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INTERNET PARSHA SHEET ON VAYEISHEV - 5771

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**From: Chief Rabbi Lord Jonathan Sacks
Covenant & Conversation » 5770**

Vayeshev 5770

In Genesis 38, temporarily interrupting the story of Joseph, we read the fascinating story of Tamar, one of the more unexpected heroines of the Torah. The text gives us no inclination as to who she is. The chapter opens by telling us that Judah had separated from his brothers, and married a Canaanite woman by whom he had three children. The eldest, Er, married Tamar.

The plain implication is that she too was a Canaanite. These were the people among whom Judah was living; and he was unlikely to have forbidden his son from marrying a local woman, given that he had done so himself. (Rabbinic tradition, though, identified Tamar as a daughter of Shem, and hence not a Canaanite, for they were descended from Shem's brother Ham).

Er dies young, leaving Tamar a childless widow. Judah instructs his second son, Onan, to marry her, "to do his duty as the husband's brother and raise up offspring for his brother" (38: 8). Realising that a child from the marriage would be regarded as belonging to his dead brother rather than himself, Onan is careful not to make Tamar pregnant. This is reckoned a sin, and Onan too dies young. The proper thing would now be for Judah's third son, Shelah, to marry Tamar, but Judah was reluctant to let this happen, "for he was afraid that Shelah too might die like his brothers". He tells Tamar to wait until Shelah grows up; but this is disingenuous. Judah has no intention of letting Shelah marry Tamar (Rashi).

Operating throughout the story is a form of the law that later became part of Judaism, namely yibbum, levirate marriage, the rule that another member of the dead husband's family marry his childless widow "to perpetuate the dead brother's name so that it may not be blotted out from Israel" (Deut. 25: 6). Indeed the text, in verse 8, uses the verb y-b-m. However, as Nachmanides points out - and this is crucial to the story - the pre-Mosaic law differed from its Mosaic successor. The law in Deuteronomy restricts the obligation to brothers of the dead husband. The earlier law seems to have included other members of the family as well.

As the years pass, Tamar begins to realise that Judah has no intention of giving her his third son. She is now trapped: an agunah, a "chained woman", unable to marry Shelah because of Judah's fears, unable to marry anyone else because she is legally bound to her brother-in-law.

Her plight concerns more than herself: it also means that she is unable to bear children who will carry on the name and line of her dead husbands.

She decides on a bold course of action. Hearing that Judah was about to pass by on his way to the sheep-shearing, she removes her widow's clothes, puts on a veil, and sits at the crossroads. Judah sees her, does not recognise her, and takes her for a prostitute. They negotiate.

Judah offers her a price - a young goat from the flock - but Tamar insists on security, a pledge: his seal and its cord, and his staff. Judah agrees, and they sleep together. The next day he sends a friend with the payment, but the friend cannot find her, and people tell him that there was no prostitute in the area. Judah shrugs off the episode, saying "Let her keep the pledge, or we shall be a laughing stock."

Three months later, people begin to notice that Tamar is pregnant. Since Shelah has been kept away from her, it can only mean that she has slept with someone else, and is thus guilty of adultery, a capital crime. Judah orders, "Bring her out so that she may be burnt." Only then do we realise the subtlety of Tamar's strategy.

As she was being brought out, she sent word to her father-in-law. "The father of my child is the man to whom these things belong", she said. "See if you recognise whose they are, this seal, the pattern of the cord, and the staff." Judah identified them and said, "She is more righteous than I am, because I did not give her to my son Shelah." With great ingenuity and boldness, Tamar has broken through the bind in which Judah had placed her. She has fulfilled her duty to the dead. But no less significantly, she has spared Judah shame. By sending him a coded message - the pledge - she has ensured that he will know that he himself is the father of the child, but no one else will. To do this, she has taken an enormous risk - of being put to death for adultery. Not surprisingly, the rabbis inferred from her conduct a strong moral rule:

"It is better that a person throw himself into a fiery furnace than shame his neighbour in public. (Baba Metzia 59a)."

The rabbis were acutely sensitive to humiliation. They said, "Whoever shames his neighbour in public, is as if he shed his blood". "One who publicly humiliates another, forfeits his place in the world to come" (Baba Metzia 58b-59a). "Rabbi Tanchuma taught: Know whom you shame, if you shame your neighbour. [You shame G-d himself, for it is written], 'in the image of G-d, He made man' (Bereishith Rabbah 24: 7).

