Yosef’s story is similar to the story of Kayin and Hevel in that jealousy and envy were the driving sources of the sibling rivalry. Where Kayin was jealous of the favor from God, Yosef’s brothers were jealous of the favor from Yaakov. Where the stories begin to differ is when Yosef has his dreams. Yosef has dreams of his brothers bowing to him, and this propels the brother’s envy and frustration into full-out hatred for Yosef. The brothers even plotted to kill Yosef, but some of them did not wish to see him dead. This could indicate the possibility of differing relationships among the brothers and Yosef. This seems reasonable because the relationship between two individuals is always unique. But in the end, all of the brothers desired for Yosef to be out of the picture, and accomplished this by selling him into slavery.

In the case of Yosef and his brothers, there was no “brotherly love.” There was, instead, envy and hatred. It would seem the dynamics of the family had an extreme effect on the relationship of the siblings. Anger and resentment were propelled by agitation (Yosef’s dreams), resulting in a horribly intense sibling rivalry. Another example of family dynamics in a sibling rivalry of the Torah is the story of Yosef’s father, Yaakov.

Eisav and Yaakov

The third case of sibling rivalry was vividly portrayed by Eisav and Yaakov in their tussle for their father’s blessing. Yaakov tricked Eisav into giving up his birthright one night while in the wilderness. When Eisav heard that Yaakov had deceitfully taken his blessing, he burst out bitterly. He held a grudge against Yaakov and even planned to kill him. When did it all begin? It started when Rivka, Yaakov’s mother, overheard Yitzchak, Yaakov’s father, decide to bless Eisav. She then schemed to obtain the blessing for Yaakov (*Bereishis 27:8-10, 14-17*). But we have to go further back to find the reason for the sibling rivalry.

Rivka knew that God had chosen Yaakov from the beginning (*Bereishis 25:23*). She could have reminded Yitzchak, but she didn’t. And why did Yitzchak choose to bless Eisav? It was improbable that Rivka never told Yitzchak that the older Eisav would serve the younger Yaakov. It might well be that Yitzchak was present when God told Rivka of His choice of the younger. How could we account for the separate actions of Rivka and Yitzchak?

Rivka and Yitzchak were united in marriage but separate in their view of Eisav's recalcitrance. Accordingly, Yitzchak believed that Eisav required his blessings to reform his conduct and serve God through good and proper action. Rivka, on the other hand, understood Eisav's true intractable nature as an inveterate warrior.¹⁰ Even after the deception, Rivka was not speaking the truth with Yitzchak for fear that Yitzchak would die from the grief and Eisav would kill Yaakov.¹¹ When Yaakov had to flee from Eisav's anger, the reason that Rivka gave for Yaakov's departure was that she did not wish for Yaakov to make the same mistake of marrying a Hittite or Canaanite woman (*Bereishis* 26:34-35, 27:46-28:2). Eisav's character flaw(s), coupled with the fear Eisav instilled in the family, spurred this rivalry and caused a schism in the family.

How parents "fight" or "don't fight" in front of their children communicates lessons in life about how to treat others. Rivka had to retrieve the blessings that were going to Eisav and have Yitzchak bless Yaakov in order to prevent Yitzchak from a grave error. Yitzchak was blind to Eisav's true nature as he was a son of a holy union, Avraham and Sara, and could not bring himself to believe that his eldest child was a derelict. Thus Rivka, who grew in the house of two very wicked men, her father Bethuel and her brother Lavan, understood quite well Eisav's savagery.

Kayin and Hevel Redux

The fourth example of family rivalry in the Torah is the second encounter of the Kayin and Hevel by way of Korach's rebellion in the desert after the sin of the spies (*Bamidbar* 16-21). Based on the Arizal (*Likutei Torah Zohar*), Korach was the reincarnated soul of Kayin and Moshe was the reincarnated soul of Hevel. Korach challenged Moshe's leadership after being passed over by his cousin Moshe for the appointment of head of the tribe of Levi. Similar to Kayin and Hevel, Korach maintained that he was equal to Moshe in stature, wealth, knowledge and followers. Korach denied the validity of Moshe's appointment as the leader of Israel. Similar to the Kayin and Hevel story, Moshe responded to Korach's contention by challenging him to bring a competing *ketores*¹² sacrifice in firepans. Moshe declared that whoever's offering God responded to would be shown to be the truly appointed leader.

¹⁰ *Nesivos Shalom, Parshas Toldos*: "And Yitzchak Loved Eisav," pages 161-165

¹¹ Rashi on *Bereishis* 26:42 states that Rivka was told via *ruach hakodesh* that Eisav conspired in his heart to kill Yaakov after the death of Yitzchak.

¹² *Ketores* is the transliteration of the Hebrew word קטרת, which is translated, in English, as incense. The word *ketores* means bonding or connecting. *Shemos* 25:1.

Instead of accepting Moshe's leadership, Korach becomes emboldened by Moshe's challenge and blindly faces the dire consequences of a failed *ketores* offering, which is death. This time around, Korach, like Kayin, seeks God's approval for the purposes of securing his own personal honor, and in the process, vainly attempts to eliminate his challenger Moshe like Kayin tried to eliminate his challenger Hevel.

In this iteration, unlike Hevel, Moshe vanquished his challenger. In the story of Korach, God intervenes and causes the earth to swallow up Korach and his 250 followers. Unlike Kayin, Korach is consumed by the earth and not afforded the opportunity to repent while Kayin's life was spared for his brother's murder and given a second chance to serve God in an altruistic way. Korach's children, on the other hand, take heed to their father's fatal actions by repenting and becoming model leaders of the Jewish People.

Conclusion

Sibling rivalries tear apart families, friendships, communities, states and nations. The deleterious effects of baseless hatred reverberate throughout the centuries. The possible antidote to sibling rivalry is "sibling symbiosis" - a cooperative relationship between siblings, partners and God. To achieve a truly cooperative and mutually beneficial relationship, one must gain perspective of one's life-goals and the appropriate path for accomplishing them.

Each individual is given certain unique tasks to fulfill. In order to properly engage in the process, one must be willing to accept guidance and mentoring from teachers, family, friends and mentors.

This process is commonly referred by the kabbalists as the "*mashpia* and *mekabel*, mentor and recipient." The role model for this process was God who taught Moshe the entire Torah over a forty-day period. Moshe received all the Divine knowledge of the Torah and in turn became the *mashpia* for the children of Israel and taught them the entire Torah. Just like a mother nurtures a fetus for nine months, God spiritually nurtured Moshe for forty days in order to transform Moshe from the receptacle of Divine knowledge to law-giver for *Bnei Yisrael*.

Likewise, God and our parents are *mashpi'im*, influencers, that nurture and enable us to transform into influencers of our families, friends, and society.

It is not a mere coincidence that the term "social influencers" has gained wide currency. To achieve a cohesive society and avoid the grave pitfalls of the misguided path to rivalry, our "social influencers" must impress on their respective followers the call for unity and not despair. The challenge is to help each person meet their

life challenges so they can make their vital contribution to society. Eliminating your competition will only sow seeds of further destruction like Kayin and Korach.

I would like to dedicate this article to my parents Dr. Theodore Schwarcz and his beloved wife Frieda Schwarcz *YBH*, who passed away on the 20th of Kislev and 18th of Adar of this year. My parents were my *mashpi'im* who guided me to do good, build a family and contribute to *Klal Yisrael*.

As a survivor of five death camps, my father defied all odds and helped build the Jewish community in Far Rockaway, NY. With my mother's unconditional and strong support my father literally rose from the ashes of Auschwitz to become the president of the White Shul in Far Rockaway, a prominent dentist and a decorated soldier in the American Army. In the face of horrific atrocities, my parents stood tall and boldly responded to the call to rebuild Judaism in America and Israel. In my parents' merit, may their memory serve as a shining light and inspiration for all of us to strive to unite all of Israel until the coming of the *Mashaich*.

Being Polite is not Good *Middos*

RABBI DAVID MAHLER



The *gemara* in *Sotah* (14a), expounding on the Torah's exhortation for each person to "walk in God's ways," wonders how that is conceivably possible.

The *gemara* explains that the Torah is ostensibly mandating that we walk in His ethical ways. Interestingly, Judaism provides *halacha* as a guide for one to "walk" after Hashem; *halacha* comes from the same root word as "walk." As *halacha* is the legal body of thought which seeks to guide man's every action toward personal fulfillment, transcendence and *dveikus*, we would expect to find *halachic* literature filled with ethical pronouncements designed to direct man's actions to this end. However, it is startling to find that there are a plethora of *halachic* directives concerned with the importance of beauty as opposed to the ethical. Much more so than moral mandates, the literature is filled with statements defining and directing one's appreciation of the aesthetic.

In the *gemara* in *Berachos* (57b), *Chazal* extol the beautiful home, wife and other things that help to "expand the mind of man." However, beyond mere appreciation, the *gemara* (*Shabbos* 133b) concretized it into action, specifying that *mitzvos* are to be performed in a beautiful manner as an expression of our close relationship with Hashem. This is generally referred to as *Hiddur Mitzva*.

Many have tackled the issue of creating ethically upstanding human beings while at the same time valuing the seemingly superficial. I would like to address the confrontation between the aesthetic and ethic in the realm of *chinuch*.

Immediately after Noach and his family are saved from the flood, Noach offers a *korban* in an act of gratitude to Hashem for having allowed him to survive. A short while afterwards, the Torah tells us that Noach's next act was to plant a vineyard.

From that point on, things begin to spiral downward. Noach becomes overly intoxicated and debases himself.¹ According to the *pesukim*, he uncovers himself inside his tent.

¹ Rashi 9:20

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The Torah tells us that two of Noach's three sons, Shem and Yefes, come to his assistance:

ויקח שם ויפת את השמלה וישימו על שכם שניהם וילכו אחרנית ויכסו את ערות אביהם ופניהם אחרנית וערות אביהם לא ראו. (בראשית ט:כג)
Shem and Yefes took the garment, put it on their shoulder, walked backwards and covered their father's nakedness, they faced backwards and didn't see their father's nakedness. (Bereishis 9:23)

Rashi (9:23) is bothered by the grammatical usage of the word *vayikach* (and he took). Why did the Torah choose to employ the singular form of the word and not the plural, *vayikchu*, since there were seemingly two people, Shem and Yefes, taking hold of the garment in order to cover their father? Rashi explains that the verb is in the singular form because only Shem took the initiative in this virtuous act. Yefes simply joined along after.

Rav Gedalyah Schorr, in *Ohr Gedalyahu*, (*Mo'adim, Chanuka*) beautifully develops the idea proposed by Rashi. He explains that from a distance, both Shem and Yefes seemed to perform the identical, compassionate and respectful deed of covering Noach, yet only Shem was rewarded with the promise of Hashem's presence, while Yefes was given the rewards of external beauty, art and culture. How could they have received such different rewards for the same act? The *Ohr Gedalyahu* powerfully explains that in essence, their rewards were perfectly fair. Yefes was motivated to cover his father by external factors (what will the neighbors say?) and so his reward was external. He followed Shem's lead because he didn't want to be seen as having "done the wrong thing" in other people's eyes. However, seeing his father in such a compromised state did not affect him on an internal level. Shem, by contrast, was broken by the sight of his father lying unclothed. Shem was motivated by intrinsic reasons and so he was rewarded with a gift of intrinsic value. Rav Schorr emphasizes the destructiveness of beauty that is only external.

This interpretation by the *Ohr Gedalyahu* teaches us a profound lesson in parenting. Effectively, he is pointing to the distinction between *middos* and civility. Yefes was polite. He acted according to the socially accepted norms. But his actions were merely external. On the other hand, Shem's behavior was fueled by *middos*. His actions sprung from a pure internal self. Shem was a *ba'al middos*.

Similarly, the *Shem MeShmuel* notes that when one criticizes someone because of an external fault, very often its root cause is because the criticizer is himself a superficial person.

Often, we evaluate other people's – and more destructively, our children's – level of *middos* development by external criteria – i.e. politeness. We might comment that we are so proud of them because they always say “excuse me” before interrupting one of our conversations, or offer a “thank you” when receiving a gift or added privilege.

However, we must be vigilant not to be fooled by appearances or social graces. When we try to develop *middos* in our children (or in ourselves, for that matter) it is imperative that we have a clear understanding of the essence of the *middos* and not focus merely on its external manifestations. If we are derelict in this parental responsibility, our children might suffer for it. Rav Moshe Kestenbaum (*Olam HaMiddos*, Chapter 1) uses the parable of a building to highlight this point. Often, when assessing the beauty of a large building, we are impressed and awed by its architectural design and majestic beauty. However, we all know that the most critical aspects of a building are its foundation and the strength of its walls. The same is true with people. Their *p'nimius* is their *yesod*, foundation. The ornate design and modern appeal is simply the external. The *middos* are critical. The manners are secondary, and according to Rav Kestenbaum, if manners are present *sans* genuine *middos*, the person will crumble.

Yehi ratzon, may it be Hashem's will, that we have the privilege of raising children who are genuinely empathetic towards others, truly happy and authentically altruistic.

Noach and the Tools of *Kefira*

RABBI YAAKOV SIEGEL



The heresy of our generation is strikingly similar to the heresy of the *dor hamabul*, but that might just be because human nature doesn't change.

When Hashem first tells Noach about His plans for the *mabul*, He says “*v'hineni mashchisam es ha'aretz*,” behold I am destroying them with the earth (*Bereishis* 6:13). The implication is that the goal of the *mabul* was not just to destroy the inhabitants of the earth, but to destroy the earth itself. Rashi (*d"h es ha'aretz*) quotes the *midrash* (*Bereishis Rabba* 31:7) that confirms this was in fact Hashem's plan:

את הארץ. עם הארץ, שאף ג' טפחים של עומק המחרשה נמוחו ונטשטשו.
 “*Es ha'aretz*” means “*with the land*,” because even the three *tefachim* of the depth of the plow were dissolved and washed away.

But why was it important for Hashem to destroy the earth itself, and not just its inhabitants? And why are we talking about plows? If it is important to know that the top three *tefachim* of soil were washed away, Rashi and the *midrash* can simply say so. Why did Hashem specifically want to wash away the *omek hamachareisha*, the depth of the plow?

Plows and Perspectives

The plow actually plays a very important role in the Noach story. Recall the origin of Noach's name (*Berishis* 5:29):

ויקרא את שמו נח לאמר זה ינחמנו ממעשנו ומעצבון ידינו מן האדמה אשר אררה ה'.
 [Noach's father, Lemech,] called his name “Noach”, saying “he shall comfort us from our work and from the sad toil of our hands, from the earth that Hashem has cursed.”

Rashi (*d"h zeh yinachameinu*) explains based on the *midrash* (*Bereishis Rabba* 25:2):

זה ינחמנו - יניח ממנו את עצבון ידינו. עד שלא בא נח לא היה להם כלי מחרשה והוא הכין להם והיתה הארץ מוציאה קוצים ודרדרים כשזורעים חטים מקללתו של אדם הראשון ובימי נח נחה וזהו ינחמנו ינח ממנו.

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The sad toil of our hands shall be eased [yaniach] by him. Until Noah came, they did not have a plow and he invented it for them. The land would bear forth thorns and thistles when they would plant wheat because of the curse of Adam Harishon. And in the days of Noah this was eased, and this is the meaning of “yinachameinu”, it shall be eased [yinach] from him.

So Noah was the Thomas Edison of his time. By inventing the plow, he dramatically improved the quality of life for humanity. Long before the flood and the ark, Noah was one of the most important people in human history.¹

But what is the simple translation of the word “*yinachameinu*”? We translated it above as “he shall comfort us”. While this is consistent with the colloquial translation of *nichum*, comforting, it might not be the most accurate translation of the word. At the end of *Parshas Bereishis*, when Hashem recognized how depraved and vulgar man’s behavior had become, the *pasuk* says (*Bereishis* 6:6), “*vayinachem Hashem ki asah es ha’adam ba’aretz.*” Rashi and Onkelos translate this as, “Hashem changed his mind about having made man upon the earth.” Rashi supports this translation by explaining:

ויתעצב: כל לשון ניחום שבמקרא לשון נמלך מה לעשות... (שמות לב) וינחם ה' על הרעה (שמואל א טו) נחמתי כי המלכתי כולם לשון מחשבה אחרת הם.

All expressions of nichum in scripture mean changing one’s mind about what to do ... like (Shemos 32:14) “Hashem changed his mind about the bad [He said He would do],” and (Shmuel I 15:11) “I have changed my mind about having made [Shaul] king” All of these are expressions of changing one’s perspective.²

1 This origin of Noah’s name is altogether ironic. Noah is most famous for being tasked with comforting the world from the sadness of Hashem’s curse – but from an entirely different curse with an entirely different comfort – it was his job to rebuild the world after the flood. Noah was surely told from a very young age that he had a very specific and critically important mission to fulfill in his life, to comfort humanity from God’s curse. And remarkably, he was given the opportunity to fulfill that very mission twice in his life! Perhaps recognizing this can help us understand *Chazal’s* criticism (*Bereishis Rabba* 36:7) of Noah for planting a vineyard as soon as he exited the ark instead of planting something more constructive. True, Noah was born to comfort the world from Hashem’s curses, but he already did that once by inventing the plow. When he was given a second opportunity to fulfill his life’s mission by rebuilding a productive God-focused society, he passed, and chose to numb the sadness through wine rather than comfort it through rebuilding. Perhaps the lesson *Chazal* are teaching us is that even after one thinks that he or she has accomplished enough of his or her life’s mission, one can’t simply retire. One must always seek to accomplish more and more, because if Hashem is giving a person more life, surely He is also giving the person more goals.

2 Our most common usage of *nichum* is in the context of *nichum aveilim*, comforting or consoling mourners. How does Rashi’s definition of *nichum*, changing one’s perspective, fit with the idea of *nichum aveilim*? In a

But how does this definition of *nichum* fit with Noach and his invention of the plow? Sure, Noach's plow comforted humanity by easing the agricultural curses they inherited from Adam, but in what way did the plow change man's perspective?³

The Tools of *Kefira*

Imagine you were a farmer at the time of Noach's amazing plow invention. Before the plow, your job was brutal. After a backbreaking season of planting, your field was just as likely to grow thorns and thistles as it was the wheat you were hoping to harvest. Heartbreaking yes, but you did know the reason for your misery. God cursed the land because of Adam's sin, promising him (*Bereishis* 3:17-18), "in misery shall you eat from the land, as thorns and thistles shall grow for you." And you knew this because it was the story that had been told in your family for hundreds of years.

But then Noach invented the plow, and the curse evaporated. No more misery and no more thorns. Instead, a much easier life and a bounty harvest of wheat. But what happened to the curse – why did it just stop? It could be that God was appeased, there was an expiration date to His curse,⁴ or God just decided to show mercy to

moving speech Vice President Joe Biden gave to surviving families of fallen military heroes (May 25, 2012), the Vice President answers this question: "There will come a day, I promise you and your parents as well, when the thought of your son or daughter or your husband or wife brings a smile to your lips before it brings a tear to your eye. It will happen. My prayer for you is that day will come sooner." <<https://www.youtube.com/watch?v=GwZ6UfXm410>> Helping that day come sooner for a mourner is the definition of *nichum*.

3 It is important to note that Rashi (5:29 *d"h zeh yinachameinu*) provides the *drush* translation of *yaniach mimenu* it shall be eased because of him, instead of a *p'shat* translation using the root נחם. (In fact, many of the *p'shat*-focused commentaries, including Ibn Ezra, Redak, S'forno, and Onkelos provide the *p'shat* translation using the root נחם.) Rashi himself states that he uses the *drush* translation because he is bothered by the question of why was his name Noach instead of Menachem. It is possible that Rashi is also bothered by the question we posed – in what way could Noach's plow present a change in man's perspective – the proper translation of the root נחם according to Rashi.

Regarding the question of why would his name be Noach if the root of *yinachameinu* is the נחם, the *Sefer Hazikaron* (written in Tunis in 1507 by Rav Avraham Ben Shlomo Levy-Bacrat one of the *gedolei Torah* exiled from Spain in 1492) points out that throughout Tanach, names aren't necessarily clean matches with the root word of the reason for the name. Shmuel, for example in *Melachim* I 1:20, was so named by his mother Chana, "*ki meiHashem sh'iltiv*". Similarly Yabetz, in *Divrei Hayamim* I 4:9, was so named by his mother, "*ki yaladti b'otzev*", again not a direct match of the root word. The *Sefer Zikaron* offers an interesting speculation as to the source of these and many other names. He suggests that when parents had a specific reason for giving a name, sometimes rather than inventing a new name, they would just use a name that has previously been used that is similar to their intended meaning. This would be similar to parents now, who might add the name Nachum or Nechama when naming after a relative that died young. The *Sefer Zikaron* suggests that Noach was a name already in use, and his father chose it because it was similar to *zeh yinachameinu*.

4 In fact, there is a *midrash* (*Yalkut Shimoni Bereishis* 5:42) that says that Adam Harishon was told of the curse's

mankind. Or perhaps there was a simpler – and less naïve – explanation. Perhaps people were just lousy farmers without the right tools to farm efficiently. Perhaps God and His curse were nothing more than an old wife’s tale, while the real reason farming was so difficult was because Noah had not yet invented the plow. And now that he did, belief in God – and the accountability He demands – could be dismissed and disregarded.

With this in mind, we can reread and retranslate the pasuk describing the origin of Noah’s name, and it will now be consistent with Rashi’s rule that “all expressions of *nichum* in scripture mean changing one’s perspective”:

זה ינחמנו ממעשנו ומעצבון ידינו מן האדמה אשר אררה ה'.

He shall change our perspective about our actions and the sad toil of our hands, from believing about the earth that it was cursed by God.

We used to think, said the *dor hamabul*, “*adama asher eirirah Hashem*,” that Hashem cursed the earth. But “*zeh yinachameinu*,” Noah has helped us change our perspective. Because of Noah’s invention – a triumph of human innovation – people were now able to deny one of God’s most obvious roles in the lives of mankind – that He is the *nosein lechem lichol basar*, the provider of food to all.

Unwittingly, Noah had just invented the tools of *kefira*.

And this was only the beginning. The subsequent 4,000 years of human history have been filled with non-stop scientific and technological innovation that have dramatically changed the way we live our lives and understand the universe. And depending on our perspective, each of these innovations and discoveries can strengthen our understanding of, and relationship with, Hashem. Alternatively, *lo aleinu*, one could use these advancements and discoveries to cloud his recognition of Hashem, and even deny basic principles of our faith. Or in the words of *Hoshea* (14:10), “*ki yesharim darchei Hashem v’tzadikim yelchu vam, u’poshim yekashlu vam*,” for the ways of Hashem are straight, and the righteous walk along them while the sinners trip over them.

Forexample, let’s take the twentieth century’s discoveries of penicillin and vaccines for childhood diseases. Prior to these miraculous discoveries, every mother who did not lose a child to simple infections or childhood diseases had a close friend who did. What mother could even consider *not* praying every day for her children’s’ health and

expiration date. When Hashem told Adam of the curse, he responded “until when?” Hashem told Adam that the earth would remain cursed until someone was born circumcised. Noah was born circumcised, so Lemech named him “Noach” with the hope that his son would be the one who would reverse the curse.

well-being. But as infant and child mortality plummeted, mothers could respond in two ways. They could increase their prayer – now in appreciation of the millions of children Hashem (with the *chochma* he implanted in man) has saved from infection and disease. Or, *u'poshim yikashlu vam*, they could decide now that their children were safe, that there were no more reasons to pray.⁵

Or let's take the discovery of DNA (1953) and the mapping of the human genome (2001). One could marvel at the spectacular complexity with which Hashem programmed every person's *mazal*, talents, and *techunos hanefesh*, their natural predispositions. One could now – under a microscope – see exactly how Hashem gives people the unique natural tools they need to complete their life's missions. Or one could say, "*v'lo Hashem pa'al kol zos*," God has nothing to do with who we are as people. What we thought were God-given talents or unique brachos from Hashem are nothing more than the fallout from random sequences of lipids and nucleotides.

There are countless more examples, but it all started with the plow. The people who ultimately became known as the *dor hamabul*, could have taken the plow, and used it as a tool for appreciation of Hashem's kindness and a tool for His service. But instead, they chose to use it as a tool of *kefira*.

Washing Away the Depth of the Plow

We can now understand the message of why Hashem wanted to wash away the *omek hamachareisha*, the depth of the plow, when he brought the *mabul*. The plow had allowed the introduction of heresy into the world. Armed with the know-how to grow their own food, the people of the *dor hamabul* were able to deny Hashem's *hashgacha* and interaction with this world, or even His very existence. The godlessness of their world easily allowed them to slip into the intense moral corruption described at the end of *Parshas Bereishis*. Thus, the purpose of the *mabul* was not just to destroy a generation of evil; it also needed to destroy the source of their evil. It had to destroy their heretical denial of *hashgochas* Hashem which came directly from the plow which enabled them to control their source of food. And thus, Hashem's miraculous and overpowering intervention did everything needed to emphatically prove His existence, omniscience, power, and providence. The *mabul* succeeded in completely washing away *omek hamachareisha*.

⁵ This response is very similar to the well-known *mashal*: A person – late for an important meeting – is frantically circling the streets of downtown looking for a parking spot. In desperation he cries out, "Hashem, if you give me a parking spot, I will give a thousand dollars to *tzedaka*!" At that very moment, a car pulls out right in front of him giving him a parking spot just a few steps from the meeting. So he turns to Hashem and says, "never mind – I just found one."

But for whom was this lesson? Who was around to witness and be inspired by this incredible demonstration of *hashgocha*? While the exodus from Egypt had a similar goal: “*lima’an teida ki ani Hashem b’kerev ha’aretz*”, to ingrain belief in *hashgocha* within the Jewish people, in Egypt, the Jews were present to witness all of the miracles. But with the *mabul*, for whom did Hashem wash away the *omek hamchareisha*?