"When Rabbi Elazar ben Azariah was about to die, his disciples sat before him and asked, 'Our teacher, teach us one [fundamental] thing.' He replied, 'My children, what can I teach you? Let every one of you go and be very careful of the dignity of others' (Derekh Eretz Rabbah, 3). The Talmud defines onaat devarim, "verbal oppression", as reminding a person of a past they may find shameful. Judaism is a religion of words. G-d created the natural world with words. We create - and sometimes destroy - the social world with words. That is one reason why Judaism has so strong an ethic of speech. The other reason, surely, is its concern to protect human dignity. Psychological injury may be no less harmful - is often more so - than physical injury. Hence the rule: never humiliate, never put to shame, never take refuge in the excuse that they were only words, that no physical harm was done.

I will never forget an episode that occurred when I was a rabbinical student in the mid-1970s. A group of us, yeshiva students together with students from a rabbinical seminary, were praying together one morning in Switzerland, where we were attending a conference. We were using one of the rooms of the chateau where we were staying. A few minutes into the prayers, a new arrival entered the room: a woman Reform rabbi, wearing tallit and tefillin. She sat down among the men.

The students were shocked, and did not know what to do. Should they ask her to leave? Should they go elsewhere to pray? They clustered around the rabbi leading the group - today a highly respected Rosh Yeshiva in Israel. He looked up, saw the situation, and without hesitation and with great solemnity recited to the

students the law derived from Tamar: "It is better that a person throw himself into a fiery furnace than shame his neighbour in public." He told the students to go back to their seats and carry on praying. G-d forbid that they should shame the woman. The memory of that moment has stayed with me ever since.

It says something about the Torah and Jewish spirituality that we learn this law from Tamar, a woman at the very edge of Israelite society, who risked her life rather than put her father-in-law to shame. Psychological pain is as serious as physical pain. Loss of dignity is a kind of loss of life. It is perhaps no coincidence that it was this episode - Judah and Tamar - that began a family tree from which 10 generations later David, Israel's greatest king, was born.

Chanukah – Make Music With What Remains

Thought For The Day – 15 December 2006

Yitzhak Perlman, one of the world's greatest violinists, contracted polio at the age of 4. Ever since, he's had to wear metal braces on his legs and walk with crutches. Once when he was giving a concert, a string on his violin broke. Instead of calling for a new violin he continued to play on three strings. When the concerto was over, the audience gave him an ovation and called on him to speak. He did. He said one sentence that everyone there knew referred not only to the broken string but to his disability and much else that is broken in this world. He said: "It's our task to make music with what remains." That's as good a description as any of Chanukah, the Jewish festival of lights that begins tonight. For eight days we light candles in memory of the time, 22 centuries ago, when Jews fought for religious freedom against the Alexandrian empire. They won and were able to reconsecrate the Temple that had been defiled. Amongst the wreckage they found a single cruse of oil with its seal intact and with it they were able to relight the menorah, the candelabrum, that stood in the Temple in Jerusalem. Ever afterward that light became a Jewish symbol of hope: hope that after the worst catastrophe something will survive that allows us to begin again with what remains.

2006 has been a bad year. We've seen Iraq and Afghanistan come close to chaos. The killings continue in Darfur. There was the terrorist atrocity in Mumbai, India, and the tragic events in Lebanon and Israel over the summer. This week the President of Iran, who's repeatedly threatened to wipe Israel off the map, convened a conference of Holocaust denial. Instead of standing together to face the real problems of the 21st century – poverty, disease, global warming – in too many parts of the world people have been intent on killing one another. I shudder to think what future historians will make of our age.

from **Rabbi Aryeh Striks <striks@vths.org>**

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subject Mussar HaTorah - Vayeishev

Mussar HaTorah Torah insights into human nature from the weekly parasha. **Based on the talks of Rabbi A. Henach Leibowitz zt"l (Rosh HaYeshiva of Yeshivas Chofetz Chaim - RSA)** and dedicated in his memory.

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"And Yehuda said to his brothers... 'Come, let us sell him to the Ishmaelites.' " (Bereishis 37:26-27)

Yehuda saved Yosef from death at the hands of his brothers by suggesting that they sell him into slavery instead of killing him. The Midrash Rabbah (Devarim 8:4) takes Yehuda to task for not totally saving Yosef. The Midrash says that one who begins a mitzvah, but does not complete it, will see the death of his wife and children. Yehuda is the prime example of this dictum, the Midrash continues, because as the representative of malchus – kingship – Yehuda would indeed have been heeded by the brothers had he told them to bring

Yosef back to his father. As a punishment for not completing this mitzvah, the Midrash tells us that Yehuda's wife and children died.