Perhaps for Noach himself.

Does the Inventor Believe in his Invention?

One of the more puzzling comments of Rashi and *Chazal* on the story of Noach is their questioning of the seriousness of Noach’s *emuna*. Rashi (7:7 *d”h mipnei mei hamabul*) based on *Bereishis Rabba* (32:6) says:

אף נח מקטני אמנה היה. מאמין ואינו מאמין שיבא המבול ולא נכנס לתיבה עד שדחקהו המים.

Even Noach was of those with little faith in Hashem. He believed, yet he did not believe, that the flood would come. So he did not enter the ark until the floodwaters forced him.

How is it possible that Noach, who the Torah calls “perfectly righteous,” did not fully believe in Hashem? How is it possible that Noach, who spent one hundred and twenty years of his life building the ark as he was commanded by Hashem, did not fully believe in Hashem?

If we keep in mind, however, that Noach was the celebrated, world famous inventor of the tools of *kefira*, it might be possible to understand this Rashi a little bit better. Perhaps, everywhere Noach went, people would cheer him for his invention. Maybe people would run over and ask for his autograph. His name was emblazoned (at least figuratively – it’s hard to know what kind of royalties deal Noach had worked out) on the tools of *kefira* being used on every farm in the world. Isn’t it possible that this influenced his *emuna* ever so slightly?⁶

So perhaps, when *Chazal* teach us about the destruction of *omek hamachareisha*, they are teaching that one of the main purposes of the *mabul* was to strengthen Noach’s faith. With the miraculous divine revelation that was the *mabul*, Hashem

⁶ To be clear, Noach was “perfectly righteous” – it says so in the Torah. We can’t even begin to comprehend the level of faith and righteousness one needs to achieve to be called perfectly righteous by Hashem. Nonetheless, when *Chazal* say he was “*ma’amin v’eino ma’amin*” they are saying that there was some miniscule scratch in his perfect faith, which likely would be completely imperceptible to a generation like ours that struggles so much with *emuna*. I am merely speculating as to the origin of this miniscule scratch.

gave Noah tools of *emuna* – for himself, and to give over to his children and the future of humanity.

Nimrod and Traps of *Kefira*

Nimrod, Noah's great-grandson, seems to have been influenced by his own tools of *kefira*. Nimrod is described in the Torah in cryptic, but relatively neutral terms (*Bereishis* 10:8-9):

וכוש ילד את נמרוד, הוא החל להיות גבור בארץ. הוא היה גבור ציד לפני ה'. על כן
יאמר כנמרוד גבור ציד לפני ה'.

And Kush bore Nimrod, who began to be mighty in the land. For he was a mighty hunter/trapper before God. Therefore it was said, 'like Nimrod – a mighty hunter/trapper before God.'

Chazal (quoted by Rashi on these *psukim*) understand these *psukim* to be saying that Nimrod was the arch-heretic. He led the whole world toward rebellion against God at the tower of Babel, he tricked people into believing his heresy, and he recognized God, yet desired to rebel against Him. But how does the description of Nimrod as a great hunter and trapper lead to his characterization as the leader of all heretics? To become the greatest in this field, Nimrod needed technical mastery – knowledge of animal behavior and migration patterns. He needed to set complicated traps, hide effectively, and use convincing lures and calls. Being a *gibor tzayid* was actually kind of nerdy – it's not exactly like he was wrestling lions with his bare hands. So where in Nimrod's professional excellence did *Chazal* see a radical atheist (or anti-theist)?

Perhaps Nimrod blinded himself – knowingly – with his own tools of *kefira*. Nimrod, too, had the ability to control his food source. He did not need rain or good crops or even plows to remove Adam's curse. Nimrod had the hunting and trapping skills and knowledge to find dinner wherever and whenever he wanted. So he was able to rebel against God. He decided that he did not need to pray to God, worship God, or even follow the basic moral laws that God demands from every man. All because Nimrod was in control of his own livelihood and sustenance. With this approach, *Chazal* are telling us that because he was a *gibor tzayid*, because in his mind he did not need God to survive, he could be *lifnei Hashem*, he could spit, as it were, directly in the face of God.

Keeping Plows out of the Office

While we might have moved our pursuit of *parnassa* from fields and forests to office towers, the challenge remains the same. If we are ever successful at honing

our professional skill and are *zoche* to line up a few successes, we too run the risk of developing our own tools of *kefira*. We too run the risk of thinking that we don't need Hashem's help to make ends meet. But we should never forget the lesson our *zeyde* Noach was taught during the *mabul* – if our lives and livelihoods start to feel more secure, that's even more reason to double and triple our appreciation of Hashem's kindness.

A Giant Lived Among Us: Lillian Levin, a”h

LOUIS MICHELSON



Maase Avos Siman L'Banim: Events of Our Forefather's Lives are a Paradigm for Those of Their Descendants.

ויעבר אברם בארץ עד מקום שכם עד אלון מורה והכנעני אז בארץ.
Avram passed into the land as far as the site of Shechem, until the Plain of Moreh. The Caananite was then in the land. (Bereishis 12:6)

Ramban, in his commentary on this *pasuk*, explains the concept of *maase avos siman l'banim*. What happened to the *Avos* are paradigms for the events of their descendants. The Torah describes in detail the travels and the digging of the wells because they teach what will happen to the Jewish people in the future. When Avram stopped in Shechem, it served two purposes, to daven for Yaakov's sons who would fight against Shechem,¹ and to hint that years later Shechem would be the first place to be conquered by Yehoshua.

In addition to pioneering the geographic trails that their descendants followed, the *Avos* and *Imahos* also spiritually prepared the way for the Jewish people. Their character traits are akin to spiritual DNA which transmitted wonderful qualities to the Jewish people. One of the qualities most associated with Avraham is the quality of loving kindness, which is best illustrated by how he provided hospitality.

In the first *pasuk* of *Parshas Vayeira*, Avraham Avinu is sitting at the entrance of his tent in the middle of the day. *Chazal* tell us that there are lessons we learn from Avraham and what he did in a most difficult situation. It was the third day after his circumcision, when the wound is most painful and Avraham was most weakened.

¹ *Vayishlach* 34:25

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Chazal inform us that to spare Avraham the physical strain of caring for guests, Hashem brought a great heat so that no guests were up and about that day. Avraham was not content when he sent his servant Eliezer to find guests and Eliezer returned empty handed. Avraham actively wanted guests. In response to his great desire, Hashem sent him the three angels, who appeared as people.

וישא עיניו וירא והנה שלשה אנשים נצבים עליו וירא וירץ לקראתם מפתח האהל
ושתחו ארצה.

He lifted up his eyes and saw: And behold! Three men were standing over him. He perceived, so he ran toward them from the entrance of the tent and bowed toward the ground. (Bereishis 18:3)

When Avraham saw them, he ran to greet them and offered hospitality. His happiness at seeing the strangers was so powerful that he overcame his pain and weakness and the heat of the day. Avraham did not walk, he ran, to greet them, so great was his desire to offer kindness and hospitality. Even though he had many servants, he rushed to Sarah and asked her to make cakes and he personally ran to arrange for a calf to be prepared. Avraham personally served his guests and attended to them as they ate.

Weekly Shabbos Challah Delivery

Avraham's wonderful trait of loving kindness was carried on and exemplified by Mrs. Lillian Levin, *a"h*. She described her attitude as follows: "Look for a *mitzva* and then run to do it." Mrs. Levin was the mother of Diana Hirt, grandmother of Rayme Isaacs and her siblings and great-grandmother of Talia Isaacs Weiss and her siblings. Mrs. Levin demonstrated running after an opportunity to do a *chesed* in a way that left indelible impressions on those who knew her. The following illustration of her character was not widely known until her *levaya*.

Mrs. Levin gave of herself to others in a loving way. She would bake challahs each week for rabbis in the community and for many elderly Jewish people whom she knew. Many of the elderly lived by themselves and were confined to their homes because of their health. Together with her husband, Mrs. Levin would then deliver the challahs each week.

When Mr. Levin could no longer help make her challah deliveries, this presented an obstacle since Mrs. Levin did not drive. So she enlisted the help of others to drive her to help deliver the challahs. She knew that these freshly baked challahs would make the Shabbos special for those who received them.

When no one was available to help her make the deliveries, this did not stop Mrs. Levin. She would then personally pay for a taxi to take her to each of her “customers” to deliver her challahs. Not only did she bake the challahs, she made sure that she personally delivered them. She did not allow the cost of taxi to stop her from doing this wonderful act of kindness.

Say Little Do Much

שמאי אומר, עשה תורתך קבע. אמור מעט ועשה הרבה, והוי מקבל את כל האדם
בסבר פנים יפות.

Make your Torah study a fixed practice, say little and do much, and receive everyone with a cheerful face. (Pirkei Avos 1:15)

The Torah makes it clear that Avraham exemplified “saying little and doing much.” All that Avraham offered the three strangers was two things: to have some water brought to wash their feet,² and “*pas lechem*,” a morsel of bread so they could sustain themselves.³ Then he indicated the guests could go on their way. His deeds exceeded his modest offer. Not only did Avraham give them water to drink, he washed their feet and provided a two course meal: first dairy items that required little preparation, then the full meal of calves’ meat. *Chazal* cite Avraham’s actions as an example of righteous ones who say little and do much, which is worthy of being followed.⁴

Quiet Philanthropy

Mrs. Levin and her husband were quiet philanthropists. In the evenings, Mr. Levin would write checks to Jewish institutions seeking funds. This was his regular practice and he did it with great sincerity, but it was really both husband and wife who believed strongly in supporting Jewish institutions.

While living in Detroit, Mr. and Mrs. Levin were good friends with Rabbi Simcha Wasserman and his wife, Rebbetzin Wasserman, who was the teacher of Diana Hirt. Mrs. Levin and Rebbetzin Wasserman were as close as sisters. This close relationship continued when Rabbi Wasserman founded Yeshiva Ohr Elchonon/West Coast Talmudical Seminary in California.

When Rabbi Simcha Wasserman began a new yeshiva in Israel, raising funds was very difficult. The Levins firmly believed in supporting his efforts to establish Yeshiva Ohr Elchonon in Yerushalayim. In the 1970’s many in the Jewish community did not

² Bereishis 18:4

³ Bereishis 18:5

⁴ Bava Metzia 87a

understand the need to support Jewish education outside of the community where they lived. Mr. and Mrs. Levin, however, did see the benefit. They saw that this new yeshiva was essential.

The Levins were not wealthy and were not used to making large donations. However, in this instance, the Levins did not consult anyone and didn't just make their usual modest donation. They made a donation of approximately \$25,000, which was very big amount at that time. Because they did not have the savings to fund this donation, they took a mortgage on their home to provide the funds for this building fund contribution. They believed Jewish education was so important that they borrowed money to help pay for a yeshiva in Yerushalayim. They did this in a quiet way and didn't tell anyone where the funds came from. This generous act became known only at Mrs. Levin's *levaya*.

The Levins' giving did not end with this one major contribution. The Levins also donated a *sefer Torah* to Yeshiva Ohr Elchonon in Yerushalayim.

Commanding One's Children to Keep the Way of Hashem

Before the destruction of Sodom, Hashem declares His love for Avraham:

ואברהם היו יהיה לגוי גדול ועצום ונברכו בו כל גויי הארץ. כי ידעתיו למען אשר יצוה את בניו ואת ביתו אחריו ושמרו דרך יהוה לעשות צדקה ומשפט למען הביא יהוה על אברהם את אשר דבר עליו.

*Now that Avraham is surely to become a great and mighty nation, and all the nations of the earth shall bless themselves by him? For I have loved him, **because he commands his children and his household after him that they keep the way of Hashem**, doing charity and justice, in order that Hashem might then bring upon Avraham that which He had spoken of him. (Bereishis 18:18-19)*

Rashi explains that Hashem loves Avraham because he would always convey Hashem's teachings to his children. Artscroll (Stone Edition page 82) explains Rashi as follows.

One reveals his values by what he teaches his children. For one to preach morality but not inculcate it in one's own family reveals that the preaching is less than sincere. In summing up the greatness of Abraham and the reason he was entitled to a role in the Divine conduct of the world, G-d said that it was because of what he would teach his children.

Avraham teaches a powerful lesson in raising children so that they keep in the way of Hashem.

Fundraising and Family

There is a parallel between the action taken by Avraham and Mrs. Levin. Avraham is the father of the Jewish people and through his character and *middos* was able to create a massive family which would follow in the ways of Hashem to do justice and kindness. Similarly, Mrs. Levin was the matriarch of a massive family of incredible people in many ways through following Avraham's example. The following is one example of how Mrs. Levin "commanded" her children and grandchildren to "keep in the way of Hashem."

Mrs. Levin actively raised funds for yeshivas in America and in Israel. When Rabbi Yosef Shlomo Kahaneman (the "Ponovezher Rov") of the Ponevezh Yeshiva in Bnei Brak, Israel asked Rabbi Simcha Wasserman about raising funds in Detroit, where the Levins were living at that time, Rabbi Wasserman recommended that he contact Mrs. Levin. Mrs. Levin helped Rabbi Kahaneman with his fundraising, both in Detroit and later in Los Angeles.

Mrs. Levin found out about the Ponevezh Yeshiva and resolved to do what she could to help them financially. She chose the honorees for most of the fundraising banquets which were held on behalf of the Ponevezh Yeshiva. After all, when Mrs. Levin called her friends and spoke well about a yeshiva in Israel or somewhere else, who could turn her down? She raised considerable funds for Ponevezh and other Jewish institutions.

Mrs. Levin had a personal connection with the *roshei yeshiva*. After they moved to Israel, Rabbi and Mrs. Wasserman would stay at her home when they visited Los Angeles. The heads of yeshiva would call Mrs. Levin to coordinate their fundraising efforts. She thrived on helping these institutions of Jewish learning.

It was not unusual for her to be in the midst of a call and she would stop and tell her children or her grandchildren to come to the phone. She would say to them, "I want you to say 'hello' to a very important rabbi. It is a wonderful experience to speak with a *gadol*, a leader of the Jewish people." Because of Mrs. Levin's good relationship with the *rosh yeshiva*, they would talk with her children and grandchildren. She insisted that her children and grandchildren have a connection with *gedolim*.

Mrs. Levin's actions took time and self-sacrifice. What she did was concrete evidence of her commitment to Jewish values of education, doing acts of loving kindness and instilling a warmth and love for Jewish institutions and Jewish leaders in her family. May we learn from her example.

The Tablecloth

ROBERT MILLMAN



We all know that one of the central themes of Rosh Hashanah is *Malchiyus*, our acceptance and recognition that Hashem, as our King, rules our lives and controls everything that we do. As King, Hashem is the ultimate Sovereign and we recognize and accept that everything we have is from Him.

This issue of *Nitzachon* focuses on *Bereishis* and *Shemos*. With this in mind, I would be remiss to not link the extraordinary story that follows to the progenitor of our faith, Avraham Avinu. We generally think of Avraham as the first Jew, a deeply righteous man devoted to *chesed* and loving kindness. What is often unstated is that Avraham Avinu was an extraordinary thinker, one of the most learned men of antiquity in all areas of academia and intellectual thought. It was Avraham who taught the Egyptians mathematics and astronomy when he sojourned in Egypt. Gentiles called him “a prince of God.” He discovered, by observation and reasoning, the laws later given to the Jewish nation through the Torah.

Part of Avraham’s genius was not only the recognition that there was one Master of the universe, but also the reality that everything happens for a reason in this world. Actions occur in a complex and coordinated manner so extraordinary that it could only have had at its source the *Borei Olam*, the Creator of the universe. No difficulty was too great for Avraham, and great sacrifices did not hinder him. Hashem tested him again and again. So too, we as simple Jews are constantly tested throughout our lives and sometimes we receive a reward from *Hakadosh Baruch Hu* in this world of remarkable proportion.

As you read on, one such remarkable gift was given to two Holocaust survivors, in the flash of an instant. No person before or after Avraham Avinu rose to his level or practicing kindness. Yet, through learning about Avraham, we can understand that the *Ribbono Shel Olam* is capable of bestowing kindness upon people never thought

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to be possible. The story to follow is but one such example.

The concept that Hashem is in complete control of our lives is so basic that we say it every day in the *Shema*: Hashem is one, Hashem *echad*, the sole power that controls everything. Hashem *echad* means that one cannot accomplish anything unless Hashem wills it to happen.

With this basic understanding, we are able to exist, knowing that no matter what takes place in our lives, it happens because Hashem ordained it. This includes of course, our moments of great happiness as well as great tragedy – both on an individual level and on a communal level. As Jews we live with *bitachon*, understanding that Hashem is completely and solely in command of all the affairs of the world and our lives. On Rosh Hashanah we reaffirm his Kingship and dominion and pray that the upcoming year will be one of blessing and goodness.

The Jew is never to ask the question, “why,” because inherent in this question is the belief that there is an answer to the question presented. Why does a person die at early age of a terrible disease? Why is a couple childless? Why does one wax rich and another poor? Why does a particular *rasha* appear to have a life of *nachas*, wealth and health while a particular *tzadik* goes through a life filled with poverty, ill health, and difficulty?

We as Jews can answer such difficult questions with but one response: whatever happens is the will of the Creator. Only after 120 years and the coming of *Mashiach* will we ultimately be able to understand and see how the completed tapestry called life is threaded and get the final answers to the imponderable questions about our existence.

Throughout Jewish history, Jews have faced terrible adversity as a people. In more recent times, we often focus on the Holocaust when a third of world Jewry was lost, when unspeakable and unforgivable crimes against humanity befell on our people. To ask the question why this took place is to demonstrate a lack of *bitachon*. All we know for certain is that *Hakadosh Baruch Hu* allowed it to happen but we simply do not know why.

With this in mind, I discovered a story – a true story – that will bring joy and perhaps tears to the reader. It took place many years ago in Brooklyn, NY and is but one example of the extraordinary happiness that *Hakadosh Baruch Hu* can create, in the face of great pain, in what were lives of darkness for two simple Jews.

We hope and pray that our King, the Master of the Universe, bless us all with a year of health, happiness, and success. May we be *zoche* that in the upcoming year, 5777 we all experience the kind of extraordinary happiness described in the following story.

The new rabbi and his wife were excited about the rabbi's first *shteler*, reopening an older shul in suburban Brooklyn. They arrived in early February and looked forward to their new responsibilities. When they saw the shul, it was terribly run down and needed much work. They set a goal to have everything done in time to have their first service on *erev* Purim. They worked hard, repairing aged pews, plastering walls, painting, etc., and on 8th of the Adar (February 17th) they were ahead of schedule and just about finished.

On February 19, a huge snowstorm hit the area and lasted for two days. On the 21st, the rabbi went over to the shul. His heart sank when he saw that the roof had leaked, causing a large area of plaster about 20 feet by 8 feet to fall off the front wall of the sanctuary just behind the pulpit. The rabbi cleaned up the mess, and not knowing what else to do, postponed the *erev* Purim service and headed home.

On the way home, he noticed that a local business was having a flea market and sale, so he stopped in. One of the items was a beautiful, handmade, ivory colored, crocheted tablecloth with exquisite work, fine colors and a *magen david* embroidered in the center. It was just the right size to cover the hole in the shul's front wall. He bought it and headed back to the synagogue. By this time it had started to snow again. An older woman running from the opposite direction was trying to catch the bus but she missed it. The rabbi invited her to wait in the warm shul for the next bus, 45 minutes later. She sat in a pew and paid no attention to the rabbi while he got a ladder, hangers, etc., to put up the tablecloth as a wall tapestry. The rabbi could hardly believe how beautiful it looked and it covered up the entire front wall of the shul.

Then the rabbi noticed the woman walking down the center aisle. Her face was as white as a sheet. "Rabbi," she asked, "where did you get that tablecloth?" The rabbi explained. The woman asked him to check the lower right corner to see if the initials EBG were crocheted into it. They were. These were the initials of the woman, and she told the rabbi that she had made this tablecloth many years before, in Poland. The woman could hardly believe it as the rabbi told how he had just purchased the tablecloth at a flea market.

The woman explained that before the war she and her husband were well-to-do people in Poland. When the Nazis came, she was forced to leave. Her husband was going to follow her the next week. He was captured, sent to a labor camp and she never saw her husband or her home again. The rabbi wanted to give her the tablecloth, but she made the rabbi keep it for the shul. The rabbi insisted on driving her home. That was the least he could do. She lived on the other side of Staten Island and was only in Brooklyn for the day.

What a wonderful service they had on *erev* Purim. The shul was almost full. At the end of the service, the rabbi greeted everyone at the door and many said that they would return. One older man, whom the rabbi recognized from the neighborhood, continued to sit in one of the pews and stare, and the rabbi wondered why he wasn't leaving. The man asked him where the shul got the tablecloth on the front wall because it was identical to one that his wife had made years ago when they lived in Poland before the war. He told the rabbi how the Nazis came, how he forced his wife to flee for her safety and how he was arrested and put in a labor camp. He never saw his wife or his home again.

The rabbi asked him if he would allow him to take him for a little ride. They drove to Staten Island and to the same house where the rabbi had taken the woman three days earlier. He helped the man climb the three flights of stairs to the woman's apartment, knocked on the door and he saw a remarkable reunion.

From the ashes of the Holocaust, in but an instant, extraordinary happiness overwhelmed these two survivors of the Shoah. They were blessed to live many years together, well into old age.

Compare Me, Compare Me Not¹

RENINA LIFSHITZ



Comparing yourself to others is a commonplace phenomenon. There are a multitude of reasons why we are tempted to draw comparisons of our lives to another's, be it quivering confidence or a competitive nature. On a deeper level, however, drawing associations can be a form of searching: searching for who we are and who we aspire to be. In *Parshas Vayeira*, Lot struggles with this very crossroad. In *perek* 19, the *malachim* come to Lot and tell him to flee to the mountains in order to be spared from the destruction of Sodom, the unsalvageable city of corruption where he was living. Instead of heeding the suggestion of the *malachim*, Lot begs that the town of Tzoar be saved so that he can flee there instead, saying (*Bereishis* 19:19-20):

הנה נא מצא עבדך חן בעיניך ותגדל חסדך אשר עשית עמדי להחיות את נפשי ואנכי לא אוכל להמלט ההרה פן תדבקני הרעה ומתי. הנה נא העיר הזאת קרבה לנוס שמה והיא מצער אמלטה נא שמה הלא מצער הוא ותחי נפשי.

You have been so gracious to your servant, and have already shown me so much kindness in order to save my life; but I cannot flee to the hills, lest the disaster overtake me and I die. Look, that town there is near enough to flee to; it is such a little place! Let me flee there—it is such a little place—and let my life be saved.

This is a seemingly strange request considering that Avraham lived in the mountains and Lot would surely be welcomed with open arms! Rashi informs us that the reason why Lot was afraid to flee to the mountains was because he was unsettled by the thought that he would be compared to Avraham in regards to his righteousness. Lot was considered a righteous man in Sodom, but Lot felt uneasy at the thought of being judged by Hashem while being in the presence of Avraham.

¹ This article is written with the help and guidance of Rabbi Landau of Ramat Bet Shemesh.

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This reasoning begs us to ask the question: why on earth would he say such a thing? Distance is inconsequential to Hashem's judgments, so why would Lot think that this would change anything at all?

Rav Dov Yaffe tells us that, yes, it is true that Hashem does not compare and judge us based on others. However, Hashem does say to us in judgment, "Look at the neighbors that you are exposed to. They are righteous people. Why do you not learn from them? Why do you not pick up on the good of these people?" We are expected to learn from good influences and are challenged to rise in our Torah observance and learning on a daily basis in this world. In *Hilchos De'os*, 6:1 the Rambam says:

דרך ברייתו של אדם להיות נמשך בדעותיו ובמעשיו אחר ריעיו וחביריו ונוהג כמנהג אנשי מדינתו. לפיכך צריך אדם להתחבר לצדיקים ולישב אצל החכמים תמיד כדי שילמוד ממעשיהם ויתרחק מן הרשעים ההולכים בחשך כדי שלא ילמוד ממעשיהם.
It is natural for man's character and actions to be influenced by his friends and associates and for him to follow the local norms of behavior. Therefore, he should associate with the righteous and be constantly in the company of the wise, so as to learn from their deeds. Conversely, he should keep away from the wicked who walk in darkness, so as not to learn from their deeds.

We are all given opportunities to grow and sometimes drawing comparisons to those around us can lead to positive inspiration and aspiration.

Rashi poses another question regarding the statement that "Hashem remembered Avraham" and that is what ultimately saved Lot from the destruction of Sodom. Why exactly is Hashem remembering Avraham in this moment? In Sodom it was against the law to partake in the *mitzva* of *hachnasas orchim* and Lot risked his life by taking in the *malachim*. And even when Hashem remembered the incredible beauty of Avraham's acts of *hachnasas orchim*, even then Lot was still righteous in Hashem's eyes. But this is not Rashi's answer! Rashi says that because Lot let Avraham play out the lie with Avimelech and Sarah, he merited that Hashem saved him. Rav Dessler teaches us that the amount of force it takes for a *tzadik* to overcome his challenges is the same amount for us to overcome our challenges in life as well. It is taught that if it is your second nature to do certain *mitzvos*, the merit of those *mitzvos* go to your parents and not to you. Therefore, when Lot did *hachnasas orchim*, Avraham received the merit because Lot only performed this *mitzva* from being programmed to do this from Avraham's house.

We all must yearn to be better people and learn from the mistake of Lot. Lot let his fear of comparisons keep him from benefitting from the wonderful influence of

Avraham Avinu. He truly let the fear of striking out, keep him from playing the game. Lot should have known that being so close to Avraham would ultimately be beneficial to him, but instead of coming close, he actively pulled away.

Even before being saved from Sodom, Lot decided to move there in the first place. Instead of living near the good influence of Avraham and having the ability to grow from the experience, Lot chose to live in a bad environment. Perhaps he felt that he would be judged favorably as being the “*tzadik*” of Sodom as opposed to being inferior to Avraham. Lot unfortunately met a disastrous end due to his association with Sodom. Who knows how high he may have risen had he sojourned with Avraham?

We all have similar decisions in life. Whether it is choosing where to live, work or vacation, we all make conscious choices in our lives and sometimes the location can really make a world of a difference to our overall well-being. The opposite is true as well. Decisions to live and associate in a negative environment has the potential to harm us in ways we cannot imagine or envision until it is too late.

Drawing comparisons, though potentially harmful if done in a competitive manner, can truly be wildly inspirational. As Rebbe Nachman of Breslov once said, “If you are not a better person tomorrow than you are today, what need have you for a tomorrow?” By learning from every man and yearning for growth may we all merit to develop as better, stronger children of Hashem. Let us take this lesson from Lot and through uniting with good influences may we help to bring the *Geula*.

The Sale of the Birthright

ZEV WIESEL



Parshas Toldos tells the first story of the interaction between Yaakov and Eisav. ויזד יעקב נזיד ויבא עשו מן השדה והוא עיף. ויאמר עשו אל יעקב הלעיטני נא מאדם האדם הזה כי עיף אנכי על כן קרא שמו אדום. ויאמר יעקב מכרה כיום את בכרתך לי. ויאמר עשו הנה אנכי הולך למות ולמה זה לי בכרה. ויאמר יעקב השבעה לי כיום וישבע לו וימכר את בכרתו ליעקב. ויעקב נתן לעשו לחם ונזיד עדשים ויאכל וישת ויקם וילך ויבז עשו את הבכרה. (בראשית כה:כט-לד)

Yaakov is cooking a lentil stew and Eisav returns from the field hungry. Eisav wants the lentil stew from Yaakov, and Yaakov will only give it to him if Eisav sells Yaakov his status as Yitzchak's firstborn son. Eisav says, "I am going to die anyway, so what do I need the firstborn status for?" Yaakov makes Eisav swear to the sale, and then gives him the stew.

Why did Eisav let go of the firstborn so easily to Yaakov? Why was it worth so little to him that he gave it up for some stew just because he came home hungry?

In school, many learn Rashi's explanation of this story.

בכרתך: לפי שהעבודה בבכורות אמר יעקב אין רשע זה כדאי שיקריב להקב"ה.

הנה אנכי הולך למות: (מתנודדת והולכת היא הבכורה שלא תהא כל עת העבודה בבכורות כי שבת לוי יטול אותה ועוד) אמר עשו מה טיבה של עבודה זו א"ל כמה אזהרות ועונשין ומיתות תלוין בה כאותה ששנינו (סנהדרין סג) אלו הן שבמיתה שתויין ופרועי ראש אמר אני הולך למות על ידה אם כן מה הפץ לי בה.

Yaakov wanted to buy from Eisav the right to serve in the *Beis Hamikdash* and bring *korbanos*. When Yaakov explained to Eisav how complicated serving in the *Beis Hamikdash* was going to be and how many rules he would have to keep, Eisav felt that he would not be able to follow them and would die as a result. Therefore he decided it was better to sell what he couldn't do anyway, even if only for some stew.

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However, there are problems with this explanation. First, there was no *Beis Hamikdash* at the time of the story. Second, Yaakov's children were going to build and serve in the *Beis Hamikdash*. Why did Yaakov need to buy the right to serve in the *Beis Hamikdash* from Eisav if Eisav was never going to serve there?

The *Yalkut Meam Loez* has a different explanation of this story. In those times, when a father died, his firstborn son took over the business in his father's place. The younger brothers and sisters were supported by their older brother just like their father supported them before. Even though the firstborn son got all of his father's inheritance, this only happened after the father died. While the father was still alive, being the firstborn son didn't mean very much.

Yaakov was not trying to buy the right to serve in the *Beis Hamikdash*. He was trying to buy the right to take over Yitzchak's place when he died. Eisav did not think that was worth a lot, so he sold that right for a pot of stew.

There is still the question of why Eisav was willing to sell the firstborn for so little. Wasn't taking over in Yitzchak's place worth more than the stew, no matter how hungry he was?

Many *mefarshim*, including Ibn Ezra, the Netziv in *Haemek Davar*, *Daas Zekeinim* and Rashbam, explain that Eisav was a hunter who went into the wild every day to catch wild animals. Any day, Eisav could be killed in his dangerous environment.

There is also a *midrash* which explains that Eisav killed *Nimrod* on the day he sold the *bechora*:

ר' תנחומא אומר: גדלו שני נערים אחד הולך בדרך החיים ואחד הולך בדרך המות שנ' ויגדלו הנערים ויהי עשו וכו' יעקב הלך בדרך החיים שהיה יושב אוהלים ועוסק בתורה כל ימיו עשו הלך בדרך המות שהרג את נמרוד. (פרקי דרבי אליעזר לב)

Rabbi Tanchuma explains that Yaakov and Eisav were opposites, one going on the path of life and one going on the path of death. When they grew up, Yaakov chose the *Derech Hachaim* and spent his time learning Torah, and Eisav chose the *Derech Hamaves* and killed Nimrod.

Whether because people were coming after him to get revenge for killing Nimrod or because he was a hunter who risked his life every day in the wild, Eisav didn't think he was going to live long enough to get the firstborn when Yitzchak died. He felt that the "maybe" of the firstborn was worth less than the "for sure" of the stew. He probably thought he got the better deal, because he bought the stew with something that was not worth anything to him.

This also explains why Yaakov wanted Eisav to sell the firstborn "*kayom*."

ויאמר יעקב השבעה לי כיום וישבע לו וימכר את בכרתו ליעקב. (בראשית כה:לג)

Yaakov didn't want Eisav to look at the firstborn for what it was going to be worth when Yitzchak died. When Yitzchak died, being the firstborn would have been worth a lot. But "*kayom*" on the day Eisav sold it, being firstborn wasn't worth a lot.

Comparing Yishmael and Eisav

J.D. LIFSHITZ



Let's try an experiment. Can you remember the last time you met a Yishmael? The truth is that throughout history we have seen great leaders of the Jewish people with this name, which seems to indicate Yishmael was viewed favorably, but why? You could try to make the argument that the name was adopted for other reasons, or perhaps because a Biblical name in general brings merit, but I defy you to find a Lot, Potiphar, or Eisav.

Speaking of our great uncle, why does he seem to bear the brunt of our aggression? From what most of us are taught at a young age, Yishmael's behavior seems to be right in line with Eisav's, so why do we only say "Eisav hates Yaakov"? Why not "Yishmael hates Yitzchak"?

Many of us are probably aware of the Rashi (*Bereishis* 25:9) that informs us that because Yishmael let Yitzchak go before him when burying Avraham, we see that he did *teshuva*. However, we also see that Eisav seemed to have forgiven Yaakov in *Vayishlach*, so why do we perceive Eisav in such a negative way? Furthermore, what contrasts and lessons can we learn from our two relatives, and what are perhaps some of the major discrepancies that may have contributed to the vastly different legacies they left behind?

First, let's look at their births. Yishmael is born to Hagar, an Egyptian maid, while Eisav is born to Rivka, one of the greatest human beings to ever walk the earth. Yishmael is quite clearly, and almost brazenly, wicked and wild, in contrast to Eisav who is, at least outwardly, pious and uses misleading questions to hide a ruthless interior. Yishmael is exiled at a young age, nearly starving to death in the desert, while Eisav is somewhat favored and almost given the birthright. *Pirkei D'Rebbi Eliezer* 30 teaches us a story regarding Yishmael's wives. Years after Yishmael is exiled, Avraham decides to go visit him and upon arriving at his tent, Avraham discovers his son's wife is home alone. He asks Yishmael's wife for food and water, and she claims to not have

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anything to give him. He gives her a message to relay to his son, and when Yishmael returns, he accepts his father's message as a hint to divorce his inhospitable wife. He does what his father wishes, and soon marries a new woman. When Avraham visits again later, Yishmael seems to find satisfaction in knowing his father approves of his new spouse. By contrast, when Yitzchak and Rivka are harmed by the *avoda zara* performed by Eisav's wives Yehudis and Basmas (Rashi on *Bereishis* 26:35), not only does Eisav not divorce the two wives, but he marries a third wife named Machalas.¹ Yishmael accompanies Avraham, Yitzchak, and Eliezer to *Har Hamoria* before the *Akeida*, and allows Avraham and Yitzchak to ascend by themselves (*Vayeira* 22:5), even after being exiled. Eisav appears so disdainful about the birthright, he trades it in for a bowl of stew (*Toldos* 25:34). Finally, the last time we see Yishmael is his moment of glory, letting Yitzchak go before him when burying Avraham. The final time we see Eisav is also at a cemetery, protesting a burial, and being decapitated in the process (*Sotah* 13a).

What can we possibly make of all this? In addition, what can we make of the fact that not only are there parallels between them, but both of their final moments deal with burials, with both incidents going so drastically different?

The *gemara* in *Sotah* 5a cites Rav Chisda, who brings that Hashem "cannot dwell with a haughty person." I heard in the name of the Ishbitzer Rebbe a pertinent quote, that deep, deep down, every person thinks he created himself.

Now, with the toxicity of ego in mind, let's take a closer look at those contrasts between Yishmael and Eisav. On the surface, it appears Eisav has every opportunity and everything he could want, while Yishmael struggles, and is almost viewed as second class. While Eisav is treated like royalty, Yishmael is exiled. Eisav is relatively coddled, so to speak, while Yishmael is treated with stern discipline.² So why does Yishmael seem to turn out so much more admirably?

I'd like to suggest that perhaps this has to do with ego and demeanor. Yishmael is what he is. He is wild, immoral, seemingly violent, but he seems to be honest with himself and others about it. He knows he is the son of a maid, and does not appear to be proud of it. Despite being the way he is, he is still willing to accept a *bris mila* at the age of thirteen, to heed his father's marital advice (even after being exiled,) to accompany his more well-regarded, superior brother on one of history's proudest moments, and even to let said brother go before him when burying their father. Eisav,

1 Who herself is actually a daughter of Yishmael.

2 One could potentially use this to make the very-much-not-en-vogue-today case for "spare the rod, spoil the child," but I digress.

on the other hand, is all too aware of his prestigious roots. He boldly puts on an aura of righteousness, while leading a life that is its antithesis. He shows no consistent reverence inwardly towards his heritage, but will attempt to kill his own brother to obtain something he himself forfeited. Finally, even being faced with burial has no effect on his hubris, and he dies over conflict.

Ego mercilessly blinds him from his own downward spiral, as it has so many throughout history. It is so insidious because, like anger, it desperately puts on a cloak of piety, convincing him that his skewed path is justified. However, perhaps unlike anger, there is no satiating it; it is relentless in its pursuit, and is perhaps even the *yetzer hara* personified. One can argue that every *aveira* comes from ego, in one form or another. It is that voice that both whispers for us to take what is not ours, while shouting that it is proper to speak *lashon hara* about (or publicly embarrass) a person or institution because they are wrong in their method of *avodas Hashem*.

Only when one can identify ego can he truly begin to repair his behavior. Eisav hates Yaakov because Yaakov is *emes* and Eisav is *sheker*, and *sheker* cannot stand *emes* (and self-*sheker* is perhaps the most destructive of all). While Yishmael may give into his desires while Yitzchak shows restraint, this can actually make Yishmael show deference to Yitzchak. Philosophically speaking, they are not fundamentally incompatible.

So, does this mean one can be happy doing *averios* openly and honestly? Obviously this is not an ideal, and certainly not for a descendant of Avraham, Yitzchak, and Yaakov.

We see that when Rivka was pregnant with Yaakov and Eisav, she went to the Yeshiva of Shem and Ever with a dilemma. When she would pass a house of Torah, she would feel kicking, and when she would pass a house of *avoda zara*, she would also feel kicking. She is told that she is carrying two children, one who is extremely righteous, and one who is extremely wicked. After hearing this, she is comforted. Why should this comfort her? Originally, Rivka believed she was only having one child, and feared that perhaps that child was schizophrenic. She was relieved to find she was not carrying a disturbed child, but twins. It would appear she was comforted by the fact that she would have one child who wasn't confused.

It is very easy, especially in our day and age, to create a sort of subjective reality for ourselves. The lines of right and wrong can easily become blurred. We mustn't take the lowly, indulgent position of Yishmael nor the hedonistic, insincere path of Eisav. We must constantly strive to maintain our balance. We must constantly take the "middle path" (as the Rambam advises, *Hilchos De'os* 1:4), walking a tightrope

of moderation, whilst being honest about where we stand. I'd like to close with a beautiful thought I heard from Reb Aryeh Weiss, regarding the *minhag* of *shuckling*. As we all know, *shuckling* involves moving one's body back and forth during *davening*. This is to make one aware of the fact that while we must move back in awe of God, we must also come forward in love. Even in *davening*, one must be aware of the balance it is part of our life's mission to attain. May we merit to attain said balance, and help bring the *Geula* speedily in our days.

Only in Dreams

ELI SNYDER



In today's cynical world, the initial reaction to dreams and dream interpretation are likely those of skepticism and disbelief. Only what is quantifiable and actually experienced is worth discussion and exploration. Dreams, with their intangible and often nonsensical nature, are in the domain of psychics, witch-doctors and possibly very serious psychotherapists. This reaction is not unjustified. In fact, the *gemara* in *Berachos* 55a states that just like grain cannot be grown without chaff, so too you cannot have a dream without a meaningless element. However, the Torah would not spend so much time recounting the dreams of Yaakov, Yosef, and Pharaoh if there was nothing meaningful to glean from them, especially in the case of Yosef who eventually gains much prestige and status for his dream interpretation abilities. The aforementioned *gemara* in *Berachos*, as well as our *Tefilla* and sources in *halacha*, reflect certain gravitas to the nature and substance of dreams and it is therefore important to attempt an understanding of Judaism's approach to these unconscious experiences.

One of the difficult elements about discussing dreams in Tanach is the fact that prophecy and direct communication with Hashem, with several exceptions, generally took place while the prophet slept. In *Lech Lecha*, during the *Bris Bein Habesarim*, Avraham is described as being put under a deep sleep (*tardema* – also the word used for Adam during the world's first surgical procedure) whereupon a dark dread falls upon him when he learns about his descendants' impending Exile. On the other hand, *nevua* and dreaming are only minutely linked. The *gemara* in *Berachos* 57b says that a dream is 1/60th *nevua*, which leaves another 98.3% left of dreams not considered full-fledged prophecy. The dream-related episodes in *Sefer Bereishis*, especially those surrounding Yosef in *Vayeishev* and *Mikeitz*, contribute much insight into the proper approach towards dreaming and interpretation and are quite worthwhile to explore.

While Yosef eventually becomes the dream-reader par excellence, when he

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presents his own dreams to Yaakov and the brothers, it is they that offer their interpretation. The brothers' response to Yosef's first dream about their sheaves bowing down to his own was with hatred and disgust.

ויאמרו לו אחיו המלך תמלך עלינו אם משול תמשל בנו ויוספו עוד שנה אתו על חלמתי
ועל דבריו (בראשית לז:ח)

And [Yosef's] brothers said to him, shall you rule over us and subjugate us? And they increased their hatred towards him and his words. (Bereishis 37:8)

Rav Chisda makes a very important statement regarding dreams:

חלמא דלא מפשר כאגרתא דלא מקריא. (ברכות נה.)

A dream that's not explained is like a letter that is not opened. (Berachos 55a)

The implication is that a dream on its own is inherently meaningless; it is the explanation itself that gives the dream any power. This is nearly the opposite of prophecy, where the least amount of human interpretation possible yields the most potent *nevua*. In this context, Yosef's dreams become quite interesting. Yosef never offers his own explanation; rather his brothers leap up to say that Yosef obviously wants to rule over them. Indeed, it is that interpretation which helps drive them towards selling Yosef to slavery, which in turn triggers the chain of events where lo and behold, the brothers end up bowing down to Yosef. It is very directly the brothers' interpretation that causes it to come true. Even more so, when Yosef later interprets Pharaoh's dreams, he gives the extra morsel of explanation that Pharaoh had two nearly identical dreams to demonstrate that Hashem is hastening to implement them in action,¹ that the gears are already turning. Bring this back to Yosef's own dreams and one might be able to venture a similar explanation. Yosef had two nearly identical dreams since all the pieces were already in place. Yaakov's elevation of Yosef and the brothers' jealousy had been percolating already and therefore the dreams were more of a state of the union than actual prophecy.

The idea of a dream being one's psychological and sociological pulse is evident even in the first dream in the Torah. When Yaakov is fleeing Eisav and takes respite on his way to Charan, he has a dream of *malachim* ascending and descending a ladder. Rashi explains that the ascending *malachim* were those that were escorting him in *Eretz Yisrael* and the descending ones were the *malachim* that he would need in *Chutz La'Aretz*. Rav Akiva Tatz makes a very interesting observation. Would it not have made more sense for the *malachim* to change guards at the actual border of Israel at

¹ Bereishis 41:32

the moment when Yaakov crossed over? Why is this exchange taking place now when Yaakov is sleeping in Beis-El? Rav Tatz explains that the *malachim* were indicating not only Yaakov's physical position but also where he was going. Like a vector with both a position and a direction, Yaakov was already on his way out and his dreams indicated accordingly.

If someone were to go to the doctor for a CT scan, whereupon they discovered an enlarged lymph node, it would be cause for concern. While he or she may actually feel perfectly fine, the lymph node indicates the direction the body is going, and without medical intervention, the individual is at great risk. If one is bothered by a bad dream, the *gemara* actually delineates a certain formula of *pesukim* to be recited by the dreamer as a means of spiritual intervention to prevent the negative elements of the dream from being manifest. But it is not purely spiritual. The *gemara* says to recite the *pesukim* in front of three people and the Rosh as well as the *Shulchan Aruch* (*Orach Chaim* 202:1) specify those three must be dear to him. Similarly, the *tefilla* for bad dreams that we recite as a regular part of *davening* is during *Bircas Kohanim*, a moment when the priests bless the congregation *b'ahava*, with love. The implication is that a dream indicates where in life one is going and in order to manipulate that path in a positive direction, a positive and loving relationship with others is paramount. Yosef's relationship with his brothers was obviously not in a very wholesome state when he recounted his dreams to them and so the interpretation took a pretty sour turn. The idea that how our lives play out is heavily influenced by the relationships we engender is of course almost obvious when said out loud.

The greatest contributors of the previous century to the study of psychology invested much time discussing dreams. From Freud's basic notion as dreams representing subconscious wish fulfillment to Carl Jung's very extensive and elaborate explanations regarding the reflection of dreams of an individual's personal and collective unconscious, it is clear that in the psychotherapy world, understanding dreams has much value and substance. Judaism's approach is not in contradiction with this. However, due to all the "chaff" clouding the meaning, the general approach is to leave the letter unopened and to make sure one maintains positive and loving relationships, therefore manipulating the "true" meaning of the dream towards the most positive outcome.

Ramban and the Language of the *Avos*

RABBI MATT ROSENBERG



We Jews are fortunate to read and understand the “greatest story ever told” and the best-selling book of all time—*Toraseinu hakedosha*—in the original. It is axiomatic that the language of the Torah is *lashon hakodesh*—or, “Biblical Hebrew,”—its very name derived from the magnificent text expressed in its cadence. As believers in the eighth principle of faith that “the entire Torah now in our hands is the same one given to our teacher Moshe, peace be upon him,” we may assume that this *ikkar* would extend to the language of the Torah’s text itself.¹ And since the Torah was given to *Klal Yisrael* in order to be understood, we may conclude as well that the 600,000 gathered at Sinai spoke not just the Egyptian of their birthplace, but *lashon hakodesh*. Indeed, *Chazal* (*Vayikra Rabba* 32:5) note that one of the three virtues of the Jews in Egypt for which they merited redemption was that “they did not change their language.”

Yet it is also self-evident that many of the human interactions described in *Tanach* took place not in Hebrew, but in some other language. Clearly, Pharaoh held court in Ancient Egyptian, and King Achashveirosh conversed with Queen Esther in Ancient Persian—not Hebrew. Such dialogue as recorded in the Biblical text must therefore be understood as translated, not transcribed literally.

If so, is there any reason that Hebrew must be assumed to be the default conversational language among Biblical characters? Did Avraham, Yitzchak and Yaakov speak *lashon hakodesh* in their own homes with their own families? And if not, which language did they speak and why? Finally, depending on our findings, what greater philosophical implications may we draw from the Torah’s near-exclusive use of *lashon hakodesh*?²

¹ See Rambam, *Hilchos Teshuva* 3:8; *Bereishis Rabba* 18:4 *supra*.

² For a full treatment of these and other related issues, see Rabbi Reuven Chaim Klein’s *Lashon HaKodesh: History, Holiness, & Hebrew* (Mosaica Press, 2015).

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As we will see, one may read into the commentary of Ramban a unique, novel and comprehensive approach toward these issues.

Our Mother Language?

One particular episode in *Sefer Bereishis* provides a strong clue as to the specific language in which it took place, and by extension, toward the native language of the *Avos* and *Imahos*. Toward the end of *Parashas Vayeitzei* we read of the final confrontation between Yaakov Avinu and his father-in-law Lavan. Yaakov commands his men to form a mound of stones as a symbol of their truce. The Torah states:

ויקרא לו לבן יגר שהדותא ויעקב קרא לו גלעד. ויאמר לבן הגל הזה עד ביני וביני
היום על כן קרא שמו גלעד.

*And Lavan called it Yegar-Sahadutha, but Yaakov called it Gal-Eid. Lavan said, 'This mound (gal) bears witness (eid) between you and I'; therefore he called its name Gal-Eid.*³

In conveying the etymology of the place-name Gal-Eid (or Gilead), we are first told explicitly that both Lavan and Yaakov gave the spot the exact same name (meaning “Mount of Witness”) in the languages of Aramaic and Hebrew, respectively. How is it, then, that in the very next verse the Torah seems to indicate that it was Lavan—not Yaakov—who named the spot the Hebrew Gal-Eid? Rather, we may deduce that this (and presumably every) conversation between the two took place in Aramaic, despite being recorded and translated in the Torah’s text into Hebrew.

Indeed, Lavan is referred to as *ha-Arami* (the Aramean),⁴ and understandably, spoke the local language of Aramaic. He was from Charan (presently Harran in southeastern Turkey) in Aram Naharayim, homeland of the extended family of Avraham Avinu, and birthplace of Rivka, Rachel, Leah, Bilha, Zilpa and twelve out of Yaakov’s thirteen children. It is thus highly probable as well that most of the *Avos*, *Imahos* and *Shevatim* were in fact native Aramaic speakers, and that many of the interactions between them which we read in *Sefer Bereishis* took place in Aramaic, not Hebrew, and are actually translations within the Torah’s text.

Ramban’s View

If the native language of their ancestral homeland was actually Aramaic, when did *Bnei Yisrael* begin speaking Hebrew? The commentary of Ramban in several places sheds additional light on this issue.

³ *Bereishis* 31:47-48. All Biblical quotations refer to *Sefer Bereishis* unless otherwise noted.

⁴ e.g. 31:24

At the end of *Parashas Noach* (11:31-32), we read:

ויקה תרח את אברם בנו ואת לוט בן הרן בן בנו ואת שרי כלתו אשת אברם בנו
ויצאו אתם מאור כשדים ללכת ארצה כנען ויבאו עד חרן וישבו שם. ויהיו ימי תרח
חמש שנים ומאתים שנה וימת תרח בחרן.

And Terach took his son Avram and his grandson Lot and his daughter-in-law Sarai, wife of his son Avram, and he went forth with them from Ur Kasdim to travel to the land of Canaan. They came to Charan and settled there.

Explaining the background story behind these verses of the *midrashic* interpretation of Haran's death in Nimrod's furnace and Avraham's miraculous survival, Ramban provides a motive for Terach's original intent to settle in Canaan, several hundred miles away from his birthplace (*Bereishis* 11:28 s.v. "*al pnei Terach aviv b'eret moladto*") :

ותרח אביו ואברהם היה בלבם מן היום ההוא שנצל שילכו אל ארץ כנען להתרחק
מארץ כשדים מפחד המלך כי חרן קרוב להם ועם אחד ושפה אחת לכלם כי לשון
ארמית לשניהם ורצו ללכת אל עם אשר לא ישמע לשונו המלך ההוא ועמו.

From the day that [Avraham] was saved, Terach his father and Avraham intended to travel to Canaan to distance themselves from the land of the Kasdim out of fear of the king, for Charan was [too] close—with one people and one language for both of them, for they both spoke Aramaic—and they desired to go to a people who did not understand the language of that king and his people.

According to Ramban, a prime impetus of Avraham's original aborted journey to Canaan was to escape the Aramaic language out of fear of reprisal from Nimrod's Aramaic-speaking kingdom in Babylon. This comment, however, explicitly addresses neither the language spoken in Canaan nor when the *Avos* began to use *Lashon Hakodesh*.

A subsequent comment of Ramban completes the picture. We are told (42:23) that when appearing before their brother Yosef, now the viceroy of Egypt, the sons of Yaakov "did not know that Yosef understood [them], for the interpreter was between them." Apparently, this means that Yosef conducted his official business in Egyptian, while the brothers were speaking some other language, presumably Hebrew. Just after Yosef dramatically reveals himself to his brothers in *Parashas Vayigash*, he gives them proof of his identity:

והנה עיניכם ראות ועיני אחי בנימין כי פי המדבר אליכם.