The Midrash seems difficult to understand. As the S'forno (37:18) explains, the brothers convened a beis din – a court of Torah law – and determined that Yosef was a lethal threat to the future of their family, to the future of the Jewish people, and that they were not only permitted, but even obligated to kill him. Yehuda concluded otherwise, and therefore felt obligated to save Yosef. Yehuda, however, through his keen understanding of human psychology, felt that he would never be able to completely save Yosef from their hands. The best alternative was to convince them to sell Yosef into slavery rather than kill him. If this was the best that Yehuda felt he could accomplish, why is he taken to task so severely? Yehuda honestly believed that there was no way that the brothers would listen to him. If so, how could Yehuda be held responsible for not finishing a mitzvah that he could not possibly complete? Furthermore, even if Yehuda was wrong in his estimation of the chances for success, then that was his mistake - inaccurate estimation of his abilities. Why punish him for a seemingly unrelated result of that decision – non-completion of a mitzvah?

Quite often, our attitudes and our mindset affect not only our viewpoint, but also our vision. By telling us that Yehuda was slightly lacking in his appreciation of the importance of finishing the mitzvah he had started, the Midrash is identifying the source of the problem. Had Yehuda been inspired with a slightly greater appreciation for this concept, he would have seen the situation with more clarity. Once Yehuda started his involvement in saving Yosef's life, he should have been possessed with an overriding drive to finish the entire job and bring Yosef back safely to Yaakov. Fortified with this passion to complete the mitzvah, he would have then seen the picture from a new vista: that the brothers would listen to his command and that completing his task was indeed possible. Yehuda's infinitesimal shortcoming in recognizing the need to finish a mitzvah led to severe repercussions, both for his family, and the Jewish people. When we begin the task of serving Hashem in any one of the many mitzvos that present themselves to us each day, let us relish the opportunity to serve the Creator of the universe. What a unique privilege we enjoy to perform His mitzvos! What a weighty responsibility rests upon us to carry out this mission as the King's chosen people, His elite honor guard! If we are inspired with this feeling of lofty privilege combined with awesome responsibility, we will see our challenges in a new light. Impossibilities become possible and limitations become hurdles that can be transcended. May we merit to see with clarity, to fulfill all our mitzvos completely, with devotion and love for our Creator.

How could Yehuda be held responsible?

Yehuda is the prime example of this dictum What a unique privilege we enjoy to perform His mitzvos!

Parshat Vayeishev **Yeshivat Kerem B'Yavneh <kby@kby.org>**

Thu, Nov 25, 2010 at 2:31 PM Reply-To: kby@kby.org To: Yeshivat Kerem B'Yavneh <kby@kby.org> Parshat Vayeshev

The Angel in Charge of Desire

Rosh HaYeshiva HaRav Mordechai Greenberg shlita

When Tamar hears that her father-in-law, Yehuda, is coming to Timna, she removes her widow's clothing, covers herself in a veil, and sits on the road to Timna. The Torah describes: "Yehuda saw her and thought her to be a zonah, for she covered her face, and he turned to her off the path" (Bereishit 38:15-16). The midrash explains, "He wished to pass, but Ha-Kadosh Baruch Hu brought the angel in charge of desire... 'And he turned to her off the path' – against his will and against his best interests" (Bereishit Rabba 85:8). The idea of "additional desire" also appears in the context of Shet's birth. "Adam again knew his wife" (Bereishit 4:25) – this teaches you that desire was added to his desire" (Rashi ibid, "va-yeda Adam"). The Maharal explains in the Gur Aryeh: Hashem wanted this child, Shet, to be born, as the world would be built from him. He therefore gave

him greater desire; for any time that Hashem wants a certain child to be born, He renews desire. This is similarly what Chazal said regarding Yehuda – he wished to pass, but Hashem brought the angel in charge of desire...