And behold, your eyes see, and the eyes of my brother Binyamin, that it is my mouth speaking to you. (45:12)

Targum Onkelos (ad loc.) renders the last portion “ארי בלישנכון אנא ממלל” — “that it is in your language that I am speaking to you.” Rashi (in his second commentary to this verse) draws upon *Onkelos*, understanding that Yosef was now speaking to his brothers “in *lashon hakodesh*.” Echoing Rashi are nearly all of the *gedolei haparshanim*—Ibn Ezra, Rashbam, Radak, *Chizkuni*, and others—who point out that Yosef’s “proof” was that he had dropped the translator and could speak Hebrew fluently.

Ramban, however, remains unconvinced (ibid. 45:12. s.v. “*ki pi hamdaber aleichem*”):

כי איננה ראייה שידבר אדם אחד במצרים בלשון הקדש כי על דעתי הוא שפת כנען כי אברהם לא הביאו מאור כשדים ומחרן כי ארמית היא והגל הזה עד ואיננו לשון לאיש אחד לבד אבל הוא לשון כנען ורבים במצרים יודעים אותו כי קרוב הוא ואף כי המושל שדרך המלכים והמושלים לדעת הלשונות ... ועוד כי כאשר בא יוסף משם למצרים יבאו רבים ויותר

There is no proof in the fact that an Egyptian could speak the holy tongue, which in my opinion is the language of Canaan (for Avraham did not bring it from Ur Kasdim or Charan, where Aramaic was spoken—and ‘this mound bears witness’—nor was it the language of some individual, but rather the [native] language of Canaan). Many Egyptians would have known it for it was nearby; certainly the ruler, for it is common for the ruling class to speak many languages. . . furthermore, just as Yosef had come from there to Egypt, many others would have done the same.

According to Ramban, the fact that a viceroy of Egypt could speak Hebrew was nothing special, because it was in fact the language of the Canaanites next door. For Ramban is of the opinion is that Hebrew was not a special language that the *Avos* inherited from their forbearers—Aramaic was—but in fact the tongue which the *Avos* had acquired from the indigenous population when they relocated there.⁵ As

⁵ Parenthetically, the Ramban’s opinion that Hebrew is a Canaanite language is consistent with the consensus of modern-day academics. Besides the archaeological evidence of ancient Canaanite inscriptions (which can easily be understood by the average modern Hebrew reader), there are other strong indications that would seem to support Ramban’s assertion. Most noteworthy are the numerous place-names of Canaanite cities that belie a Hebraic etymology, such as Shechem (“Shoulder”), Beis El (“House of God”), and Kiryas Arba (“City of Four”). The difficulty is, however, that Hebrew (along with Aramaic and Arabic) is a Semitic language (owing to descent from Shem, son of Noah), while Canaanites were considered descendants of Cham, each with their

evidence, he makes reference to the episode at Gal-Eid mentioned above where the text clearly indicates that Lavan spoke Aramaic while only Yaakov spoke Hebrew.

This commentary of Ramban is undoubtedly radical, and, assuming it is authentic,⁶ prompts several basic questions. First, what is Ramban's source (other than "his opinion") that *lashon hakodesh* is actually a Canaanite dialect? Second, to what is Ramban referring when he dismisses the idea that *lashon hakodesh* was "the language of some individual" and that "Avraham did not bring it from Ur Kasdim"? Finally—and most troubling—is his opinion not at odds with innumerable statements of Chazal (and Ramban's own words) ostensibly predicated on the idea that *lashon hakodesh* was not some local dialect, but the original language through which the Universe was created? How is it possible that the sacred tongue through which Hashem revealed Himself at Sinai was actually the language of their sworn enemies, a detestable and morally repugnant nation regarding whom we are commanded (*Devarim* 20:16) "you shall not let any soul live"?

Hebrew = Canaanite?

One textual source does support Ramban's bold assertion that Hebrew was spoken by the Canaanites. In prophesizing that Egypt would one day repent before Hashem, the *navi* (*Yeshaya* 19:18) declares:

ביום ההוא יהיו חמש ערים בארץ מצרים מדברות שפת כנען ונשבעות לה' צבאות
עיר ההרס יאמר לאחת.

*On that day, there will be five cities in the Land of Egypt that will speak the
language of Canaan and swear by Hashem Lord of Hosts.*

Ibn Ezra comments explicitly: "from this we learn that the Canaanites spoke in *lashon hakodesh*."⁷ Ibn Ezra's interpretation is quite reasonable in the context of

own distinct language families. The Ramban would be forced to answer that language is not a true indicator of ethnicity, and that either Hebrew is in fact a Hamitic language spoken by ethnic Semites, or (more likely) that Canaanite was a Semitic language spoken by ethnic Hamites. See however *Bereishis* 10:16-20.

6 Note that this particular line does not appear in earlier printed versions of Ramban nor in derivative works such as *Rabbeinu Bachaye*, and was first printed by Rav Chavel's edition (p. 242) based on manuscript. See *Sefer Kol Yehuda* on *Kuzari* 2:68 by Rabbi Yehuda Moscato (1530-1593), who maintains that this text is original and was left out by printers. Prof. Gad Sarfatti of Bar-Ilan University suggests that this omission was perhaps intentional due to the controversial nature of Ramban's interpretation; see <<http://www.biu.ac.il/JH/Parasha/eng/vayigash/sarfati.html>> This is unlikely considering the earlier sources who concurred with Ramban, notably Ibn Ezra below.

7 *Ad loc.*; see also Ibn Ezra to *Shemos* 20:2. But cf. Rashi (*ibid.* and to *Menachos* 109b) who interprets "the language of Canaan" as "the language of Yisrael who lives in the land of Canaan."

the Egyptians' repentance. However, it does not prove that the Canaanites imparted *lashon hakodesh* to the *Avos* as Ramban claims. Perhaps it was the other way around?

Indeed, this appears to be the opinion of Rav Yehuda Halevi in *Sefer HaKuzari*.⁸ The *Kuzari* states that while Avraham Avinu used Aramaic in everyday life, he retained *lashon hakodesh* for sacred purposes as the recipient of the transmission of the holy tongue from Adam to Noach to Shem to Ever, implying that the language was otherwise lost during the *Dor HaHaflagah*. If so, the only individual who could have brought *lashon hakodesh* to Canaan was Avraham Avinu himself.

This opinion must be what Ramban refers to when dismissing the idea that Hebrew was “the language of one individual” and that “Avraham Avinu brought it from Ur Kasdim.” Perhaps to Ramban it is difficult to understand how and why the Canaanites would have abandoned en masse their original language in favor of Avraham’s new one. Furthermore, it seems highly unlikely that Avraham Avinu—were he the sole transmitter of the holy tongue for sacred purposes—would have taught it to his morally corrupt Canaanite neighbors.

But by the same token, how could those same morally corrupt neighbors have endowed the *Avos* with the language in which the Torah was to be given? And what of Ramban’s own admission⁹—not to mention the many statements of *Chazal*—that Hashem created His world through *lashon hakodesh*?

The Holy Tongue

The *midrash* (*Bereishis Rabba* 18:4) states as follows:

לזאת יקרא אשה כי מאיש לוקחה זאת, מכאן שניתנה התורה בלשון הקודש, רבי פנחס ורבי חלקיה בשם רבי סימון אמרי כשם שניתנה תורה בלשון הקודש כך נברא העולם בלשון הקודש...

‘For this she will be called woman (Isha) for from man (Ish) was she taken’ (2:23)—from here we learn that the Torah was given in lashon hakodesh. Rav Pinchas and Rav Chilkiya said in the name of Rav Simon, just as the Torah was given in lashon hakodesh so too was the world created in lashon hakodesh. . .

This *midrash* seeks to establish that (a) the Torah was given in Hebrew and that

⁸ 2:68; see *Kol Yehudah ad loc.*

⁹ *Peirush HaRamban al haTorah al Shemos* 30:13 (s.v. “*machatzis hashekel b’shekel hakodesh*”), quoted below.

(b) the world was created in Hebrew—for in no other language¹⁰ does the derivation of the word for “woman” from the word for “man” make sense. How then may we reconcile Ramban’s approach that Hebrew is actually the language spoken by the Canaanites with the *midrash*?

In his commentary to *Shemos* 30:13 (s.v. “*machatzis hashekel b’shekel hakodesh*”), Ramban explains why he believes that Hebrew is called *lashon hakodesh*:

וכן הטעם אצלי במה שרבותינו קוראין לשון התורה “לשון הקודש” שהוא מפני שדברי התורה והנבואות וכל דברי קדושה כולם בלשון ההוא נאמרו והנה הוא הלשון שהקב“ה יתעלה שמו מדבר בו עם נביאיו ועם עדתו ... ובו נקרא בשמותיו הקדושים ... ובו ברא עולמו (ב“ר יח ו) וקרא שמות שמים וארץ וכל אשר בם ומלאכיו וכל צבאיו לכולם בשם יקרא מיכאל וגבריאל בלשון ההוא ובו קרא שמות לקדושים אשר בארץ אברהם יצחק ויעקב ושלמה וזולתם.

This to me is the reason why our Rabbis called the language of the Torah ‘the holy tongue,’ because all of the words of Torah and prophecy and the holy words are said in that language. It is the language in which HaKadosh Baruch Hu communicates to His prophets and His assembly . . . and in it He is called by His holy Names . . . and through it He created His world and called names to the Heavens and Earth and all that is in them, and calls all of His angels and hosts by name—Michael and Gavriel—in that language, and in it He called names to the holy ones on Earth—Avraham, Yitzchak, Yaakov, Shlomo, and the like.

To Ramban, Hebrew is called “the holy tongue” not because of its origins but because of its usage; namely, because Hashem communicates with Creation in that language, specifically through the words of the Torah itself. Keeping in mind the opening words of the *midrash* (*Bereishis Rabba* 1:1) that Hashem peered into the Torah as a blueprint for Creation, we may understand that Hashem created His world in *lashon hakodesh* because it was the language in which the Torah was to be given to *Bnei Yisrael*—not the other way around.¹¹

Conclusion

As noted at the outset of our discussion, the Torah is meant to be understood by

¹⁰ The *midrash* continues on to bring examples from Greek and Aramaic to prove this point. Interestingly, the derivation does indeed make sense in English!

¹¹ This would also explain the sequence of the *midrash* quoted above which seems to prove the first principle from the second: “just as the Torah was given in *lashon hakodesh*, etc.”

human beings, who use human language to communicate. According to Ramban, Providence dictated that the 600,000 who stood at Sinai would speak the very human language their ancestors adopted when they migrated from their original homeland to the land they were promised by Hashem as an inheritance. This language, first sanctified and elevated through its usage by our holy *Avos* and *Imahos*, would gain eternal significance when Hashem Himself chose it to be the medium of communication of His message to His holy nation.

There is no contradiction, therefore, between Ramban's opinion that Hebrew was originally the local Canaanite language and his later exposition of Hebrew as the holy tongue and language of Creation. For it was only through its use by the Torah and by *Klal Yisrael*—the two justifications for the world's Creation in the first place¹²—that the language acquires its intrinsic holiness. May we now find deeper appreciation of our *tefilla* of *Mussaf* for *Yom Tov*: “ורוממתנו מכל הלשונות” – “and You have elevated us from [among] all the languages”!

¹² See Rashi to *Bereishis* 1:1.

What's in a Name?

DANIEL WIESEL



A recurring theme in *Sefer Bereishis* is the significance of names. Adam Harishon names each of the animals in *Gan Eden*. When he names his counterpart Chava, it is because she is the “*eim kol chai*,” the mother of all living things. Instead of simply stating the passing of generations, so much of *Parshas Bereishis* and *Parshas Noach* consists of naming individuals of each generation between Adam and Avraham. A *malach* gives Hagar specific instructions to name her son Yishmael, and *Hakadosh Baruch Hu* tells Avraham to name his son Yitzchak. When Yitzchak is born, Sarah gives a reason for her son's name:

ותאמר שרה צחק עשה לי אלהים כל השמע יצחק לי.

*Hashem as brought me laughter, everyone who hears will laugh with me.*¹

(Bereishis 21:6)

Yaakov and Eisav are each given names that identify a character trait at birth: Eisav due to his coloring and Yaakov because he was holding on to Eisav's heel.

ויצא הראשון אדמוני כלו כאדרת שער ויקראו שמו עשו. ואחרי כן יצא אחיו וידו

אחזת בעקב עשו ויקרא שמו יעקב ויצחק בן ששים שנה בלדת אתם.

The first one emerged red, hairy all over; so they named him Eisav. Then his brother emerged, holding on to the heel of Eisav; so they named him Yaakov.

Yitzchak was sixty years old when they were born. (Bereishis 25:25-26)

Each of Yaakov's children are given names with a specific meaning by either Leah or Rachel. Some of the names were references to past occurrences and others were aspirational of future events, but each of the names had meaning.

While it is clear that many of the names given in *Sefer Bereishis* are meaningful, there is another, more unique aspect of certain people's names. A select few individuals

¹ Translations are the authors own and any mistakes in translation should be attributed solely to the author.

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were renamed. As mentioned previously, Avraham and Sarah are each given new names. Yosef is given a new name when he is promoted to viceroy of Egypt. Yaakov is also given another name, Yisrael. But each of these instances is slightly different. Avraham and Sarah are renamed, and their prior names are no longer used. In contrast, Yosef is given the name *Tzafnas Paneach* by Pharaoh, but he is never actually referenced by that name. What is unique about Yaakov is evident from the name used in this *pasuk*. Although Yaakov is renamed Yisrael, subsequently he is referred to as both Yaakov and Yisrael.

ויאמר לא יעקב יאמר עוד שמך כי אם ישראל כי שרית עם אלהים ועם אנשים ותוכל.
Said he, "Your name shall no longer be Yaakov, but Yisrael, for you have fought with beings divine and human, and have prevailed." (Bereishis 32:29)

As stated earlier, Yaakov was given the name Yaakov because he was born holding on to Eisav's heel. After his fight with the *malach*, Yaakov was told that his name would no longer be Yaakov but rather Yisrael "because he fought with divine and human beings and prevailed." However, the next two *pesukim* still refer to Yaakov as "Yaakov" instead of his new name. It is only three *pesukim* later that the name "Yisrael" is used, albeit in the context of "Bnei Yisrael" not eating the *gid hanashe* because of Yaakov's injury (note the name used even in this *pasuk*).

על כן לא יאכלו בני ישראל את גיד הנשה אשר על כף הירך עד היום הזה כי נגע בכף ירך יעקב בגיד הנשה.
That is why the children of Yisrael to this day do not eat the thigh muscle that is on the socket of the hip, since Yaakov's hip socket was wrenched at the thigh muscle. (Bereishis 32:33)

After Yaakov and family finally return to *Eretz Canaan*, Hashem officially changes his name to Yaakov (note that no specific reason is given for the name change at this point).

וירא אלהים אל יעקב עוד בבאו מפדן ארם ויברך אתו. ויאמר לו אלהים שמך יעקב לא יקרא שמך עוד יעקב כי אם ישראל יהיה שמך ויקרא את שמו ישראל. (לה:ט-י)
Hashem appeared again to Yaakov on his arrival from Padan Aram, and He blessed him. Hashem said to him, "You whose name is Yaakov, You shall be called Yaakov no more, But Yisrael shall be your name." Thus He named him Yisrael. (Bereishis 35:9-10)

However, it is eleven *pesukim* later, with three interim references to the name Yaakov, that the name Yisrael is actually used. In all of *Parshas Vayeshev*, the name Yisrael is used once, and it is halfway through *Parshas Miketz* before the name Yisrael is used again.

A number of *mefarshim* explain that, unlike Avraham and Sarah, whose names were permanently substituted from Avram and Sarai, respectively, Yaakov was given an additional name of Yisrael. Yaakov has two names and may properly be referred to as either Yaakov or Yisrael.² This answers the question of why the Torah continues to refer to Yaakov as “Yaakov” despite the name change. However, Yaakov’s dual names present an interesting follow-up question: What is the significance of each of these names, and why is a particular name used in any given reference?

The *Meshech Chochma* notes that at no point does Hashem ever refer to Yaakov, the individual, as Yisrael. It is only in the context of referencing the Jewish nation that he is referred to as Yisrael (i.e., *Bnei Yisrael* or *Elokei Yisrael*).

The *Ohr Hachaim* explains that the reason Yaakov can be referred to by both names is the concept of a “*shem hanefesh*.” “Yaakov” is the name given to the *nefesh* of Yaakov Avinu. After the battle with the *malach*, Hashem imbues Yaakov with another *ruach Elokim* whose name is “Yisrael.” Both *nefashos* live within Yaakov, so it is appropriate to refer to Yaakov by both names.

The Netziv, in his *sefer Haamek Davar*, understands the dichotomy of “Yaakov” and “Yisrael” as the difference between interacting with the world through natural means versus interacting with the world on a supernatural basis. “Yaakov” was forced to grab Eisav’s ankle to maintain the balance of power. In the constant battle for supremacy between Yaakov and Eisav, Yaakov is always holding Eisav’s ankle. However, “Yisrael” battles with the divine and prevails. Yisrael no longer needs to continuously engage with Eisav. However, the *Haamek Davar* explains that Hashem is not replacing the name of Yaakov for Yisrael.

ויאמר לו אלהים שמך יעקב לא יקרא שמך עוד יעקב כי אם ישראל יהיה שמך ויקרא
את שמו ישראל. (להי)

Hashem said to him, “You whose name is Yaakov, You shall be called Yaakov no more, But Yisrael shall be your name.” Thus He named him Yisrael.
(Bereishis 35:10)

Hashem acknowledges the name Yaakov is still applicable (“*shimcha Yaakov*”), and adds the name Yisrael (emphasizing and expounding on the word “*od*” and the repetition of the word “*shmecha*”). While “Yaakov” is forced continuously to engage with Eisav, and “Yisrael” no longer needs to, Yaakov Avinu must exist in both worlds, sometimes engaging and sometimes not. As explained by the *Meshech Chochma*, Yaakov the individual is not referred to as “Yisrael,” but rather only the nation of “Bnei Yisrael.”

² See *Ohr Hachaim* and *Ibn Ezra* on 35:10.

In this view, while Yaakov may need to continue the struggle, Bnei Yisrael will not.

These are only two of the many explanations provided for the change of Yaakov's name. However, neither provides a systematic application to the actual use of the names Yaakov and Yisrael in the rest of *Sefer Bereishis*. What is the significance of the various references to Yaakov and Yisrael subsequent to Yaakov's "renaming?"

Without arguing in any way on the explanations proposed by prior generations far greater than myself, I propose the name "Yisrael" is used in a positive or optimistic context while the name "Yaakov" is used in a negative or pessimistic context. Yaakov is given a new name upon his return to *Eretz Canaan* after his exile to the house of Lavan. He meets his brother Eisav and they make amends, agreeing to go their separate ways. Yaakov returns with a large family to the land which is to become their birthright and Hashem gives him a *bracha* and the name Yisrael. From that point on, when Yaakov is optimistic and looking to the future, he is referred to as Yisrael. Conversely, when he is sad or in mourning, he is referred to as Yaakov.

What follows are select examples of the use of both "Yaakov" and "Yisrael" in the rest of *Sefer Bereishis* that seems to follow this distinction.

In *perek* 36, there are references to both "Yaakov" and "Yisrael":

ויצב יעקב מצבה על קברתה הוא מצבת קברת רחל עד היום. ויסע ישראל ויט אהלה מהלאה למגדל עדה. ויהי בשכן ישראל בארץ ההוא וילך ראובן וישכב את בלהה פילגש אביו וישמע ישראל ויהיו בני יעקב שנים עשר. (לה:כ-כב)

Over her grave Yaakov set up a pillar; it is the pillar at Rachel's grave to this day. Yisrael journeyed on, and pitched his tent beyond Migdal Eder. While Yisrael stayed in that land, Reuven went and lay with Bilha, his father's concubine; and Yisrael found out. Now the sons of Yaakov were twelve. (Bereishis 35:20-22)

When burying his beloved wife Rachel, he is "Yaakov." However, he is referred to as Yisrael when dealing with the incident with Reuven after Rachel's death.³

ויבא יעקב אל יצחק אביו ממרא קרית הארבע הוא חברון אשר גר שם אברהם ויצחק. ויהיו ימי יצחק מאת שנה ושמנים שנה. ויגוע יצחק וימת ויאסף אל עמיו זקן ושבוע ימים ויקברו אתו עשו ויעקב בניו.

And Yaakov came to his father Yitzchak at Mamre, at Kiryat Arba, now Hebron, where Avraham and Yitzchak had sojourned. Yitzchak was 180

³ Note the reference to *Bnei Yaakov* as opposed to *Bnei Yisrael*. Yaakov's children are referred to as *Bnei Yaakov* twice in the next *pesukim* (35:23-26).

years old when he breathed his last and died. He was gathered to his kin in ripe old age; and he was buried by his sons Eisav and Yaakov. (Bereishis 35:27-29)

When burying his father Yitzchak, he is referred to as “Yaakov,” a reflection of his state of mourning.

Parshas Vayeshev begins with Yaakov back in *Eretz Canaan*. Note that “Yaakov” is named, but there is a specific reference to *eretz migurei aviv*, the land of his father, and the story is essentially continuing from the death of his father Yitzchak in *perek* 35. While the “*toldos*” of Yaakov is Yosef,⁴ it is Yisrael that loves Yosef – who represents the future of Bnei Yisrael – more than his other children. It is “Yisrael” that sends Yosef to his brothers in Schem in 37:13, but it is “Yaakov” who tears his clothing inconsolably upon seeing the destroyed coat of Yosef.

When we are reintroduced to Yaakov in *perek* 42, Yosef is viceroy in Egypt. “Yaakov” sends his sons to Egypt to obtain food, and it is “Yaakov” who bemoans the loss of two of his sons (Yosef many years earlier and Shimon whom Yosef imprisoned) and refuses Reuven’s plea to send Binyamin with the other brothers back to Egypt.

In *perek* 45, after Yosef reveals his identity, the brothers return to “Yaakov.” In *perek* 46, it is “Yisrael” who begins to travel down to Egypt and “Yisrael” who reunites with his son Yosef. The Netziv in his *sefer Haamek Davar* explains, however, that it is “Yaakov” in 46:5-9 who actually makes the trek to Egypt, recognizing the significance that this is the beginning of *Galus Mitzrayim*. This point is further made by “Yaakov” meeting and blessing Pharaoh, not “Yisrael,” and other references to “Yaakov” in *perek* 47.

וישב ישראל בארץ מצרים בארץ גשן ויאחזו בה ויפרו וירבו מאד. ויחי יעקב בארץ מצרים שבע עשרה שנה ויהי ימי יעקב שני חייו שבע שנים וארבעים ומאת שנה.
Thus Yisrael settled in the country of Egypt, in the region of Goshen; they acquired holdings in it, and were fertile and increased greatly. Yaakov lived seventeen years in the land of Egypt, so that the span of Yaakov’s life came to one hundred and forty-seven years. (Bereishis 47:27-28)

The following *pasuk* perfectly captures the dichotomy of Yaakov’s life in Egypt.

ויגד ליעקב ויאמר הנה בנך יוסף בא אליך ויתחזק ישראל וישב על המטה.
When Yaakov was told, “Your son Joseph has come to see you,” Yisrael summoned his strength and sat up in bed. (Bereishis 48:2)

⁴ As I studied the various references to Yaakov and Yisrael in *Sefer Bereishis*, not all references fit exactly within this proposed structure. This *pasuk* requires further study to determine why the specific name is referenced.

“Yaakov” is living in Egypt, but “Yisrael” strengthens himself to sit up on the bed. “Yaakov” reminisces of the *bracha* he received from *Hakadosh Baruch Hu* in Luz, but “Yisrael” gives his grandchildren the *brachos* they will need to carry on without him.

Similarly, while it is “Yaakov” who calls for his children prior to his death, the brothers listen to “Yisrael” their father for their final *brachos*.

ויקרא יעקב אל בניו ויאמר האספו ואגידה לכם את אשר יקרא אתכם באחרית הימים. הקבצו ושמעו בני יעקב ושמעו אל ישראל אביכם.

And Yaakov called his sons and said, “Come together that I may tell you what is to befall you in days to come. Assemble and listen, sons of Yaakov; Listen to Yisrael your father. (Bereishis 49:1-2)

Nevertheless, it is “Yaakov” who dies at the end of *perek* 49, leaving his children to carry on the name “Yisrael.” It is telling that the last time the brothers are referred to as *Bnei Yaakov* is immediately prior to Yaakov’s delivery of the *brachos*. From that point forward, Yaakov’s family is known as *Bnei Yisrael*.

Names play a prominent role in *Sefer Bereishis*. Adam Harishon names each of the animals and his wife. The generations between Adam and Avraham are identified with named individuals. Each of the *Shvatim* are given meaningful names. Some people are renamed, and others are given a second name. Yaakov Avinu is the only person in *Sefer Bereishis* to be referred to throughout by both of his names. Yaakov’s suffering is associated with the negative connotations of the name Yaakov, but Yaakov died in Egypt. His children are forever known as *Bnei Yisrael*, the children of the optimist Yisrael.

Making Your Dreams Come True: How Yosef Redeemed Himself, Revised the Future, and Reunified the House of Israel

RABBI YISROEL GORDON



Although it is the subject matter of nearly half of *Sefer Bereishis*, the story of Yosef and his brothers rarely receives the scrutiny it requires. Familiarity breeds neglect. All too often, we rely on the superficial reading we learned in elementary school and fail to relearn the formative events of our nation as adults. This article is a limited foray into the many mysteries of Yosef's life: his dreams, his dream interpretations, and his complicated relationship with his family. Although some points are speculative, our intention is to stir debate and hopefully play a role in bringing these issues back to where they belong: at the forefront of our consciousness.