Why must Hashem use an angel to increase desire? Is there not enough natural desire in the world without angelic intervention? It is said in the name of the Shpiele Zeida: It is not fair what you have done, Ribbono shel Olam! For you made desires so real in this world, while you described Gehinnom only in Sefer Reishit Chachma. I swear, had you made Gehinnom real in this world and described desire in Sefer Reishit Chachma, no man would ever sin! I found an interesting explanation of this idea in the book Maskil Le-Shlomo of Rav Carlebach, the Mashgiach of Yeshivat Chaim Berlin. He points out that we encounter the concept of desire for the first time in the context of Ha-Kadosh Baruch Hu Himself: "He [Hashem] desired to have a dwelling place in the world below" (Tanchuma, Nasso 16). Hashem desires the building of the Mikdash and the redemption of the world through Mashiach. He waits and anticipates that we will fulfill His desire. Despite the fact that it takes a while, He does not give up on His desire. Thus, He appointed an angel in charge of fulfilling His desire. Any time it appears that the goal will not be reached, this angel is called upon to clear the way of stumbling blocks. Within Adam Ha-Rishon lay the seed of Mashiach, but he had separated from his wife, and Hashem's desire could not be fulfilled. After 130 years, the "angel in charge of desire" came and added desire – that of Hashem – to Adam's own desire, and Shet was born as a result. "She called his name Shet, for Hashem has given me a different seed in place of Hevel, who was killed by Kayin" (Bereishit 4:25). The midrash relates in the name of Rabbi Tanchuma: "She realized that that the seed had come from a different place... It was that of Mashiach" (Bereishit Rabba 23:5). Rabbi Tanchuma said a similar drasha about the daughters of Lot, who lived some twenty generations after Adam Ha-Rishon: "I have found my servant Dovid" (Tehillim 89:21) – where have I found him? In Sedom, as it says, 'The angels pressed Lot... 'Take your wife and your two daughters who are found' (Bereishit 19:15)."# The soul of Mashiach was found with Lot, and Sedom was about to be destroyed, and the light of Mashiach was in danger of being extinguished. Once again, an angel appeared to save the situation, and they suddenly had wine in the cave. "Let us go and give our father wine to drink... and we will have seed from our father" (Bereishit 19:32) – Rabbi Tanchuma said in the name of Rabbi Shmuel: It does not say 'son,' but rather 'seed' – that same seed that comes from another place – the seed of Mashiach."# Three generations later, Mashiach was once again in danger. Tamar was sitting on the path, and Yehuda was planning to pass her by. Immediately, an angel appeared and asked, "Yehuda, where are you going? From where do redeemers and kings come?" "He turned to her off the path – against his will and his best interests." This was the same angel who guided Rut to the field of Boaz. Afterwards, the entire nation blessed Boaz, "May your house be like the house of Peretz, who was born to Tamar from Yehuda, from the seed that Hashem will give you from this woman" (Rut 4:12). "Yehuda recognized [them] and said, 'Tzadka mimeni'" (Bereishit 38:26). Rashi explains: "'Tzadka' – [she is correct] in her words; 'Mimeni' – she is pregnant [from me]. Chazal explained (Sotah 10b) that a Bat Kol came out and declared, 'These matters have come from Me (mimeni).'" In bringing about the birth of Mashiach, the desire of Hashem is wrapped up with the desires of human beings. "And all the plants of the field (siach ha-sadeh) had not yet sprouted on the land" (Bereishit 2:5) – All the talk of people (siach) takes place about the land, [about] whether the land will give forth fruit or not. And all the prayers of people only take place for the land – that the Master of the world should make the land give forth fruit. But all the prayers of Yisrael are only for the Beit Ha-Mikdash – that the Master of the world should build the Beit Ha-Mikdash.# "Siach ha-sadeh" can refer to two types of "talk." One is discussion of physical matters, matters of the field, fruits and crops. This is the

siach of the nations of the world. The other meaning is prayer, and in that sense "sadeh" refers to the Beit Ha-Mikdash (as in "Yitzchak went out la-suach ba-sadeh" [Bereishit 24:63], referring to the Beit Ha-Mikdash [Pesachim 88]). This is the desire of Bnei Yisrael, like that of Hashem Himself. This is similarly the double meaning of the pasuk, "I yearned for your redemption, Hashem" (Tehillim 119, 174) – we desire that Hashem redeem us, and we desire to redeem Him, as it were, through the fulfillment of His will. "Yehuda recognized [them] and said, 'Tzadka mimeni'" – Yehuda admitted that this desire was that of Ha-Kadosh Baruch Hu to produce the seed of Mashiach. In this way, Yehuda's desire was wrapped up in Hashem's desire for the redemption of the world. This is why Yehuda merited that all Jews are called by his name – Yehudim. "Yehuda – your brothers will admit to you (yoducha)" (Bereishit 49:8) – Yehuda, you admitted to the events with Tamar, and as a result, your brothers will admit to you and will be called Yehudim after you" (Targum Yonatan ibid.). Shabbat Shalom Copyright Yeshivat Kerem B'Yavneh

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From TorahWeb <torahweb@torahweb.org>

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Rabbi Hershel Schachter (The TorahWeb Foundation)