The saga was born of hatred. *"His brothers saw that their father loved him more than all his brothers and they hated him"* (37:4). Exacerbating the situation was the fact that Yosef spoke *lashon hara*. *"He told his father every negative thing that he saw by his brothers the sons of Leah"* (Rashi to 37:2). Under these conditions, it is reasonable for the brothers to be upset. However, the intensity of their feelings, the burning jealousy and the hatred can only be understood in light of family history.

Avraham received extraordinary Divine blessings – wealth, power, fame, a country and a dynasty – but not all of his children inherited it. Yishmael was found unworthy and expelled and Yitzchak took it all. In the second generation, the same thing happened again. Yitzchak had two sons, Yaakov and Eisav, but Eisav was left empty-handed and Yaakov was the sole inheritor. Now we are in the third generation

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and Yaakov's sons can take nothing for granted. The big question is on everyone's mind; who will get the blessings?

Another worrisome precedent troubles the third generation. When Yitzchak selected his favorite son Eisav, Yaakov took action to prevent the blessings from falling into the wrong hands. He tricked his father and seized the blessings that were rightfully his. The brothers now fear that history will repeat itself. They suspect that Yaakov will follow in his father's footsteps and give all the blessings to his favorite son Yosef. And when Yosef speaks lashon hara about them to Yaakov, they naturally suspect that Yosef is walking in his father's footsteps, attempting to ensure the blessings don't end up in the hands of an "evil" son.

Yet another piece of family history weighs on the mind of the brothers; that of Yosef's mother Rachel. Our most influential matriarch, Rachel was a spiritual supergiant; a woman who exemplified selfless caring for others. However, blinded by rivalry, the sons of the other mothers may have had a skewed perspective. Rachel betrayed her fiancé, giving away the secret signs to her sister Leah. And in a bold act of righteous criminality, she stole her father's treasured *teraphim* – and lied about it.¹ In short, both of Yosef's parents are self-confident and forceful personalities, and when they believe something is right, they will do it, even if it comes at someone else's expense. With genes like these, it is reasonable for the brothers to expect that Yosef will self-righteously seize their birthright. The brothers know that they are worthy and capable of furthering the family's destiny, and that they need to protect their spiritual future from being usurped by Yosef. This is why they hate him.

And then Yosef has a dream.

The First Dream

Yosef tells his brothers what he saw in his dream.

"We are bundling bundles of grain in the field and my bundle suddenly stands up straight. Your bundles surround it and bow down to my bundle." (37:7)

Obviously, telling his brothers about his dream is not going to improve their relationship, but to understand their reaction we must once again turn to family history.

The brothers are undoubtedly struck by the appearance of grain in the dream.

¹ What the brothers thought of Rachel can be seen by their reaction when Benjamin is caught red-handed with Yosef's goblet in his pack. The brothers jeer at him, "Thief, son of a thief! You are an embarrassment! You are truly the son of your mother. Your mother embarrassed our father in just the same way." (*Midrash Tanchuma, Miketz 10*)

Why are the sons of Yaakov in a field harvesting grain? They are shepherds, not farmers! But then the brothers remembered the blessings. Many years earlier, when the time came for grandfather Yitzchak to bless his children, he began with these words: *“Hashem will grant you from the dew of the sky and from the fat of the earth, much grain and wine...”*

Grain is the first blessing and Yosef is claiming it for himself! The brothers' suspicions are heightened, but it isn't until the second dream that their fears are confirmed.

The Second Dream

Yosef has a second dream. He sees the sun, the moon and eleven stars in the sky bowing to him. He shares this dream with his family and the reaction is fierce.

His father yelled at him and said, *“What is this dream that you have dreamt? Will we come – I, and your mother and your brothers – to bow down to you to the ground?!”* (37:10)

Rashi explains Yaakov's skepticism.

“Will we come – I, and your mother... ? But your mother is already dead!”

He did not realize that it referred to Bilha who raised him like a mother.

Yaakov's question is a good one, but why is he so upset? Once again, the answer is to be found in the blessings of Yitzchak. Thinking he was talking to Eisav, Yitzchak said, *“... You will be master over your brothers and the sons of your mother will bow to you.”*

Brother bowing to brother is a central feature of the blessings! As far as the brothers are concerned, the game is up: Yosef clearly sees himself as the sole inheritor and future master of the family. His father's favorite and a son of both Yaakov and Rachel, nothing will stop Yosef from stealing what is rightfully theirs. Yaakov knows what his sons are thinking and he tries to downplay the dream's significance, but the damage is already done.

To save themselves and to secure the legacy of Avraham, the brothers take preemptive action and sell Yosef into slavery. The tragedy here is that the brothers' fears drive them to commit the very crimes they are trying to prevent: throwing a brother out of the family, plundering his share of Divine blessings, and lying to a parent. All for the sake of Heaven and all in line with family precedents.

(There is one glitch that cannot escape notice. When Yitzchak spoke of bowing brothers, he referred explicitly to “the sons of your mother.” Yosef's mother was Rachel, and Benjamin is his only full brother. All the other brothers were born of different mothers. Yosef's vision of all eleven of his brothers bowing to him does not

quite match up with the wording of Yitzchak's blessing. Yosef and the brothers must have wondered about this.)

Yaakov is upset and the brothers are jealous because they understand what the dreams foretell. Yosef will rule. Yosef will inherit the rights and powers vested in the Abrahamic blessings. Right? Wrong.

It never happens. Yosef never does become king; that role is reserved for the tribe of Yehuda. Nor does Yosef become *kohen*; that honor goes to Levi. While it is true that Yosef's two sons are elevated to the status of *shevatim*, it is difficult to see this as a fulfilment of the dreams or the blessings. Historically, the tribes of Ephraim and Menashe have had no leadership role and no greater prominence than any other tribe.

So what became of Yosef's dreams? If the Torah records them, they must be significant. What do they mean?

Bowing Etiquette

When the brothers first arrive in Egypt and stand before Yosef, he accuses them of being spies.

Yosef recognized his brothers and they did not recognize him. Yosef remembered the dreams he dreamt about them and he said, "*You are spies! You have come to find the land's weakness.*" (42:8-9)

With this false accusation Yosef begins his long torment of the family, which includes the imprisonment of Shimon, months of anxiety for Yaakov, and the framing of Benjamin. What exactly is Yosef doing? Even if it were possible to suspect Yosef Hatzadik of engaging in revenge, that untenable suggestion is refuted by Yosef's repeated emotional breakdowns. Revenge is sweet, not painful.

According to the Ramban, Yosef was busy making his dreams come true.

When Yosef saw his brothers bowing to him, he remembered all of the dreams he dreamt about them and he realized that neither of them was fulfilled with this [bowing] event. For he knew their interpretation. First, all his brothers would bow to him. This comes from the first dream, "we were bundling bundles of grain" (37:7), "we" means all of his eleven brothers. And the second time, in the second dream, the sun, moon and eleven stars bow to him. Since Yosef did not see Benjamin with them, he came up with this strategy of accusing them [of being spies] so that they would also bring his brother Benjamin to him in order to fulfill the first dream first.

This is why he didn't want to tell them [now] "I am Yosef your brother" ...

as he does on the second time [they come to Egypt]. For [if he would reveal his identity now], his father would certainly come immediately [and the first dream would not be fulfilled independently]. Only after the first dream is fulfilled does he tell them to fulfill the second dream.

Absent this [explanation], Yosef would be committing a terrible crime to put his father through pain, making him bereft and in mourning for so many days over [the imprisonment of] Shimon and over [the disappearance of Yosef] himself. Even if he wanted to make his brothers suffer a little, how could he not have compassion on his father? But [the truth is that Yosef] did everything at the right time in order to make the dreams come true.

As brilliant as it is, the Ramban's approach is difficult to accept. Are we to believe that the meaning of Yosef's dreams is the mechanical bowing of his brothers and his father, in a specific order? What is the significance of that? More disturbing is the idea that Yosef is making his father suffer in the pursuit of a personal agenda. Since when did making your dreams come true become a *mitzva*?

The Dream Interpreter

The *gemara* (*Berachos* 55b) teaches that dreams are flexible. Dreams have multiple valid possibilities and they materialize however they are interpreted.² This gives dream interpreters a remarkable degree of power and Yosef was a dream interpreter par excellence.

The truth of this reality is indicated by Yosef's own words to the royal butler:

"For if you remember me, just as I have been good to you, you should please do me a favor and mention me to Pharaoh and get me out of this [prison] house!" (40:14).

To ask for the pardon of a man convicted of attempted rape, a foreigner and a slave no less, is no small request, and a newly freed prisoner is in no position to ask for favors. Yosef knows he is asking a lot and he tells the butler to do it "just as I have been good to you." What did Yosef do for the butler? All Yosef did was explain his dream, and in return for that Yosef asks the butler to request a pardon from the king?! The answer is that dreams follow their interpretation. Yosef didn't just explain a dream; he saved the butler's life, and now he rightly asks the butler to do the same for him.

² The *gemara* learns this from none other than Yosef himself, as the royal butler told Pharaoh, "Just as he interpreted [our dreams] for us, so it was" (41:13). Of course, it is not a free-for-all. Dreams will only materialize as interpreted if the interpreter is qualified and the interpretation is valid. According to *Tosafos* (ad loc. s.v. *posrei chalomos*) the *mazal* of a person at the time of his birth determines his ability to interpret dreams.

Cognizant of the power of dream interpreters, my father, Rabbi Noam Gordon, explained our difficult Ramban.

Of course the plain meaning of Yosef's dreams is that he will be king, but Yosef does not want to be king. He does not want to usurp his brothers' role and the very idea has torn the family apart. As a dream interpreter, Yosef has the power to grab a dream by the horns and direct it as he wishes. Exercising this ability, Yosef decides to defuse his dreams by interpreting them literally. His brothers will merely bow down to him and that will be the end of it. Once that is accomplished, Yosef can reveal his identity and the brothers will have nothing to worry about. The dreams will be gone.

Now we understand why Yosef put his family through this ordeal. It was the only way to get rid of the dreams. As the Ramban wrote, had Yosef revealed his identity right away, Yaakov would have come straight down to Egypt together with Benyamin and the option of interpreting the dreams literally would have been closed.

It is a marvelous explanation, but taking things one step further, we end up with a disturbing result. Aside from his own dreams, Yosef also interprets the dreams of Pharaoh's baker and butler. If dreams follow their interpretation, then Yosef is responsible not only for saving the butler's life, but also for the death of the baker. Surely Yosef could have come up with an alternative interpretation! Who gave Yosef the right to kill a man?

Disturbing as it is, this question pales in comparison with the one posed by next episode in Yosef's career. When the king of Egypt dreams of stalks eating stalks and cows eating cows, Yosef is taken out of the dungeon to explain it. Yosef insists that it is all God's doing – *"It is not me... God is showing Pharaoh what He is about to do"* (41:16,28) – but we know that this is only half the story. Hashem empowered Yosef to make the call. Yosef is brilliant and creative and he has many options at his disposal, yet he decides to create a horrific famine. Why did Yosef do that?!

A Dream and a Nightmare

Yosef had two dreams. In his first dream, his father is ominously absent. Understandably, Yosef never tells his father about this dream. In Yosef's second dream, his father is present, powerfully represented by the sun. Another basic difference: In dream number one, Yosef's brothers appear to be his slaves, but in dream number two, they are untouchable and he looks up to them as stars.

Hashem is presenting Yosef with two options. Yosef will be given the opportunity to enslave his brothers, but for that to occur, their father cannot be present. Alternatively, Yosef can bring his father into the picture as the patriarch of

the family, but that requires putting his brothers on a pedestal. It will be for Yosef to choose which vision to bring to life. On a deeper level, Hashem is presenting Yosef with two different versions of himself. Yosef can follow in the footsteps of his father Yaakov and be a *tzaddik* or he can be a *rasha* like Uncle Eisav. The choice is his.

At the very beginning of our story, Yosef was living at home and speaking *lashon hara* about his brothers. Which brothers, exactly? According to the way the Ramban translates the *pasuk*, the Torah is clear:

Yosef was seventeen... despite his youth, he led the sons of Bilha and the sons of Zilpa, his father's wives, and Yosef spoke negatively about them to his father.

Why did Yosef speak negatively about Dan, Naftali, Gad and Asher? The answer is in the verse. Yosef did not consider them to be his brothers. He did not even consider them to be his father's sons. They are the "sons of his father's wives." Yosef's attitude suggests resentment and it undoubtedly has its roots in the early death of his mother Rachel and his strained relationship with her "replacement," his stepmother Bilha.

When Yaakov reacted to Yosef's dream, he was correct to focus on the moon, for the moon holds the secret to saving the family. As Rashi explained, the moon tells us that Yosef's mother is alive and well. Her name is Bilha.

Yosef must make peace with Yaakov's second marriage to Bilha and he must view himself as Bilha's son. In so doing, his relationship with Dan and Naftali will be fixed, for he will cease viewing them as "sons of his father's wife."

They will be full-fledged brothers, sons of his own father and mother, and he will appreciate their strengths, not publicize their weaknesses. From there, Yosef can move on to recognizing all of Yaakov's wives as matriarchs and accepting all of Yaakov's sons as brothers. If Yosef does that, the family will be whole. Otherwise, we are left with the nightmare scenario of the first dream.

Years later, Yosef is masquerading as an Egyptian viceroy and his brothers are all assembled before him, helpless and at his mercy. Yaakov is far away in Israel, low on food and anxiously awaiting his sons' return. The time has come for Yosef to make a choice.

Bursting into tears, he cries out, "*I am Yosef! Is my father still alive?*" He then kisses each of his brothers and cries with them (45:3,15).

Yosef is telling his brothers that he rejects the first dream and its dark temptations of revenge and power. What he wants is family. Yosef has chosen dream number two and for that Yaakov must be present, and so Yosef asks, "Is my father still alive?"

Yosef has passed the test and the mystery of Yitzchak's prophecy is resolved. "Your mother's sons will bow to you." By embracing his brothers, Yosef has indeed transformed the sons of his father's wives into the sons of his own mother.

Yosef and Avraham

Secrets are buried beneath the surface of dreams and extracting them requires the right tool. Diamonds are mined with explosives. Dreams are mined with questions.

In Yosef's second dream, he sees the sun, the moon and eleven stars. There is a very obvious problem with this picture. Stars are invisible when the sun is in the sky!

Yosef was not the first man to see stars during the day. Great-grandfather Avraham saw them too, in the midst of the *bris bein habesarim*.

The words of Hashem came to Avraham in a vision... He brought him outside and He said, "Look now at the sky and count the stars, if you can count them." And He said, "So will be your descendants." ... The sun began to set... (15:1,5,17)

If the sun first sets at the end of the prophecy, then it must have been in the sky when Avraham was stargazing. How is this possible?³ After acknowledging that the plain meaning of the text is that Hashem literally brought Avraham outside of his tent to view the stars, Rashi quotes a *midrash* that reads the verse allegorically. Hashem said to Avraham, "Breakout from your destiny! You saw in the stars that you would not have a son. Avram has no son, but Avraham does have a son." Rashi then cites another *midrash*. "[Hashem] took him outside of the universe and lifted him up above the stars..." From that perspective, the sun can certainly be seen together with all the other stars.

Stars represent the forces of nature. Divine providence flows through the zodiacal constellations (*mazalos*),⁴ particularly through the constellation in which the sun is currently located (cf. *Rosh Hashana* 11b). When Hashem told Avraham to look at the stars during the day, He was directing Avraham's attention to that month's *mazal*. Hashem then said, "So will be your descendants!" In other words, Divine providence and blessings will flow into the world through the Jewish people just as they flow through the *mazalos*. Hashem essentially said the same thing to Avraham years earlier. "Through you will be blessed all the families of the earth" (*Bereishis*

3 Due to the force of this question, the Rashbam posits that despite the clear flow of the text, these events did not all occur at the same time (cf. *Berachos* 7b, *Tosafos* s.v. *lo haya*).

4 "Every single blade of grass has a *mazal* in the firmament which hits it and says, 'grow!'" (*Bereishis Rabba* 10). For more on *mazalos*, see *Derech Hashem* 2:7 and *Nefesh HaChaim* 3:10.

12:3). This is why the Jewish people have no *mazal*; they are themselves a *mazal*.⁵

Seeing stars by day also represents the extrasensory ability to recognize invisible forces at play in our daily lives. “So will be your descendants.” This is the quality of the Jew. He knows there is a God who runs the world. He knows there is more to life than what meets the eye.

Yosef’s dream matches Avraham’s vision. Like Avraham, Yosef was given the gift of seeing stars by day. It follows that Yosef is the spiritual successor of Avraham, heir to the *bris bein habesarim*. This may mean that Yosef exists outside of the laws of nature and is not bound by destiny. It may mean that Yosef will be a conduit of blessing and provide sustenance for the entire world. Or it may mean that Yosef will always be cognizant of Hashem’s presence and providence. We cannot be certain of the meaning of the dream, but we do know that all of these things turn out to be true in the life of Yosef.⁶

In the ancient world, pagan man worshiped the heavenly bodies. In Yosef’s dream the scene is reversed; the sun, the moon and the stars bow before man. This is a fundamental teaching of the Torah: The center of creation is Man. The message of the *mazalos* bowing to Yosef is that he has the power and the mandate to transcend natural law and bend the world – and his dreams – to his will.⁷

The Seed of Yosef

The Divine promise Avraham received under the stars is now being channeled through Yosef. That promise was encapsulated by the words, *ko yihiyeh zarecha*, “so will be your descendants.” Yosef’s *zera* will be as uncountable as the stars.

What if Yosef does not want this blessing? What if he wants to share it with his eleven brothers? Is there any way out?

Yosef has a plan. Usually translated as descendants, *zarecha* literally means “your seeds.” Aside from the *zera* of Avraham, there is one other thing in *Sefer Bereishis*

⁵ “*Ein mazal l’Yisrael*” (*Shabbos* 156a). See, however, Rashi and *Tosafos* (ad loc.) who qualify this statement.

⁶ Seeing stars by day is also a sign of tragedy (cf. *Moed Katan* 25b), another thing Yosef’s life did not lack.

⁷ Every individual is obligated to say, “The world was created for me” (*Mishna, Sanhedrin* 4:5). “I rule over man. Who rules over Me? The *tzaddik*, for I pass a decree and he annuls it” (*Moed Koton* 16b). “This is one of the conditions that Hashem set upon all the acts of creation: they are subjugated to the Torah and to those who labor [in Torah]. [The creation] must perform whatever they decree on it and their rule over it is akin to the rule of the Creator, may He be blessed. This is why you will find individual *tzaddikim* who control the heavens, the earth, the stars, the sun and the moon” (*Ohr HaChaim, Shemos* 14:27, s.v. *leisano*). For a description of how the human *neshama* was designed to influence and control all the forces of the created universe, see *Nefesh HaChaim* 1:5-7. For the idea that a person immersed in Torah transcends the *mazalos*, see *Nefesh HaChaim* 4:18.

which is described as uncountable: the surplus of seeds produced by Yosef. “Yosef amassed produce as numerous as the sand of the sea, until they ceased counting, for it was without number” (41:49).⁸ Yosef the Dream Interpreter has manipulated the meaning of zera! Redirecting the blessing from children to food, Yosef simultaneously saves mankind from starvation and secures the legacy of Avraham for all of Yaakov’s sons.

Where did Yosef get the right to intervene in Hashem’s plans? Why didn’t Yosef submit to the plain meaning of the blessings and the dreams? Who gave Yosef a license to kill the royal baker and create a world-wide famine? The answer is his own dreams! Yosef’s dreams taught him that he has been vested with the responsibility and the power to unify the family of Yaakov and nothing in the universe is more important. Killing the baker and saving the butler cemented Yosef’s reputation as an effective dream interpreter and ultimately got him out of prison, and the famine is what put Yosef in power and brought his brothers down to Egypt. Man and Nature must bow and collude with Yosef to make his dreams come true, collateral damage notwithstanding.

The Eisav that Wasn’t

Sefer Bereishis ends with a heart-wrenching episode.

The brothers saw that their father died and they said, “Maybe Yosef hates us and will repay us for all the evil we did to him!” They sent a message to Yosef. “Before his death, your father instructed as follows, ‘Tell Yosef to please forgive now the crime of your brothers...’” Yosef cried as they spoke to him. His brothers then went and prostrated themselves before him and said, “We are your slaves.”

Yosef said, “Do not be afraid. Am I in place of God? You thought evil of me; Hashem arranged it for the good in order to bring about what we have today: the sustenance of a great nation. Now, do not be afraid! I will support you and your children.” He consoled them and spoke to their hearts. (50:15-22)

Yosef’s response is strange. They “thought evil” of him?! They did evil to him! And why is Yosef committing to supporting his brothers? They came pleading for their lives, not asking for a handout.

The answer is that the brothers are not afraid of revenge; they are afraid of Yosef’s dream. Their offer to become Yosef’s slaves was not driven by guilt for enslaving him – Yosef forgave them for that already (cf. 45:5). Rather, unaware that

⁸ The produce amassed by Yosef is called *zera* in 47:19, 47:23 and 47:24.

the dreams had already been neutralized, the brothers are acting in accordance with their understanding of Yosef's first dream. As long as Yaakov was alive, the second dream was in play and the brothers were as safe as the stars in the sky. But now Yaakov is gone. The brothers "saw that their father had died." The second dream had run its course and now the time has come for the first dream to materialize. And so the brothers prostrate themselves before Yosef and declare, "We are your slaves!"

What is Yosef's response?

"You thought evil of me." You think I wish to strip you of your blessings? You accuse me of fantasizing of a dystopia where I am dictator and you are my slaves? You suspect me of being Eisav reincarnate? You think I am evil?

"Yes, I had that option and I rejected it. You forget that I do not only dream; I also interpret dreams. My first dream, the vision of your bundles bowing to mine – it is not what you think! I do not see enslavement, I see food distribution, and you are bowing in gratitude. Due to my intervention, Hashem turned my dream into an engine for good, to sustain a great nation. My dream does not mean that I shall enslave you; it means I will support you!"

In the end, the brothers were justified in their fears that Yosef would be a "thief" like his mother and a "trickster" like his father. Rachel had the right and the ability to claim the blessing of Yaakov all for herself, but she gave it up for her sister. Yosef also had the right and the ability to claim the family blessings for himself, but like his mother, he gave it up for his brothers. Yaakov had to pose as his evil twin and deceive his father in order to prevent the blessings from falling into the hands of his brother. Yosef also had to pose as his evil alter ego, in the form of a vicious viceroy, and deceive his father in order to prevent the blessings from falling into the hands of his twin, the other Yosef. Like his mother and like his father, Yosef is a holy thief. Yosef the *Tzaddik* stole the blessings from Yosef the *Rasha*.

This gives us a new understanding of Yosef's emotional outburst. "*I am Yosef! Is my father still alive?*" After all the years separated from family and living in the fleshpot of Egypt, Yosef is grappling with his own identity. Like Yaakov and Eisav in the womb of Rivka, the two Yosefs are engaged in a struggle for supremacy and the future of the Jewish people hangs in the balance. Yosef cries out in amazement, "I am Yosef! Does the Yaakov within me still live?!" With that question, Yosef provided the answer.

As we read *Sefer Bereishis*, we watch Yosef grow from a self-centered child damaged by his mother's death to a man who courageously exercises supernatural powers and lovingly embraces the brothers who tried to destroy him. Emasculating his dreams, Yosef sacrificed the promise of eternal royalty on the altar of family

unity. Millennia later, will still bow before the man whose leadership, wisdom and selflessness healed the family and set the stage for the birth of the Chosen Nation.

Shemos



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Haircuts, Manicures, and Feticide: A *Halachic* Perspective on Abortion

DOVID LEVINE



P*arshas Shemos* (1:15-16) introduces the reader to Pharaoh's commandment to kill all first born Jewish males. The Torah states, "And the king of Egypt said to the Jewish midwives...When you deliver the Hebrew women... If it is a son, you are to kill him." Rav Shmuel Eliezer HaLevi Eidels, the Maharsha, asks in his commentary on *Maseches Sanhedrin* (57b), why Pharaoh only instructed the Jewish midwives to enact his decree, as the commandment to kill all Jewish males should have applied equally to both Jewish and non-Jewish midwives. He answers that since the *sheva mitzvos Bnei Noach* prohibit non-Jews from committing murder, Pharaoh never intended to kill the children. Rather, Pharaoh instructed the Jewish midwives, who, unlike non-Jews, are not prohibited against abortion, to identify the gender of the fetus prior to birth and then abort any male fetus. Maharsha concludes that Pharaoh strategically instructed only the Jewish midwives to carry out his decree in order to circumnavigate any potential violation of the prohibition of murder.

What appears striking is the Maharsha's seeming nonchalant attitude towards Jews and abortion. Is Maharsha correct that Jews are permitted to commit abortions? This essay will present a *halachically* permissive perspective on abortion, by analyzing both classical texts and contemporary responsa literature. It is important to note that Rav Moshe Feinstein took a very restrictive position on abortion, limiting the dispensation to cases of imminent danger to the mother's life. However, through the sources I will present in this essay, I will demonstrate that many of the classical and contemporary sources reflect a more permissive approach to abortion.

Biblical Source

While the Torah does not directly address abortion, *Parshas Mishpatim* discusses the

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ramification of a forced miscarriage. The Torah (*Shemos* 21:22-23) states, “If men shall fight and they collide with a pregnant woman and she miscarries, but there will be no fatality (she does not die), he shall surely be punished as the husband of the woman shall cause to be assessed against him, and he shall pay it by order of the judge. But if there shall be a fatality (the woman dies) then you shall award a life for a life.”¹ From the perspective of the Torah, abortion should not be viewed as murder and a capital crime, but rather as a tort case and a monetary crime.

Mishna, Gemara, and Rishonim

The rabbinic discussion of abortion begins with a *mishna* in *Maseches Ohalos* (7:6) which states that if a woman is having difficulties giving birth, one may abort the fetus to save the life of the mother, because the mother’s life takes precedent over the fetus. However, once the child’s head has crowned, one may no longer abort the pregnancy. The *mishna* teaches that late-term abortions are permitted in a case of danger to the life of the mother. However, even to save the life of the mother, a partial birth abortion will be prohibited.

The *mishna* in *Erchin* (7a) also indirectly addresses abortion, saying that *beis din* should immediately carry out a capital sentence and should not delay judgment for any reason, even if the condemned criminal is a pregnant woman. However, if the condemned woman is sitting on the birthing stone, *beis din* should wait until after the birth to carry out the sentence. The *gemara* (*Erchin* 7a) explains that once the woman has begun labor, *halacha* views the fetus as detached from its mother and at that moment, an independent being. The *gemara* extends the ruling of the *mishna* by quoting Rav Yehuda in the name of Shmuel, who allows for a condemned woman to abort her fetus, prior to her execution, to prevent her from embarrassment.

The *gemara* in *Erchin* continues and quotes Rav Nachman in the name of Shmuel who states that it is permissible to violate the Shabbos to extract a fetus from the womb of a mother who has died on Shabbos.

The *gemara* in *Erchin* seems to present a contradiction. Abortion is permitted to prevent the embarrassment of a woman condemned to die for a capital crime, but we violate Shabbos to save the potential life of a fetus. Before addressing this question, I will present a few more *gemaras* and will return to this question when analyzing the opinions of the *rishonim*.

The *gemara* in *Sanhedrin* (72b) discusses the concept of *rodef*. The *gemara* rules that the dispensation of murder for stopping a *rodef* applies equally to an adult and a

¹ Translation provided by ArtScroll Series Stone edition of the Chumash

minor. In response to this ruling, Rav Chisda cites the *mishna* in *Ohalos* 7:6 and asks, if the status of a *rodef* applies to a minor, why did the *mishna* rule that one may not abort a fetus once its head has crowned? If the rule of *rodef* applies to a minor, one should be allowed to abort a fetus to save the life of the mother at any stage. The response is that in the case in *Ohalos*, the *halacha* does not view the infant as a *rodef*, but rather *mishmaya karadfei la*, Heaven is pursuing her.² Rashi (ad loc. s.v. *yotza rosha*) explains that *halacha* does not view the fetus as a life until the moment the baby's head crowns. Therefore, it is permissible to abort a fetus. Once the fetus has crowned, *halacha* views the fetus as a child and therefore one may no longer abort, even to save the life of the mother.

The *gemara* in *Nidda* (44a-44b) rules that a fetus cannot inherit property or goods from its parents. *Tosafos* (ad loc. s.v. *ehu mais berasha*) cites the *mishna* in *Ohalos* 7:6 and the ruling of *Erchin* 7a which allows the violation of Shabbos to save the potential life of the fetus. *Tosafos* asks why one is permitted to violate the Shabbos for a fetus, but at the same time allowed to abort a fetus to save the life of the mother? *Tosafos* answers that even though abortion is completely permissible, nonetheless *halacha* permits one to violate the Shabbos to save the potential life of a fetus. *Tosafos* offers the case of a *goses*, a terminally ill patient on his or her death bed, as a proof that abortion is permissible. *Tosafos* cites two *gemaras*, one which seems to offer absolution to the murderer of a *goses* and another that permits the violation of Shabbos for medical treatments for the *goses*.³ *Tosafos* concludes that one may abort a fetus for the benefit of the mother.

Ramban, in his commentary on *Maseches Nidda*, (42b s.v. *veha detnan*) explains that the fetus does not have the legal status of a human. As a result, so long as a fetus is in the mother's womb, the fetus does not carry the title of "life" and cannot avail itself to the *halachic* protection of *hatzalas nefashos*. Ramban uses this logic to explain why abortion is permitted by the *mishna* in *Ohalos* and the *gemara* in *Erchin*. Further, Ramban explains that the reason *halacha* allows the violation of Shabbos for a fetus is because of the concept of *הרבה שבתות הרבה כדי שיתקיים שבת אחת*, violate one Shabbos today so that one may observe future *Shabbosos*. Ramban extends *chillel Shabbos achas* to a fetus, thereby allowing abortion and the violation of Shabbos for the sake of a fetus.⁴

² For an alternative version of this passage, see *Talmud Yerushalmi Shabbos* 77a.

³ The *gemara* in *Sanhedrin* (78a) rules one who kills a *goses* would not be held liable for murder. The *gemara* in *Yoma* (84b) states that one may violate the Shabbos for the medical benefit of a *goses*.

⁴ For similar explanation see Meri, Ra'a, Rashba, Ritva, Ran, and SMA's commentaries to *Nidda* 42b and Ran's commentary to *Yoma* 65a

Despite the permissive rulings of Rashi, *Tosafos* in *Nidda*, and Ramban, *Tosafos* elsewhere adopts a more stringent approach to abortion. The *gemara* in *Chulin* (33a) discusses the prohibition of *ever min hachai*. In this context, *Tosafos* (ad loc s.v. *echas oved*) cites the *halachic* principle that the Torah does not permit any activity to Jews that it prohibits for non-Jews. *Tosafos* then lists a series of rulings which seem to contradict this principal, including abortion. In regards to abortion, *Tosafos* states that *halacha* views an abortion committed by a non-Jew as murder and a capital crime. Therefore, *Tosafos* assumes that just as non-Jews are prohibited from committing abortions, so too Jews are prohibited from committing abortions.

Similarly, *Tosafos* (*Sanhedrin* 59a s.v. *lekah medaim*) states that while *halacha* classifies abortion committed by non-Jews as murder and therefore a capital crime, *halacha* does not impose the same capital punishment for Jews who commit abortions. Despite the difference in punishment, *halacha* still views abortion as prohibited for Jews and non-Jews alike. *Tosafos* concludes that despite abortion's status of murder, to save the life of the mother, abortion will be permitted.

To address the questions raised by *Tosafos* in *Chullin* and *Sanhedrin*, Rav Shneur Zalman Pradkin, in his work *Toras Chesed* (*Even HaEzer* 42), suggests that abortion is Biblically prohibited for Jews and non-Jews alike. However, the prohibitions against abortion for Jews and non-Jews stem from different sources. In regards to Jews, the Torah prohibits abortion under the laws of damages. However, for non-Jews, the Torah prohibits abortion under the Noachide laws of murder. As a result of the categorical difference for the prohibition against abortion for Jews and non-Jews, the dispensations for abortion will apply to a wider range of scenarios for Jews than for non-Jews.

Rav Chaim Ozer Grodzinski (*Shu"t Achiezer* 3:65) offers an alternative explanation, suggesting that *Tosafos* rules like the opinion of Shmuel, who authored the rule of *mi dami*. However, the *Tana Kama* of the *gemara* seems to rule against Shmuel. As such, Rashi, Ramban, and *Tosafos* in *Nidda*, may simply *pasken* like *Tana Kama* and not Shmuel.⁵

Rambam

Rambam introduces a complexity to the abortion discussion through his ruling in his *Yad Hachazaka* (*Hilchos Rotzeach U'shmiras HaNefesh* 1:9) that abortion is only permitted to save the life of a mother, because *halacha* views the fetus in the mother as a *rodef*. One may kill the *rodef* to save the individual being pursued. However, once

⁵ See *Sridei Aish Choshen Mishpat* 162 footnote 4 who rejects this idea.

the baby has crowned, since danger in childbirth is part of nature, a partial birth abortion will be prohibited, even to save the life of the mother.

The ruling of Rambam is perplexing for three reasons. First, Rambam seems to rule against the *gemara* in *Erchin* 7a, by limiting the dispensation for abortions to *rodef* scenarios. Second, Rambam draws a distinction between late-term and partial-birth abortions, permitting the former under the rule of *rodef* and prohibiting the latter by labeling it murder. However, according to Rambam's logic, there should not be a distinction in law between a late-term and partial-birth abortion. In both cases, the fetus or child should be viewed as a *rodef* and killed to save the life of the mother. Lastly, Rambam changes the language of the *gemara*, (*Sanhedrin* 72a), from identifying "Heaven" as the pursuer to, "the nature of the world."

Rav Yosef Teomim, in his commentary on *Shulchan Aruch, Pri M'gaddim* (*Orach Chaim Mishbetzos Zahav* 328:1), addresses the challenges of understanding the Rambam's approach to abortion, in a lengthy discussion about permissible medical procedures on Shabbos. Rav Teomim states that in light of the rulings of the *gemara* in *Sanhedrin* 72b, one must read the Rambam closely and inflect on the word "*k'rodef*", "like" a *rodef*. Rav Teomim assumes that the Rambam did not mean to actually label the fetus as a proper *rodef*, but merely like a *rodef*. As a result of Rav Teomim's non-literal reading of the Rambam, one should expand the dispensation for abortion to cases other than life of the mother.

An alternative reading of the Rambam is presented by Rav Isser Zalman Meltzer, in his work *Even HaAzul* (*Hilchos Rotziach VeShmiras HaNefesh* 1:9).⁶ Similar to the *Pri Migaddim*, Rav Isser Zalman operates on the word "*rodef*", to try and present a harmonized reading of the Rambam. Rav Isser Zalman quotes the *gemara* in *Bava Kama* (117b) which discusses a group of individuals traveling by boat, caught in storm, and at risk of capsizing. Rava rules that in order to save the lives of the people on the boat, one may cast the belongings of the passengers overboard. Further, if one destroys the property of the passengers to save their lives, the *halacha* views the belongings as a "*rodef*", thereby exempting the individual from compensating for damages. Rav Isser Zalman explains that the *rodef* of *Bava Kama* is not the same as the classical pursuer. Rather, in the case of the boat, both the weight of the passengers and their luggage are equally "pursuing" each other. However, the Torah does not issue a dispensation to save the luggage with the lives of the passengers. Rather, even though the passengers and the property are equally "guilty", the Torah instructs to

⁶ For similar readings of Rambam see *Shu"t Achiezer* 3:23, *Toras Chesed Even HaEzer* 42

destroy the property to save the lives of the passengers. Similarly, in the case of a woman struggling in childbirth, one could view the mother and fetus as pursuing each other equally. Therefore, the Rambam introduces the word *rodef* to teach that the fetus in the birthing canal has the same status as the atypical *rodef* of *Bava Kama*. As a result, as long as the baby has not crowned, abortion of a fetus is preferred when the life of the mother is at risk. Like in the boat scenario of *Bava Kama*, the fetus gains the label “*rodef*” and not the mother, even though the mother and the fetus are equally pursuing each other. However, once the child has crowned, the child loses the status of the *Bava Kama rodef* and the *halacha* views the mother and her child as two lives equally pursuing each other. As such, since “this is the nature of the world,” *halacha* does not allow one to intercede and rather requires one to let nature take its course. Through this novel reading of the Rambam, Rav Isser Zalman explains that the *rodef* of the Rambam should not be read as the classical *rodef*, but rather as the *rodef* of *Bava Kama*. Therefore, the Rambam’s intention was not to limit the permission for abortion to only save the life of the mother. Rather, when a mother and her fetus equally endanger each other, one should save the life of the mother. However, one can infer that abortion may be permitted in other scenarios, where the specific mechanics of childbirth are not at play.⁷

Codes

Despite the challenges in its understanding, *Shulchan Aruch* (*Choshen Mishpat* 425:2) quotes the Rambam verbatim and codifies the prohibition of abortion in all scenarios other than life of the mother. However, *Aruch HaShulchan* (*Choshen Mishpat* 425:6), rejects the stringent reading of the Rambam and rules that abortion may be permitted in some non-*rodef* scenarios.

Responsa Literature (health of the mother, *mamzer*, rape, mental health, life of another child, and birth defects)

Rav Yosef Trani (*Shu”t Maharit* 99) was asked the general question of whether one may commit an abortion. Rav Trani answers by citing the monetary penalty assigned by the Torah to the case of a forced miscarriage and the *gemara* in *Erchin* 7a which permits abortion to prevent the embarrassment of the condemned woman. Rav Trani infers from these sources that the prohibition against abortion cannot stem from murder, but rather must emanate from the laws of damages. As a result, Rav Trani rules that abortion will be permitted in any scenario which will benefit the health of the mother.

⁷ For a strict literal reading of the Rambam see Rav Chaim HaLevi, *Rotzeach U’Shmiras HaNefesh* 1:9 and Rav Moshe Feinstein *Iggros Moshe Choshen Mishpat* 2:69

Rav Yair Bacharach (*Chavos Yair* 31) was presented a case of a woman who became pregnant through an adulterous relationship. After a few months of pregnancy, the woman regretted her actions and requested an allowance from Rav Bacharach to abort her pregnancy to prevent the birth of her child who would be born a *mamzer*. After presenting a thorough analysis of the *sugya*, Rav Bacharach suggests a novel distinction in law between three stages of childbirth: First, Rav Bacharach prohibits an abortion after the mother has died during childbirth.⁸ Second, Rav Bacharach rules abortion as *pattur aval assur*, prohibited but not punishable, once the fetus has entered the birthing canal and the mother is alive. Third, Rav Bacharach permits abortion at any stage prior to the fetus entering into the birthing canal. Using this distinction, Rav Bacharach suggests that abortion should be permitted to prevent the birth of a *mamzer*. Despite presenting a lenient conclusion, Rav Bacharach prohibits the abortion out of fear of social and societal consequences. Rav Bacharach voices concern that a lenient ruling may lead to the proliferation of promiscuity and therefore rules the abortion unlawful.⁹

Rav Eliahu Perlman, in *Shu"t Ohr Gadol* (31), addresses a case of a woman who became pregnant through a rape and requested permission to abort her fetus. Rav Perlman writes that *halacha* views a woman being raped as *karka olam*, the inactive partner, and as a result, does not punish an *eishes ish*, married woman, who is raped. Using the language and logic of *karka olam*, Rav Pearlman rules that a woman is only prohibited to abort a fetus from a consensual relationship. However, if a fetus is conceived without consent, a woman is permitted to abort the pregnancy and does not have an obligation to carry the fetus to full term.

Rav Mordechai Winkler, in *Shu"t Levushei Mordechai* (*Choshen Mishpat* 39), was sent a question from a pregnant woman who was diagnosed with a condition in which she would become mentally ill as a result of her pregnancy. The woman's doctors prescribed an abortion to prevent the onset of the mental illness. Building on the response of Maharit, Rav Winkler suggests that the prohibition of abortion stems from the monetary penalty owed to the father and not from murder. As a result, Rav Winkler concludes, an abortion should be allowed for this woman, since, while not directly life threatening, mental illness is a significant health risk. As further support for his

8 Rav Bacharach derives this ruling from the *gemara* in *Erchin* 7a which only allows the violation of Shabbos for a fetus in the birthing canal.

9 See *Ben Ish Chai*, *Shu"t Rav Pe'alim Even HaEzer* 1:4 and Rav Yaakov Emden, *Shaylas Yavetz* 1:43, who permit abortions to adulterous women in order to prevent the birth of a *mamzer*. Also, see *Iggros Moshe Choshen Mishpat* 2:69 and *Sridei Aish Choshen Mishpat* 127 who thoroughly refute Rav Bacharach's logic.

position, Rav Winkler mentions that his ruling was in sync with the common practice of the Jewish community of Constantinople.

Rav Yitzchak Elbaum, in *Shu"t Shaylas Yitzchak (Yoreh Deah 64)*, was presented a case of a nursing mother whose child had a medical condition which required him to exclusively breast feed. The mother was also four weeks pregnant and as a result the pregnancy, was suffering from a diminished milk supply. As a result of the woman's weak milk supply, the doctors were concerned that if the woman allowed the pregnancy to carry to full term, her first child would not survive. The doctors suggested the woman abort her pregnancy to save the life of her first child. In response, Rav Elbaum suggests that even according to the stringent reading of the Rambam, the label of *rodef* should apply to the fetus regardless of whom it is pursuing. As a result, in this case, the fetus should be viewed as a *rodef* pursuing its brother. Rav Elbaum rules that one should extend the Rambam's logic of *rodef* to this case, even though the fetus only indirectly affects the first child. Rav Elbaum concludes that to save the life of the first child an abortion should be permitted.^{10 11}

Rav Eliezer Waldenberg (*Shu"t Tzitz Eliezer 7:48*) addresses the issue of birth defects in a fetus in general and Tay Sachs in specific. Rav Waldenberg writes that an abortion should be permitted if the abortion will result in a physical or mental health benefit for the mother. As a result, from the perspective of the fetus, a birth defect will not justify an abortion. However, if the birth defect in the fetus will cause mental anguish for the mother, an abortion will be permitted.¹²

While this essay argues that *halacha* presents a broadly permissive attitude towards abortion, the conclusions drawn should be viewed as *halacha velo lemaase*. When presented a question about a ruling on abortion, one must consider the full ramifications of their actions. While in many scenarios the technical *halachic* mechanisms may be in place to allow an abortion, the action will ultimately extinguish the potential life of a human and all of his or her future progeny. The Torah places a tremendous value on life and ending a life, even when justified, should never be taken lightly.

10 For a similar ruling see *Shu"t Bais Yehuda Even HaEzer 14*

11 Rav Elbaum also discusses the impact of the stage of pregnancy and its effect on permitting abortions. For before 40 days see the *gemara* in *Yevamos 69b*, *Shu"t Bais Shlomo Choshen Mishpat 132*, *Shu"t Toras Chesed Even HaEzer 42:33*, and *Sridei Aish Choshen Mishpat 127* who permit and Rav Unterman in *Noam 6:1* and *Iggros Moshe Choshen Mishpat 2:69* who prohibit. Also, *Shu"t Pri HaSadeh 2:50* who permits abortion until the end of the first trimester. See *Ran Yoma 65* and his quotation of *Rashba ad loc*, who suggest abortion should be permitted as long as the fetus is fully dependent on its mother.

12 See *Sridei Aish Choshen Mishpat 127* for a similar ruling in cases of microcephaly caused by rubella.

Why did our Greatest Leader Need to Have a Speech Impediment?¹

DR. MICHAEL KLEINMAN



It can be argued that Moshe Rabbeinu was the greatest leader in the history of the Jewish people and the entire world. However, he presents quite a paradox. Despite his outstanding leadership capabilities, Moshe Rabbeinu was handicapped by a speech impediment. He was so uncomfortable with this defect that he refused Hashem's request for him to lead Bnei Yisrael out of Egypt.

ויאמר משה אל ה' בי אדני לא איש דברים אנכי גם מתמול גם משלשם גם מאז דברך אל עבדך כי כבד פה וכבד לשון אנכי. ויאמר ה' אליו מי שם פה לאדם או מי ישום אלם או חרש או פקח או עור הלא אנכי ה'. ועתה לך ואנכי אהיה עם פיך והוריתך אשר תדבר.
Moshe replied to Hashem, 'Please, my Lord, I am not a man of words, not since yesterday nor since the day before yesterday, nor since You first spoke to Your servant, for I am heavy of mouth and heavy of speech.' Then Hashem said to him, 'Who makes a mouth for man, or who makes one dumb or deaf, or sighted or blind? Is it not I, Hashem? So now, go! I shall be with your mouth and teach you what you should say.' (Shemos 4:10-12)

Rashi explains that Moshe, in his humility, simply did not want to supersede his older brother and was trying to find any pretense to decline Hashem's request. Moshe continues to argue with Hashem who then becomes upset with Moshe and tells him to work together with his brother Aharon. Moshe would tell Aharon what to say and he would then present it to Pharaoh. Regardless of Moshe's reasons, in the end he still was a tremendous leader despite his speech defect. Hashem had the power to heal Moshe's speech, but He didn't. What does Hashem want us to learn from this paradox?

¹ Many of the sources and ideas in this article come from a shiur by Rabbi Shaya Greenwald, *shlit"u*.

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A Spiritual Approach

Rav Chaim Yaakov Goldvicht ז"ל looks at the question from a spiritual perspective. Moshe Rabbeinu reached the highest levels in *ruchnius*. He was the greatest *navi* to ever walk the face of the Earth.² He spoke "face to face" with Hashem without any filters.³ This was unique compared to any other *navi*. During his three sojourns on *Har Sinai* he abstained from food and drink. He was clearly in a spiritual state never to be matched by anyone in history. Based on the Maharal, Rav Goldvicht explains that each person has within him both *ruchnius* and *gashmius* and speech acts as the intermediate between them. The power of speech differentiates humans from the rest of the physical animal world. Speech is the bridge between the spiritual and physical realm. Moshe Rabbeinu was living in *olam hazeh* but his connection to *olam haba* was so strong that his essence was otherworldly. Therefore his bridge, his speech, was inherently weak. Moshe himself was a walking paradox and his speech was illustrative of this!

A Practical Approach

There is another more practical approach. Moshe was the conduit of Hashem's Torah into this world. He received the teachings from Hashem and transmitted it accurately to *Klal Yisrael*. The *Drashos Haran*⁴ explains that all of Moshe Rabbeinu's teachings were *bli pilpul* and completely truthful. He faithfully transmitted the Torah, and *Bnei Yisrael* fully believed everything he said. Hashem did not want there to be any suspicion that *Bnei Yisrael's* faith in Moshe came from his power of persuasion. There could not be a chance that they were being influenced by a glib salesman with the gift of gab. History is speckled with examples of powerful leaders persuading the masses for good or evil through their use of speech. It was vitally important that the Torah was transmitted without a hint of suspicion to its authenticity. Hashem made Moshe *arel sefasayim* to make it clear for all eternity that his teachings and leadership came from the One true source.

The *Meshech Chochma* points out that despite his exemplary track record, *Klal Yisrael* still suspected Moshe of nefarious activity. The *gemara* in *Moed Katan* (18b) tells us that Korach warned his followers not to let their wives be secluded with Moshe lest he commit adultery. In another instance, *Klal Yisrael* were concerned that

² *Devarim* 34:10

³ *Bamidbar* 12:8

⁴ Fourth *Drasha*

Moshe was stealing from community funds.⁵ This could be a reason why the Torah tells us that Hashem gave Moshe permission to keep the shavings of the *luchos* that he carved and that he became independently wealthy through them. Additionally, there were frequent complaints throughout the time in the *midbar* where Moshe was accused of leading *Bnei Yisrael* to death on the journey. These examples demonstrate that if Moshe Rabbeinu was a smooth talking orator, scoffers would have used that as an opening to accuse the Torah of being a fabrication, *chalila*.

This discussion regarding Moshe's speech impediment can also shed light on another important question: why was Moshe punished so severely for hitting the rock instead of speaking to it?⁶ Moshe did not follow Hashem's exact command but surely a lesser punishment would have been more appropriate. However, if Moshe's role was to be a direct conduit of Hashem's words to *Bnei Yisrael* and the world, a role which Hashem accentuated through a speech impediment, then the issue seems clearer. The case of hitting the rock was the only instance in the *Chumash* where Moshe directly went against the command of Hashem. This potentially could put the veracity of all of Moshe's teaching into question. For this reason, Hashem decreed an immediate and most severe penalty which was recorded for all posterity. This solidified the notion that *Moshe emes v'torasos emes*, Moshe is truth and his Torah is truth, applied to everything else. Again we see the lengths to which Hashem went to ensure this concept.

A Constant Eved Hashem

וירא ה' כי סר לראות ויקרא אליו אלהים מתוך הסנה ויאמר משה משה ויאמר הנני
ויהאמר אל תקרב הלם של נעליך מעל רגליך כי המקום אשר אתה עומד עליו אדמת
קדש הוא.

Hashem saw that he turned aside to see; and God called out to him from amid the bush and said, 'Moshe, Moshe,' and he replied, 'Here I am!' He said, 'Do not come closer to here, remove your shoes from your feet, for the place upon which you stand is holy ground.' (Shemos 3:4-5)

The first interaction between Moshe and Hashem is surprising. Instead of announcing His presence as God of the Forefathers or the like, He immediately tells Moshe to remove his shoes, a seemingly mundane request. Why was this chosen? What did the shoes represent?

⁵ Shemos 38:25-28 Midrash

⁶ Bamidbar 20:7-13

When humans kill an animal and turn its hide into shoes, it shows our complete dominion over the animal kingdom. The constant “trampling” of the animals reminds us of this. However, when Moshe was about to speak with Hashem, a reminder of human dominion was inappropriate. This is why Hashem immediately commanded Moshe to remove his shoes. He needed to make it absolutely clear Whose dominion was in focus from this point on. As mentioned above, Moshe was unique in his ability to communicate with Hashem on an unprecedented level. Another aspect of Moshe’s distinctiveness was that unlike other *neviim*, he could be summoned to converse with Hashem anytime. This was why he felt the need to separate from his wife Tzipora.⁷ Moshe’s being an *arel sefasayim* now makes sense when examined from this perspective. Since he could be in Hashem’s presence on a minute’s notice, it seems only correct that his ability to speak, the main trait of human dominance in *olam hazeh*, be tempered.

There is an important lesson to be learned from this idea that one should think of every day. We may have false illusions of dominance due to our power over the animal kingdom, but ultimately our main task is to be *ovdei Hashem*, just like Moshe Rabbeinu. It may not be as clear to us as Moshe, but Rav Noach Oelbaum explains that we can be cognizant of the fact every time we daven. Before starting the *amida*, we say “ה' שפתי תפתח ופי יגיד תהילתך,” Hashem, open our lips, so that our mouths may tell your praises. We are so accustomed to the concept of *davening*, but in truth we really should not be able to stand in front of Hashem and speak to Him. This is why we open with this request. Even though we are in front of the *Melech Malchei Ha'melachim* and have no right to speak, we ask Hashem to grant us permission to use our power of speech with humbleness and respect in order to *daven*. Keeping this in mind every time we pray has the power to change the outlook of our entire day. May these lessons from Moshe Rabbeinu strengthen our *ruchnius*, to realize that the Torah is *emes*, and to have proper respect and awareness of Hashem, lead us to become better *ovdei Hashem*, and bring the *Geula* quickly.

⁷ The separation from Tzipora and eventual explanation are discussed in *Bamidbar* 12.

Lessons of *Tefilla* & Torah from *Mitzrayim*

ADIV PACHTER



The *Sfas Emes* of Braazan explains that several *psukim* in *Parshas Shemos* give us insight into the proper approach to *tefilla*:

ועתה הנה צעקת בני ישראל באה אלי וגם ראיתי את הלחץ אשר מצרים לחצים אתם.

And now the screams of the Jewish people have come before Me, and I have also seen the pain which Mitzrayim is afflicting upon them. (Shemos 3:9)

Why specifically did the screaming out of the people reach the Chambers of Hashem? Furthermore, the *roshei teivos* of *Bnei Yisrael Baa Alayai* stands for *Aviv*. What does this represent?

The *Zohar* states that whenever the word *tzaaka* is used in the Torah, it connotes a “calling out” originating from the heart. This is as the *pasuk* says in *Eicha* 2:18 “צעק ליבם אל ה'.” We see a connection between the word *tzaaka* and *lev*. Such a calling out has the power to reach Hashem. Interestingly, the numerical value of *צעקה* equals 660 which is the same value as *סתר*. The *Sfas Emes* explains that we live in the material world, known as *Olam HaNigle*. When praying, we are easily distracted by all of the worldly items that surround us. The goal is to connect to Hashem through *tzaaka* in the *Olam HaNistar* (*seser*). A fundamental principle is that there is no such thing as sadness in Hashem’s realm. Hashem says in *Shemos* 3:17 “*Aaleh Eschem*.” Hashem says I will bring you up (אעלה) from the affliction of Egypt. *Aaleh* stands for *Ain atzvus lifnei HaMakom*; there is no sadness by Hashem. So, when we bring our *tzaar*/pain to Hashem in the *Olam HaNistar* through *tzaaka*, it is automatically transformed to sweetness; our prayers are answered. Leaving the affliction of Egypt is representative of our personal redemption of any pain that we may encounter.

The *Sfas Emes* explains that the numerical value of *דיבור* (212) and *מחשבה* (355)

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equal נפלאות (567). When we pray, we need to call out to Hashem from the depths of our hearts, thereby fulfilling the dictum of “*tzaak libam el Hashem.*” By doing so we accomplish the goal of connecting our thoughts to our speech. All too often words are coming out of our mouths but no thought goes into what we are saying. When we channel our thoughts properly in prayer through tapping into our hearts, our words (speech) will have direction and purpose and reach Hashem in the *Olam HaNistar*. It is then, that our prayers will be answered and we will merit to see *niflaos*.

Now, it makes sense that the first letters of *Bnei Yisrael Baa Alayai* stand for *Aviv*. The *pasuk* in *Shemos* 13:4 states “*Atem yotzim b’chodesh HaAviv.*” The time of *Aviv* is ripe for salvation and we can accomplish salvation through our *tzaaka* (prayer) to Hashem.

On a similar note, *Parshas Vayeitzei* teaches us about the *kedusha* of a *Beis Hakenesses*, the place of *tefilla*. The Torah relays (*Bereishis* 28:17) how Yaakov awoke from his sleep in a frightened state and said “*Mah nora hamakom hazeh ki im beis Elokim vzeh Shaar Hashamayim.*” It is a well known fact that in a *Beis Hakenesses* and *Beis HaMidrash* there is presence of Hashem; a *Hashraas HaShechina*. We should be able to feel this spark of Holiness upon entering the building. However, interestingly enough, many of us do not immediately feel this sense of Holiness in these places of *kedusha*. The *Sfas Emes of Braazan* explains this phenomenon with a *gemara* in *Avodah Zara* (73a) which discusses the concept of “*min b’mino v’nier.*” When something mixes with something of its kind (*min b’mino*), it becomes invigorated by it (*nier*). When someone carves out a space in his heart for the *Shechina* to reside, he will have an easier time tapping into the *kedusha* of the *Beis HaKenesses* or *Beis HaMidrash* because by creating a place for the *Shechina* in oneself, you are now *min b’mino* with the *Beis Hakenesses* and *Beis HaMidrash*, and you will be *nier*. The *Sfas Emes* quotes the *pasuk* in *Tehillim* (55:15) that says “*B’veis Elokim n’halech b’ragesh.*” If we go from the onset with a *hergesh* of *kedusha* already embedded in our hearts, then we will merit to be *margish* the *kedusha* that the *Beis HaKenesses* has to offer us. We have to realize that feeling *kedusha* is an *avoda*; an *avoda shebalev*. If we work on ourselves to make room for Hashem in our lives and in our hearts before we get to the Shul, when we approach His Home, we will have an easier time tapping into His *kedusha*!

In our mission for salvation, *tefilla* is very important. We must also not forget the power of Torah. The *pasuk* says (*Shemos* 1:14) “*Vay’mareru es chayei hem ba’avoda kasha b’chomer uvilveinim.*” The *Zohar* explains that *chomer* is a reference to *kal v’chomer* and *vilveinim* is a reference to *libun halacha*. The *Sfas Emes* notes that the life source of *Klal Yisrael* is the Torah. The *pasuk* states (*Vayikra* 18:5) “*Eile hadvarim...*

v'chai bahem;” which is a reference to Torah being the life source of the Jewish people. The main goal of Pharaoh in *Mitzrayim* was to strip the Jewish people of their *da'as*; our *da'as* was in exile along with our bodies. The *pasuk* in Navi states (*Melachim I 3:9*) “*V'nasata l'avdecha lev shomea lishpot.*” Shlomo Hamelech was tasked with judging the people and in order to judge you need your *da'as* fully intact. As a matter of fact, having our *da'as* intact is crucial to every aspect of our daily functioning; especially for proper Torah learning and *tefilla* to Hashem. Interestingly, the numerical value of *es chayehem* equals 474 which is the same value as the word *da'as*, 474. The *pasuk* is telling us that Pharaoh embittered our *da'as*. When the *da'as* of the people was made bitter, this prevented the Jews from connecting to the *chomer* and *levaynim*, which represents Torah, which is our life source (*chayehem*).

May it be the Will of Hashem that we should reach our potential in our *tefilla* and Torah and merit to see the ultimate salvation and redemption speedily in our days.

Ten in the Torah

LEIGH GREENBERG



It is hard not to notice when reading the *Chumash* that the number ten keeps appearing. In *Tanach* the number ten is used 242 times. The designation “tenth” is used 79 times. In the first chapter of *Bereishis*, we find the phrase “God said” ten times, which is a testimony of His creative power. There are the ten plagues. Hashem gave to man the *Aseres Hadirbros* - the Ten Statements. Ten represents man’s responsibility to keep the commandments. A tithe is a tenth of our earnings and is a testimony of our faith in Hashem. The *korban pesach* was selected on the tenth day of the first month. The tenth day of the seventh month is Yom Kippur.

In our mathematical system, the number ten is a complete and perfect number—all numbers run in cycles of ten.

What is the significance of the number ten?

In kabbalistic terms, Hashem created the world with Ten Divine Attributes, or *Sefiros*. They are: Wisdom, Understanding, Knowledge, Kindness, Severity, Harmony, Perseverance, Splendor, Attachment and Royalty. Accordingly, the entire creation is a reflection of these ten attributes. The *Sefiros* are the human perceptions of God’s various interactions with the world.

In the kabbalistic metaphor, numbers are not merely arithmetic notations. Numbers have a personality and are qualitatively meaningful. This idea is not so difficult, for we live with it informally as well. We say that something happened only “once,” that there are “two” sides to every story, that “three-timed” offenders should be put away, that “dozens” came for an event, etc.

Therefore, if there are ten *Sefiros*, there must be a symbolism behind that number. The number ten is significant because it is the arithmetic base. This is usually explained as a result of our having ten fingers, the natural extent of primitive man’s digits. If there is a purposeful creation, and every facet of human life and activity is pre-planned, then the “ten” fingers are also part of that plan. It means that God intended the number system to be base ten. Why? And even if the number system is

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built on ten, why is that the amount of *Sefiros*?

The Maharal, a 16th-century mystic and philosopher, offers an explanation. Although he really explains why God used Ten Utterances to create the world, the answer really fits the idea of ten *Sefiros*, which are identical to the Ten Utterances.

God could have created the world with either one Utterance (*Sefira*), a few Utterances (or *Sefiros*), or Ten Utterances. If God had used one Utterance, it would mean that there would be no way for us to analyze the world into component units. For example, take an ingenious businessman who acts intuitively and succeeds in business brilliantly. If we ask him to explain why he bought a certain company and what he gains from it, he will just say, "It just felt right." He really can't explain it, for component terms such as "assets," "cash flow," and "infrastructure," are not part of his thinking and terminology. Similarly, a world that is totally encompassed in one description leaves us uncomprehending.

Let us then take a world created in two to nine Utterances. This is a world with many component elements, but no visible unifying underpinning. Thus, it may be compared to a person that does a lot of analytical investing but on an ad-hoc basis; he invests whenever opportunity presents itself. We may understand particular moves of his but there is no overall picture to perceive. Since God is One, this would be a false perception. A type of presentation where we can perceive bits and pieces, but not the connection between them, is pointless.

Ten consists of component pieces that may be seen as separate entities, and yet they add up to an entire group of ten. Hashem created the world that allows itself to be analyzed in terms of components. Thus, when we speak of ten *Sefiros*, we mean to say that Hashem created the world (mankind, Torah, history and everything else) that allows itself to be analyzed in terms of components.

When we study how Hashem acts in groups of ten, we are looking at each detail with the following perspectives: (1) the particular point each act expresses, and (2) the unifying element which interlocks Hashem's activities into one entity, as befits God Who Is One.

Ten Plagues and Ten Statements

Let's look at the example of the link between the Ten Plagues and the Ten Statements.

The lessons and ramifications of the Sinai event, in which Israel received the Ten Statements from Heaven, are staggering. First and foremost is the very concept of man being answerable to Divine commands. Then there is the concept of a covenant between the Creator and the created in which both sides are limited by

the conditions of the pact. The wider context of what is arguably the most important event in history is that it occurred in the aftermath of the Ten Plagues, which brought the most powerful and advanced nation on Earth to its knees.

On the surface, the Ten Plagues and Ten Statements seem to have little in common. Each Statement at Sinai came to replace corrupt, godless tenets of Egyptian culture. This would give a new world outlook, the foundation of a Torah lifestyle with Torah values. Such a revolution of thought could only succeed after an initial, preparatory step. For no matter how awesome the Sinai experience would be, replacing the worldview of a nation first required the uprooting the old, idolatrous one so that new values could be planted. The Plagues that devastated Egypt had this educational function, which was to neutralize the pagan beliefs and values of Egyptian society that block the way for Jews and gentiles to fully accept Hashem's Law.

Consider that every individual who stood at Sinai had not only witnessed the Ten Plagues in terror and awe, but likely suffered through some of them personally. One out of every three or four of the new nation were non-Jews who had survived them all, losing family members, friends, and property. We can assume that the precise order and details of these events were well ingrained in everyone's memory. Accordingly, so long as the connections between them are clear enough, the Ten Plagues, plague by plague, could effectively serve to prepare the nation and the world for the Ten Statements, statement by statement.

If you consider the Ten Plagues and the Ten Statements, listing them side by side, there may seem to be little or no connection between them at first glance, but let's look deeper.

Blood: *I am Hashem your God, who brought you out of Egypt, from the place of slavery.*

When Hashem smote the Egyptians with the first plague, it had to be a plague that would introduce, in the Rambam's words "the First Foundation", the knowledge of Hashem's existence. That was impossible as long as the river Nile, Egypt's object of worship and source of all sustenance, remained fresh and life-giving. Living in a hot, desert land with little rainfall, the ancient Egyptians depended on the regular, annual flooding of the Nile. The river was therefore perceived as a power in and of itself and revered as the very source of life. When Hashem turned the river into blood, killing all the fish, it sent a powerful message to the pagan mind, that some previously unknown Master Deity had just rendered their Nile god impotent and irrelevant.

Frogs: *Do not have any other gods before Me.*

The first Plague carried the message of Hashem's existence and sovereignty. However,

it did not suggest that worshipping other created beings was ruled out. The second Plague came to drive home a further concept, that you may not fear any other powers (literally “have any other gods”) before the Master Deity. Since Hashem brought all existence into being, everything exists before Him in His Presence. Worshipping anything besides Him means serving that which Hashem created to exist before Him.

The second plague alludes to how despicable this is to the Almighty. He would cause something ugly and repulsive to be “created” from the defeated Nile god, to emerge from the river and invade all Egypt. This “Nile creation,” the frog, might have been honored by Egypt as a power to reckon with in and of itself, like the Nile god. But now it must have been clear to all that this creature “before the Nile” was merely an agent of punishment by an largely unrecognized Master Deity.

Lice: *Do not take the Name of Hashem your God in vain.*

The Master Deity who demands exclusive worship is not like any other deity Egypt had been worshipping. He is totally unique. His Name can only be uttered in the context that He dictates. It can only be pronounced according to His rules. Fittingly, the Third Statement, not to take the Lord’s Name in vain, was foreshadowed by the first Plague that the necromancers couldn’t replicate with their silly ‘divine’ names - lice. Even they, for the first time, were forced to say, “It is the finger of God!” (*Shemos 8:15*) They discovered that Hashem is utterly unique, that His ability to create puts even our greatest minds and technology to shame.

Lice are the tiniest creatures able to be seen by the naked eye. Similarly, taking Hashem’s Name in vain, such as reciting an improper blessing, is considered to be the tiniest, most insignificant error. Yet it was regarded by Rabbi Yochanan and Reish Lakish as equivalent to taking God’s Holy Name in vain (if it is a conscious, careless mistake). Taking His Name in vain, particularly when swearing a vain oath, is one of the gravest sins, of which the Torah warns in the Third Statement, “Hashem will not allow the one who takes His name in vain to go unpunished.” (*Shemos 20:6*)

Wild Creatures: *Remember the Shabbos to keep it holy. You can work during the six weekdays... But the seventh day is the Shabbos to Hashem your God.*

In his “*Guide for the Perplexed*”, the Rambam explains the reasoning for the Fourth Statement, the commandment to remember and guard the Shabbos. We are told in the Law to honor this day, in order to confirm the principle of Creation which will spread in the world, when all peoples keep Shabbos on the same day. The weekly day of rest was instituted in order to spread the fundamental principles of Hashem’s existence, exclusivity and uniqueness, throughout the world.

Egyptian culture was rooted in a slave mentality that is not dissimilar to the one that characterizes the modern work world. What few secular people realize is that this attitude is no different, in principle, from that of ants, flies, beavers, birds, any industrious wild animal that cannot be tamed, and cannot voluntarily elect to cease its labors.

Rabbi Nechemia understood the Fourth plague, *arov*, to be a swarm of flies. Rabbi Yehudah states that it denotes a mixture of wild animals. All of these are wild, untamable creatures that cannot control their instinct to work. Moreover, they rely on nothing but their own strength and instinct. Godless human beings are no different. They claim, “my strength and the might of my arm made me this wealth.”

Hashem needed to prepare those who left Egypt for the Shabbos day, which is the day when the Jewish People demonstrate to the rest of the world man’s ability to transcend his animal instincts to labor, to produce, to horde, to rely totally on rash, instinctive judgment, rather than obey God’s higher call. He therefore sent wild creatures to invade Egypt, to punish them for their wild-animal approach to life.

The first three plagues corresponded to three laws that obligate gentiles as much as Jews. The fourth plague paved the way for the Shabbos, which would obligate the Jewish people only. Accordingly and fittingly, it is the first plague in which Hashem distinguished the Jews, sparing their land from His wrath. Furthermore, although he changed his mind after the plague was over, it is the first plague that moved Pharaoh to recognize the Jews’ right and obligation to serve our God (*Shemos* 8:24):

Epidemic: *Honor your father and mother. You will then live long on the land that Hashem your God is giving you.*

The Fifth Statement given to the Jews was to honor your father and mother. A consequence is given that you will then live long on the land that Hashem your God is giving you. Being that Torah wisdom and observance is ideally passed down from parents to children, honor of parents would be essential for the Jews to keep the Torah throughout the ages, preserving the national identity and national will required to maintain Jewish sovereignty on to the Land through thick and through thin.

To prepare the nation for the Fifth Statement, the Fifth Plague was an epidemic among Egypt’s livestock. In those days, livestock was the principle inheritance passed down from father to son. If Hashem was giving a message that parents should be honored, regardless of what is in their will, it is fitting that He would target their livestock, their wealth. It would have forced children to relate to fathers with no promise of an inheritance.

Boils: *Do not commit murder.*

The Sixth Plague was the boils that appeared on the Egyptians' skin. It was a direct punishment for Pharaoh's obstinacy. However, it also sent a powerful message to anyone willing to consider the implications of what was happening. The nation was being taken to task for the sin of murder.

The *midrash* in *Shemos Rabba* relates that Pharaoh had the blood of the first-born Jewish babies collected, and publicly bathed his body in it during their springtime festival. Now his body would be "bathed" in painful boils. "You shall not murder!" Hashem thundered at Mount Sinai. It was a restatement of one of the Seven Laws given to Noach, obligating all mankind.

Hail: *Do not commit adultery.*

Sodom and Gomorra are the arch-example of sexual immorality until this day (hence the word "sodomy"). Yet many people are ignorant of the widespread promiscuity of ancient Egypt. Sodom and Gomorra were destroyed by fire (or lightning bolts) and brimstone. This cataclysm only occurred a few hundred years before the Exodus. So the memory of the event would have been strong and widespread.

It is therefore not surprising that the Egyptian plague that would pave the way for the Statement "Do not commit adultery" was a frightening storm of fiery hailstones, hail with thunder and lightning striking the ground. According to the *midrash*, it was a miraculous joining of fire and ice together – which ordinarily do not get along well together. This would represent the forbidden unions so rampant in Egypt.

Locusts: *Do not steal.*

Without a belief in Hashem and a tradition on His definition of theft, an action considered at one time to be theft, would eventually be considered "lawful borrowing", or "taking what is rightfully his".

It is not a leap to conclude that a nation whose leader Pharaoh asked "Who is Hashem that I should obey Him?" was not only idolatrous, but thieving as well. This may also be implied by Hashem's command to the Jews that they drain Egypt of its wealth upon leaving. Perhaps the Egyptians' forwardness in giving the Jews all they asked for was an admission of their guilt.

Accordingly, Egypt was punished by an Eighth Plague of locusts, one of the most vicious thieves of the natural world. Months of grueling field labor can be obliterated by a single swarm. The crop on which an entire community depends for sustenance can be devoured in a number of hours. It is no surprise that this was the agent of punishment by Hashem, who had already commanded Noach and his descendants

not to steal. It is fitting that Hashem sent them this Eighth Plague, as it prepared the way for the Eighth Statement, “Do not steal.”

Darkness: *Do not testify as a false witness against your neighbor.*

False testimony impairs the ability of a community to carry out civil justice, which is one of the universal Seven Noahide Laws. False testimony about one’s fellow is a conscious desire to cover up the truth. If truth brings light to the world, nothing darkens it like false testimony.

Perhaps Pharaoh’s unwillingness to admit the significance of the miracles he personally experienced, his denial of Hashem’s sovereignty in the face of awesome proof, was tantamount to false testimony. Measure for measure, Egypt was smitten with a plague of thick darkness.

Death of the First-Born: *Do not be envious of your neighbor’s house. Do not be envious of your neighbor’s wife... or anything else that is your neighbor’s.*

The Torah records the terrifying climax of the Ten Plagues, “Hashem killed every first-born in Egypt, from the first-born of Pharaoh, sitting on his throne, to the first-born of the prisoner in the dungeon...” The truth is, like many of the gentile locals in the foreign lands of Israel’s wanderings, the Egyptians had become intensely jealous of the Jews. Their envy was given a voice in the bitter remark from the Pharaoh of the Oppression: “The Jews are becoming too numerous and strong for us...”

Hashem had a special punishment in store for such wicked jealousy that resulted in the massacre of innocent baby boys. It was the Tenth Plague that corresponded to the Tenth Statement He would give to His People that we never be jealous of our neighbor, nor covet anything he has. Just as they were envious of our beautiful children to the point of murder, Hashem took away their own dear firstborn sons.

Envy is further rooted in a feeling of injustice. One feels jealous when he believes that he has less than he deserves, while his neighbor has more than is rightfully his. This is tied to a lack of belief or trust in Hashem. Just as He brought the Egyptians down to the pit of anguish, he openly spared and protected those who had opted to trust Hashem that night by observing the first Passover. In one awesome, terrifying miracle, he did both.

Conclusion

There is one simple, great lesson to be learned. Hashem expects human beings to open their eyes and hearts to what is happening around them and actually think. The Giving of the Ten Statements at Sinai was ultimately for the entire world.

The Torah, which is the blueprint which Hashem used to create the world, is based on Ten Commandments. This is why in our arithmetic system the number ten is a complete number; all numbers run in cycles of Ten.

Dancing to the Beat of Their Own Drums

RACHEL MARGOLIES



In *Parshas Beshalach*, at the conclusion of the *shira* that Moshe and *Bnei Yisrael* sang, the following *pasuk* introduces the song of Miriam and the women:

ותקח מרים הנביאה אחות אהרן את התף בידה ותצאן כל הנשים אחריה בתפים
ובמחלת.

And Miriam the prophetess, Aharon's sister, took a drum in her hand, and all the women went out after her in dance with drums. (Shemos 15:20)

The approach and unique format of Miriam's song deeply reflects the righteous women who opened the doors for our redemption from slavery. The *gemara* in *Sota* 11b famously states that it is in the merit of the righteous women that our ancestors were redeemed from Egypt. The *gemara* goes on to elaborate on this concept by describing the actions of the women in Egypt. So confident were they in the promise of Hashem to redeem us, that even after long days of backbreaking labor, they would fetch water for their husbands to drink and would beautify themselves in order to perpetuate the Jewish nation. The *gemara* adds that Hashem even arranged for fish to swim into their buckets as they filled them with water as to include the protein to sustain and strengthen the men, supporting the efforts of these women.

Many questions arise on the above *pasuk*, and the answers really give us a structure and deeper insight into the role and significance of the women of this generation.

This essay is based on a shiur given by Mrs. Rivka Rabinowitz in Yerushalayim. I would like to dedicate this essay to all those individuals, educators, and institutions dedicated to educating and empowering Jewish women, the future of *Klal Yisrael*, from whom the *Geula Sheleima* will come in their merit.

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Miriam: The Sister of Aharon

Rashi begins by asking why Miriam is referred to as only the sister of Aharon and not Moshe as well? He explains that when her prophecy (the one which she is now coming to the culmination of) began, she was only the sister of Aharon, as Moshe was not yet born. I would like to explore that very first prophecy by looking into the very *gemara* which Rashi quotes here.

The *gemara* in *Sota* 12a describes the events leading up to Moshe Rabbeinu's birth. Amram, a leader of *Klal Yisrael*, had been married to Yocheved and already had Aharon and Miriam when he decided to separate from Yocheved so as to not bring Pharaoh's harsh decree of killing all Jewish male babies upon their family. Not only did they separate, but because he was a leader, the men of the generation followed suit and all separated from their wives. Miriam had a prophecy that the future savior of *Bnei Yisrael* was to be born from her parents and argued with her father, stating that his action was worse than Pharaoh's since it was like declaring death upon female babies as well.¹

Realizing that he had to listen to her, not only did Amram remarry Yocheved, he did it in a very public way as if it was a first wedding, in order to impress upon the people that they all must do so and remarry their wives. The *gemara* points out that at the second wedding Aharon and Miriam danced before their mother, the bride. The dancing signifies a recognition of the prophecy fulfillment and a celebration of faith.²

Coming back to our *pasuk*, we see this exact same reaction. Here, Miriam uses the expression of dance, taking the *shira* to a whole new level, once again to convey her gratitude for seeing what she, and all the women, believed in so strongly come true before their eyes. They believed it **would** happen, but when they saw **how** it happened, they expressed their appreciation on the highest level.

Drumming up the Faith

Rashi asks where the women got their drums from, and answers that they were so confident that they would be redeemed, the drums were essentials on their packing

1 *Shemos Rabba* 1:13 cites the opinion that Yocheved was actually already pregnant with Moshe when they separated. This begs the question of why they separated in the first place. According to this *midrash*, Amram did this as a leader of *Bnei Yisrael* to be a role model for others, which made Miriam's protest even stronger. Not only was he preventing Moshe from being born, but all the other children of those couples who were following his lead. Later on in *Shemos Rabba* 1:17 the *midrash* actually states that another name for Miriam was Efrat (same root word as פרי, fruit) since *Bnei Yisrael* were fruitful and multiplied because of her.

2 Here, she is not yet seeing the prophecy complete, but she is rejoicing in the progress of it. As Moshe is whisked away after he is sent into the basket down the Nile, she continues to watch even as her parents question her prophecy. At the point that they crossed the *Yam Suf*, she has now seen the final closure to the prophecy she began when she was six.

list. They **knew** it would happen and knew they would want to express appreciation, so even though there was no time to bake bread, those drums were packed!

We see this same allusion to their faith when later in the *midbar* the women wanted to dedicate their mirrors as material for the building of the *mishkan*. The *pasuk* states:

ויעש את הכיור נחשת ואת כנו נחשת במראת הצבאת אשר צבאו פתח אהל מועד.
And he made the washstand of copper and its base of copper from the mirrors of the women who had set up the legions, who congregated at the entrance of the tent of meeting. (Shemos 38:8)

This is the only place among the materials dedicated that the Torah cites where they originate. Rashi explains that Moshe originally had wanted to reject the donation of the mirrors as they represented something vain and superficial. Hashem rejected this notion and said “Accept them as they are more precious to Me than any other contributions since they attest to the true faith of the women.” Rashi continues and explains that these were the mirrors which the women used to beautify themselves and awaken their husbands’ desires to be with them and continue building their family even when the times were so dark and despondent. These mirrors were a testament to the faith and perseverance of the women, and would in the future stand to defend and testify to the faithfulness of those women when the *isha sota* would drink from the water of the *kiyor*.³

Coming Full Circle: Bringing *Mashiach*

As we continue on in the *pasuk*, we see an interesting word used for the type of dance that Miriam and the women did. In the *sefer Meor V’shemesh*, Rabbi Kalonymus Kalman Halevi Epstein explains the specific type of dance, *mecholos*, as a circle dance. He cites *Taanis* 31a :

עתיד הקדוש ברוך הוא לעשות מחול לצדיקים והוא יושב ביניהם בגן עדן וכל אחד ואחד מראה באצבעו שנאמ’ (ישעיהו כה, ט) ואמר ביום ההוא הנה אלהינו זה קוינו לו ויושיענו זה ה’ קוינו לו נגילה ונשמחה בישועתו.

In the future the Holy One, blessed be He, will make a dance for the righteous ones, and He will sit among them in the Garden of Eden, and each and every one points [to God] with his finger, as it is stated (Isaiah 25:9), ‘And it shall be said on that day, “Behold, this is our God, for Him

³ The goal of the *sota* water was to prove the woman’s innocence, not to punish her for lying.

have we waited, that He might save us; this is the Lord, for whom we waited; we will be glad and rejoice in His salvation.”

He quotes the Rashi in *Taanis* 31a which describes this specific dance as a circle dance, where everyone is equidistant from the middle where Hashem sits.⁴

Rabbi Epstein explains that there is a deep significance to the connection between their circular dance and the message they were giving over to the people about their faith. Just as a circle goes around and around, so does the cycle of *galus* and *geula*, exile and redemption. Similarly, in his introduction to *Sefer Shemos*, the Ramban explains that here we are beginning the story of the first exile and the *sefer* ends with the redemption from this exile (culminating in the building of the *Mishkan*). What is interesting to note is that the Ramban says it is the **first** of the exile-redemption cycles, indicating that this was the first of many to come.

The words *galus* and *geula* both stem from the same root, גל, which is a wave, related to גלגל, a wheel. Just as a wave comes and goes with absolute consistency, and a wheel turns and turns, our redemption and exile are of the same nature. The cycle is one which the Jewish people have experienced many times throughout our existence. It's not over yet, but until it is, we need to believe that just as the wave goes and comes and a wheel turns and turns, so too our redemption will come, and the next time it does it will be permanent.

Rav Epstein continues and expounds on the message of the circular dance. Just as a circle has no beginning or end and every point is equidistant from its center, so is this true for the Jewish people and their unique *neshamos* and purpose in this world. Truly, it is impossible to rank their value. When each person of *Klal Yisrael* recognizes in themselves and in each other the value and equally integral role that we each play in the world, we will find ourselves standing in a circle with Hashem at its center, and we will dance together in holy celebration.

Get the Drums Ready

I would like to conclude the exploration of this *pasuk* by looking back at the drum used. The *pasuk* states that it is “*hatof*,” using the grammatical “*heh hayedia*,” the letter “ה” to specify not only a drum but **the** drum. Perhaps the **very same** drum that Miriam used when dancing as a little girl as she recognized her prophecy coming to fruition is the same one she used here as once again she sees this redemption coming to fruition. The women of *Yetzias Mitzrayim* were vital to the redemption as we stated

מחול - סביב לשון מחול הכרם (כלאים ד:א) 4

earlier, and their song here gives us insight into all the reasons why. They never let the dark moments shake their faith. They knew with such certainty that the salvation would come that they packed a drum among their most valuable possessions. They recognized the importance and role that each person plays in the grand scheme of creation, and knew that through this they would achieve *geula*.

In the merit of our mothers and grandmothers and women of this holy congregation, may we be *zoche* to go forth with our drums and unwavering beliefs that we will see the coming of *Mashiach* and the building of the third and eternal *Beis Hamikdash* speedily in our days.

The Laws of *Ribbis*

EVAN SILVER



P*arshas Mishpatim* discusses many of the well-known monetary laws, one of which is the *halacha* of *ribbis*, the prohibition for a Jew to lend to another Jew with interest. This *halacha* has many lesser known practical prohibitions, some of which are *derabanan* (rabbinic), while others are *deoraisa* (biblical). The *gemara* identifies two different types of interests, each with its own *nafka mina* (practical differences). The first kind of interest, *ribbis ketzutzta* (prearranged interest) is a Torah prohibition. The second type is *avak ribbis*, other benefits that are forbidden *mi'derabanan*. There are important differences between the two, specifically regarding restitution.¹ The goal of this article is to explore the ideas and concepts behind some of the prohibitions of *ribbis*. Most of what will be discussed in this article falls under the category of *avak ribbis*. The details of the *halacha* itself and all of its ramifications are well beyond the scope of this article. The *halacha* of *ribbis* draws on various factors, so it is important to consult a *rav* when there is a suspicion of interest when lending to another Jew.

Like any *mitzva*, *Chazal* (The Sages) established *gedarim* (barriers) for various reasons. Sometimes it is to protect us from accidentally doing the actual *issur* (forbidden action), like we often find in the laws of *kashrus*. For example, we don't want to eat meat at a table with someone who is eating dairy, lest we accidentally eat their food and have milk and meat together. At other times the *geder* becomes part of the *mitzva* itself, like not eating chicken and milk. *Chazal* added the prohibition and categorized chicken like meat in virtually all aspects of *halacha*. This article will focus mostly on the *gezeros* (decrees) of *ribbis* that fall into the latter category which the *gemara* refers to as *mechzei k'ribbis*, which means it looks like interest.² This same language is used with regard to reheating food on Shabbos, where we have limitations

1 *Bava Metzia* 61b

2 *Bava Metzia* 14b

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on what we can do, even with a *blech* so as not to do something that's *mechzei k'mevashel* (looks like cooking). The laws of reheating have been instituted like actual laws of cooking, so much so that if someone doesn't follow them the food would be forbidden for another Jew on Shabbos to eat, even though there is no cooking *m'deoraisa*. This concept is contrary to the general principals of *hilchos Shabbos*, which state that if someone breaks a *derabanan* there is no *issur hanaa* (forbidden benefit) for other Jews. Here too, the laws of interest are so severe that we must refrain from an action that could even be construed as interest.

The laws of *ribbis* have an added element of complexity as it is only *assur* (forbidden) when the lending is done between two Jews. Therefore, *ribbis* cannot be a clear moral issue or it would always be forbidden, like stealing from a Jew or a non-Jew. One would think that the laws of *ribbis* would be in the section of the *Shulchan Aruch* that deals with monetary laws, *Choshen Mishpat*. These laws are instead found in *Yoreh Deah*, which deals with laws that are *bein adam laMakom* (between man and G-d), such as *kashrus*. The fact that *ribbis* is classified this way exemplifies the need for stringency. If it were a simple question of monetary law, then if both parties agree to the terms, the interest could be permitted. However, man does not have the ability to be *mochel* (forgive) a commandment between a person and Hashem, and as a result, we must be meticulous with the laws of interest, even if both parties were to agree to the relevant terms.

The *gemara* in *Bava Metzia* cites three separate *pesukim* discussing the prohibition of interest, each with a different objective; one focuses on the borrower, one focuses on the lender, and one focuses on the guarantor and witnesses. The *gemara* considers the prohibition of interest so severe that even the scribe who writes the loan documents transgresses a prohibition of placing a stumbling block before the blind.³

The first of the verses mentioned in the Torah appears in *Parshas Mishpatim*

אם כסף תלווה את עמי את העני עמך לא תהיה לו כנשה לא תשימון עליו נשך.
If you lend money to any of My people with you who is poor, you shall not act like a creditor to him, nor shall you lay upon him interest. (Shemos 22:24)

There are two things that Rashi comments on in this *pasuk* that will relate back to the reasons for the additional prohibitions. First, Rashi points out the word “אם” here means “when” and not the more common translation of “if”; this teaches us that we have a requirement to lend a poor person money. The Torah isn't simply teaching

³ *Bava Metzia* 75b

us that if we choose to lend, these are the rules, but rather that it's an obligation. The second thing Rashi comments on is the word the Torah uses for the interest, "נשך" which usually means a bite. Rashi points out that interest is like a snake bite. At first someone doesn't realize the bite, until the wound spreads and overcomes him, just like interest; in the beginning it's small and then it grows and compounds.⁴ Rambam agrees that we are required to lend a poor person money, and goes one step further, writing that the greatest form of *tzedaka* is a loan, creating a situation where lending money would be a *mitzva*.⁵

The latter part of this *pasuk* commands us not act like a creditor. Rashi explains that this means we should not demand payment forcefully and if we know someone does not have the money to repay, we should not act towards him as if we lent them money. We learn an aspect of this commandment in the following *pasuk*, which discusses returning a garment that is being held as collateral.

כי הוא כסותו לבדה הוא שמלתו לערו במה ישכב והיה כי יצעק אלי ושמעתי כי חנון אני.
For that is his only covering, it is the garment for his skin. In what shall he sleep? And it shall come to pass, when he cries to me, that I will hear for I am compassionate. (Shemos 22:26)

The *pasuk* ends off saying that Hashem will listen to them because He is compassionate. This teaches us that just like Hashem is compassionate, so too should we act with compassion. Again, the sensitivity that we are required to show goes beyond the simple morals and laws of society. There is an extra level of compassion that we must show for a fellow Jew. All these laws are in place to ensure that we treat a borrower with dignity and properly care for those that are less fortunate, for it is easy to take advantage of someone when they are destitute. There are many places a person in need can turn to in order to receive cash advances at extremely high interest rates. The loans offer extremely unfavorable rates, yet the need for them continues because when someone is desperate for money they will agree to extreme terms. So extreme that even Google decided to ban them from advertising.⁶ The Torah does not see this as a clear moral issue, but rather as the Jewish people being held to a higher standard. We are a holy nation and we must show mercy for each other. If someone is in need, we aren't supposed to take advantage of them. On the contrary, we must help them.

4 Albert Einstein famously referred to compound interest as the most powerful force in the universe.

5 *Mishna Torah Matanos Aniyim* 10:7

6 <<http://www.washingtonpost.com/news/the-switch/wp/2016/05/11/google-to-ban-payday-loan-advertisements>>

The *Shulchan Aruch* discusses the gravity of a Jew charging ribbis to a fellow Jew:

כל הנותן ברבית נכסיו מתמוטטים וכאלו כפר ביציאת מצרים ובאלהי ישראל.
He who lends with interest will see his money dwindle away, and is as if he denies the Exodus from Egypt. (Yoreh Deah 160:2)

While this seems like an extreme example, one must wonder what is the connection of the Exodus from Egypt to lending with interest. A clear correlation is drawn between these topics when the Torah reminds us that Hashem took us out of Egypt after mentioning the monetary laws of interest and fair weights and measures - but for what purpose? There are many explanations given. One such explanation is given by Rashi, who states that just like Hashem differentiated between the firstborns of Jews from Egyptians, He can discern who is following the monetary laws of *ribbis*. We might think that we can try and cheat man, but Hashem knows who is and who isn't dealing fairly. Furthermore, we were taken out of Egypt to live a certain lifestyle of servitude to Hashem, to practice compassion towards others, and to be a holy nation. By not living up to that expectation, we are, in essence, denying the Exodus from Egypt.

Now that we have established some of the reasons and ideas behind this prohibition, I would like to explore some of the lesser known violations and how they relate back to the original ideas behind the prohibition itself.

The first example of a rabbinic prohibition is that one cannot receive benefit from a person to whom he lends money,⁷ as this benefit could be considered interest. For example, if one would usually pay someone to teach his kids Torah, the lessons could not be imparted free because the teacher is considered to be inadvertently loaning the parent money. The free service would be viewed as interest. Furthermore, the *gemara* in *Bava Metzia* goes as far as to say that you shouldn't be nicer to someone lending you money than you usually would, such as greeting someone you would not normally greet, for this could be considered interest as well.⁸

Another example of deemed interest is if Reuven and Shimon go out to eat and Reuven pays the entire bill of \$19. Assuming they ordered the same thing, Shimon cannot simply pay Reuven back \$10 for his share of the bill, even if he tells him to keep the extra 50 cents as a gift. This would be viewed as interest and there is a prohibition against giving back a gift when repaying a loan.⁹

⁷ *Shulchan Aruch Yoreh Deah 166:1*

⁸ *Bava Metzia 75b*

⁹ There are exceptions if the amount is deemed insignificant and if worded correctly.

The third case is with regard to people doing favors for one another. The *gemara* gives an example of someone performing a task, like digging, on a farm. One cannot dig for his friend now and have his friend dig for him in return at a later date if the later date will be a different season when the task is harder.¹⁰

The *Shulchan Aruch* discusses this issue further. It states:

לא יעשה מלאכה לחבירו על מנת שחבירו יעשה עמו אח"כ מלאכה שהיא יותר
כבדה.

Don't do work for your friend on condition that he will do harder work for you later. (Yoreh Deah 160:9)

One cannot do a favor in return for another, if his favor is 'worth' more, for this would be considered deemed interest.

The final example discussed in this article is with regard to a pre-sale, early bird discount or a forward contract.¹¹ One may not sell something for a lower price if the buyer prepays now and doesn't get the product until later. This is as if the buyer is loaning the seller money and the seller is paying him back with an item that is worth more. The added value of the item is viewed as interest.

While the *halacha* is clear in all these cases, what does it have to do with the original *issur* of interest? How can these situations grow like a snake bite and how would it undermine the purposes of the Exodus? I have given the issue much thought and have developed an explanation of my own.

The lesson of the snake bite teaches us that the situation can grow out of proportion, but it doesn't necessarily have to be monetarily. This too can happen in all of the cases mentioned. If I lend money to someone, it's possible that I can take advantage of them, for they feel indebted to me. I can ask them for favors and they would feel like they have no choice but to say yes. Once this dynamic is established, it's a slippery slope to which there could be no end. At first, we might justify our inclination and ask for a small favor, but over time the little favors add up. It's also possible that the favor would be inconvenient and could cause financial harm to the borrower, but he would feel pressured into saying yes and come to resent the lender for putting him in such a position.

The opportunity for the imbalance of power could develop in the second example given, as well. The next time they have to split a bill, the rounding difference could

¹⁰ *Bava Metzia* 75a

¹¹ *Bava Metzia* 63a

be greater. While the wealthier party might not care if he pays a little extra, it might make a big difference to the less fortunate person. The laws of *ribbis* are designed to help and protect the poor. A poor person might feel uncomfortable dividing the bill using the exact calculation because last time they rounded. The relationship may even come to a point where they stop paying each other back all together. Then, if one time the poorer party does ask for the money, the wealthier friend might respond that he paid the last time, and thus make his friend uncomfortable. One must be careful in such situations, as things like this can destroy a friendship and cause hatred amongst Jews.

With regard to trading favors, perhaps two couples make a deal that they will take turns babysitting for the other's kids when they go out. The first couple might go out for an hour, but the other couple might go out for two hours. That extra hour of babysitting would be free labor. When the first couple goes out again they might feel cheated and stay out longer. Such a cycle could continue to no end. It is important to note that the Torah is not discouraging two friends from helping each other. Helping one another is encouraged, but one must be mindful that problematic situations of *ribbis* may arise when favors are specifically traded.

In the final case of a pre-sale, the buyer is taking advantage of the seller. Clearly, the seller needs the money immediately, and is willing to accept a lesser amount of the item to fulfill that need. In business dealings, this concept makes sense as there is a time value of money, but *halacha* does not allow for this situation. The seller is in a predicament; he needs the money now, but doesn't yet have the physical product to sell. Knowing that people won't pay full price if they can't get the product at this time, he is forced to sell at a discount in order to get the money that he needs now. This is the exact person that the Torah is trying to protect. The buyer cannot take advantage of the seller's predicament. He needs to be compassionate, which, in this instance, would mean paying full price for the item. The *gemara* would allow a discount sale or pre-sale, if the seller has some of the product in stock.¹² At first glance this does not make sense. Why is this situation different? The *halacha* offers a technical reason that a pre-sale is permitted. It is as if he's selling the product he has, even if it's of lesser quantity. From a *hashkafic* (philosophic) standpoint, if the seller has goods and needs the money now, but for some reason does not want to transfer title of the good until later (thus pre-selling the items), he is not at a disadvantage and wouldn't need the same protection.

¹² *Bava Metzia* 63a

Another reason as to why we must be careful not to inadvertently charge interest is because if we go according to the Rambam and first opinion of Rashi (discussed above) then a loan is considered to be a *mitzva*. We are not permitted to derive benefit from a *mitzva*.¹³ So too, we must not receive interest when giving a loan.

All these cases of interest, or any kind of repayment even if it's not actual money, can create a sense of competition, rivalry or sense indebtedness among friends. The Torah wants us to be a holy nation and have *achdus* (unity) and does not want us to involve ourselves in activities that would detract from this. All these characteristics would create animosity and a divide amongst the Jewish people, which is the exact opposite of the atmosphere that these *mitzvos*, our status as an *Am Kadosh* (holy nation) and *Yetzias Mitzraim* (Exodus from Egypt) are supposed to perpetuate. It's important that we treat one another with fairness and compassion, even if at the time it seems trivial. We never know how our actions can grow or the ripple effect they may cause. The general moral contract is not enough when dealing amongst Jews. We must strive for a higher standard. We must strive to be an *Am Kadosh*.

¹³ Rosh as quoted by *Machane Ephraim, Hilchos Sechiros* 15

Resting on Shabbos: Subjective or Objective

YAAKOV ZUBER



Prior to the commandment to build the *Mishkan*, the Torah reminds us that Shabbos is a day of rest and *melacha* cannot be performed. Aside from the prohibition of desecrating Shabbos through performing a *melacha*, the *pasuk* instructs us that “*Shabbos Shabboson*,” there is an obligation to rest on Shabbos. This distinction, that resting on Shabbos is not merely a commandment to refrain from *melacha*, but to actually rest, is clearly delineated in *Parshas Bereishis* (2:3): “*Va’yivarech Elokim es yom hashevi’i va’yikadesh oso ki vo shovas*.” *Bracha* and *kedusha* are associated with direct obligations and are not merely instructions to not do something wrong.

The Rambam (*Hilchos Shabbos* 1:1) states that one who performs a *melacha* on Shabbos has transgressed a positive commandment and a negative commandment; the positive commandment of “*U’vayom hashevi’i tishbos*,” on the seventh day one should rest, (*Shemos* 23:12) as well as the negative commandment of “*Lo sa’ase kol melacha*,” one should not perform *melacha*. (*Shemos* 20:9) Clearly the Rambam is of the opinion that *menuchas Shabbos*, resting on Shabbos, is a commandment in and of itself.

Menuchas Shabbos

Harav Shlomo Yosef Zevin, a Torah sage who lived in Yerushalayim in the early to mid-20th century, posed the following question.¹ Is *menuchas Shabbos* subjective or objective? Is there an obligation that on Shabbos my body shall rest, and by performing *melacha* my body will not be resting (subjective), or does each Jewish person have an obligation that the world should rest on Shabbos and desecration of Shabbos hinders the resting of the world (objective)? A person certainly has a personal obligation to rest on Shabbos, but when Shabbos is desecrated through the

¹ *L’or Ha’Halacha*, published by *Kol Mevasser* 2014, p. 251.

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performance of a *melacha*, is it the *menucha* of the individual that is being disturbed, or the *menucha* of the world?

Creation of *Menucha*

In his commentary to the creation of Shabbos in *Sefer Bereishis* (2:2), Rashi quotes a *midrash* that states: “What was the world lacking at the culmination of creation? *Menucha! Ba’a Shabbos ba’a menucha.*” *Menuchas Shabbos* was part of creation; the world was ingrained with the need to rest from all work on Shabbos. From the first mention of Shabbos it seems that *menuchas Shabbos* is part of the world itself, and not merely an individual obligation.

Another *midrash* states: “If a person removes a date from a tree on Shabbos, the date does not say anything, but in the future the date will cry out ‘*Shabbos Hayom,*’ today is Shabbos!”² The concept of resting on Shabbos is in the whole world around us, even in the fruits of the trees, and desecrating Shabbos disturbs the world at large.

A similar idea is found in the *sefer Be’er Yosef*.³ The author, Rav Yosef Salant, a Torah sage who lived in Yerushalayim in the early 20th century, asked the following question: What is the significance of the statement of *Chazal* that “*Zachor v’shamor b’dibur echad ne’emru,*” the words *zachor* and *shamor* were said simultaneously at the giving of the Torah on *Har Sinai*? Why was it necessary for both words to be uttered together when merely mentioning both of them in the context of the commandment of Shabbos would have been sufficient?

Rav Salant answered that *zachor* instructs us to sanctify our own personal Shabbos, and *shamor* adds the concept that we have to ensure that the world is resting on Shabbos. Just as when a person is asked to safeguard an object on behalf of his friend, he is not merely obligated to not destroy the object but he must also ensure that the object is not ruined by others, so too we ourselves may not desecrate the *menucha* of Shabbos and must also do our best to ensure that the Shabbos is sanctified in the world and not desecrated. *Zachor* and *shamor* had to be uttered as one to convey the message that *menuchas Shabbos* is not merely a subjective matter but is also an objective matter.

Shabbos and *Shemita*

Shemita, the commandment that the land of *Eretz Yisrael* must not be worked upon every seventh year, is analogous to Shabbos. This is clear from the *midrash (Mechilta*

² *Yalkut Shimoni, Yirmiyahu*, 315.

³ See *Be’er Yosef* p. 271

on *Shemos* 23:12) which states that one may have thought that during the year of *Shemita* one need not observe the weekly Shabbos, as throughout that entire year one is in a “state” of Shabbos. To counter that, the Torah repeats that one must rest the seventh day, and that applies even in the seventh year, the year of *Shemita*. Regarding *Shemita*, it is clear that the obligation of rest is on the land itself. The Torah in *Parshas Behar*, the parsha in which the *mitzva* of *Shemita* is taught, states “*v’shavsa ha’aretz,*” the land should rest. The emphasis is on the land itself, not on the person. So too in regards to Shabbos, the emphasis is that Shabbos should not be desecrated by the performance of the 39 forbidden *melachos*, which is an objective matter of resting.

Melacha performed by a non-Jew

The above distinction, as to whether or not *menuchas* Shabbos is an objective or subjective matter, affects actual *halachic* scenarios. The *gemara* in *Brachos* (53a) states that if a non-Jew lights a fire on Shabbos, one may not say the *bracha* of *Borei Me’orei Ha’esh* over it. This *halacha* is brought in the *Shulchan Aruch* (*Orach Chaim* 298:5). The reason given for this *halacha* is “*she’lo shavos me’melech aveira.*” This fire was created in a manner in which a *melacha* of desecration occurred. This explanation seems problematic as a non-Jew is allowed to light a fire on Shabbos without any restriction. In what way was Shabbos desecrated?

If *menuchas Shabbos* is an objective matter, the question can be resolved in the following manner: Although the lighter of the fire himself did not transgress the commandment to rest on Shabbos, the *melacha* that was performed, lighting a fire on Shabbos, is one that transgresses the restfulness of Shabbos, and may therefore not be used for a *mitzva* such as *havdala*. Objectively, an act occurred on Shabbos that interrupts the restfulness of Shabbos, and as such, that fire is considered something which is “repulsive” to Hashem and cannot be used in performing a *mitzva*.

Melacha performed by two people

The *gemara* in *Shabbos* (3a) states that if through the actions of two Jews a complete *melacha* was performed on Shabbos, but each individual did not perform a *melacha* on his own, they do not receive the punishments normally rendered to one that transgresses resting on Shabbos. For example, if one person carries an object from a private domain into a public domain, and another person actually places that object onto the public domain, a complete act of *melacha* has not been performed by either of the two people involved. The *gemara* explains that even though a complete *melacha* was performed, regarding the sins for which one must bring a *korban chatas*, a sin offering, the Torah in *Vayikra* 5:27 uses the word “*b’asosah.*” *Chazal* expound on this

word that one is only obligated to bring a sin offering when he performs a complete transgression on his own.

The need for an explanation is perplexing. Why is it significant that a *melacha* was performed as a result of their actions? The Torah commanded us to rest on Shabbos. In effect these two people have had their body rest on Shabbos as they did not individually perform a *melacha*. Had the first person simply removed the object from a private domain, and that object was subsequently not placed down in the public domain, we would never entertain the thought that this first person's body has not rested on Shabbos. Why does the *gemara* now contemplate the possibility of lack of rest on Shabbos now that a second individual has appeared and completed the *melacha* of carrying on Shabbos?

If we understand that resting on Shabbos is an objective matter, that we are obligated to ensure that Shabbos is not desecrated, then the *gemara's* question is understandable. Although individually these people have not performed a *melacha*, the fact is that through their actions the restfulness of Shabbos was interrupted. This alone should be a reason that they should be punished for having caused the Shabbos to be desecrated. The *gemara* responds with a technicality that the Torah has a general rule that one can only be liable for sins punishable by death or the *korban chatas* (of which the sin of transgressing the Shabbos is one such sin) when that sin has been performed by only one person.

Perspective of Shabbos Rest

As Shabbos is a testimony that the world was created in six days and Hashem rested on the seventh, we must be responsible for the purity of Shabbos. Unlike other commandments which relate to us individually and warn us not to perform wrongful acts, the commandment to rest on Shabbos is a collective responsibility that its sanctity not be tarnished. We must pay attention to both the negative commandment of not having the Shabbos be desecrated, as well as the positive commandment that Shabbos should be a time of rest for ourselves and for the day itself.