Where to Place the Menorah

The gemara (Shabbos 21b) tells us that the proper place to put the Chanukah lights is in front of one's home, so that all the passers-by will notice the lights, and thereby the greatest possible *pirsumei nisa* will be achieved. However, if it is a *sha'as hasakanah*, it is sufficient to leave the menorah inside one's home. At one point the gemara (ibid 22b, see also Chidushei Sefas Emmes) clearly assumes that if the menorah is placed inside the home the *mitzvah* is not fulfilled at all because an essential factor in the *mitzvah* of *ner Chanukah* is the *pirsumei nisa*, and a private *pirsum*, serving only for the *bnai habayis*, is not sufficient. At that point the gemara clearly feels that the idea of placing the menorah on one's table *b'sha'as hasakanah* is merely to have a *zecher l'mitzvas ner Chanukah*, without even partially fulfilling the *mitzvah*. The Sefas Emes points out that once the gemara reaches the conclusion of its discussion, this assumption is no longer necessary, and may fall away. One may assume that lighting in one's home *b'sha'as hasakanah* is not merely for the purpose of having a *zecher l'mitzvas ner Chanukah*, but actually represents an incomplete *kiyum hamitzvah* of *ner Chanukah*; the *pirsumei nisa* for the *bnai habayis* constitutes a partial *kiyum hamitzvah*. This is obviously the position *bnai chutz la'aretz* have accepted for the past several centuries, since we recite all the *berachos* upon our lighting inside our homes; if it were only fulfilling a *zecher l'ner Chanukah*, it would probably not warrant all the *berachos*.

In his collection of *drashos* on the Torah the Sefas Emes has an interesting comment regarding this change in practice with respect to the *makom hadlokas haneiros*. The Chanukah lights, explains the Sefas Emes, represent the *ohr haTorah*. Years ago the inside of the Jewish homes were saturated with Jewish values, and the placing of the menorah outside the home, just near the doorway, represented the keeping of the foreign influence of the street from penetrating within. Nowadays, however, as the gemara (Avoda Zara 8a) comments, the Jews who live in *chutz la'aretz* "worship *avoda zara b'tahara*", and even the insides of their homes fall prey to many foreign influences and elements. Today it is necessary to light the *ohr haTorah* inside to chase out the foreign notions.

One *posuk* in *Mishlei* contrasts the effectiveness of learning Torah with that of fulfilling *mitzvos*, declaring, "ki *ner mitzvah v'Torah ohr*" - the illumination gained from doing a *mitzvah* is compared to the light of a small candle, while that gained from learning Torah is

likened to the brilliance of a torch" (see Sotah 21a). A passuk in Tehillim, however, compares even the illumination gained from Torah learning to the light of a candle - "ner leragli devarecha, ve'or le'nesivasi". The medrash (Yalkut Shimoni to Tehillim 119, siman 478), commenting on that passuk, explains that when one has just started to learn Torah, he should not feel that he is already competent enough to develop an entire life philosophy - his own hashkofas olam. Only after much learning does the power of illumination of Torah change from a ner to an ohr.

The gemara (Shabbos 88b, see also Rashi ad loc.) draws a distinction between two groups of people who learn Torah which it refers to as the meiyaminim and the masmeilim. For those who learn Torah with amal and yegiah, learning becomes a life-preserving drug. For those who learn, but without such a great commitment, and without yegiah and amal, learning will become a source of confusion, and a drug inducing their death.

Every person is enveloped in the choshech of our alma d'shikra. The possuk in borchy nafshi states, "toshes choshech veyehi layla", on which the gemara (Bava Metzia 83b) comments, "zeh ha'olam hazeh shedomen lelaylah." Our chachomim have taught us that "a small amount of light cancels much darkness", but not all of the darkness. If one learns much Torah with great yegiah, he can dispel all of the choshech. If one has only begun to learn Torah, and only reached the level of ner leragli devarecha, then he will be in a state of ohr vechoshech mishtamshim b'irbuvyah[1]. We sometimes hear of Orthodox rabbis espousing anti-Torah views even though these rabbis learned in yeshivas. The mere earning of semicha from a recognized yeshiva does not mean that a person is qualified to pasken a shayla. If one has ohr vechoshech mishtamshim b'irbuvyah in his own mind, he can never tell whether his opinion on any halachic matter is rooted in the ohr or in the choshech. The Shulchan Aruch (Rema, Yoreh Deah 242:3) quotes the statement of the Rambam, that those students of the Torah who paskin shaylas even though they are "lo higyru l'hora'ah" are "extinguishing the illumination of the Torah."

This statement of the Rambam and the Shulchan Aruch was made so many years ago when the shaylas were usually standard, straight-forward ones rooted in gemara and poskim. It is even truer today, when Klal Yisroel is faced with new types of shaylas, many of which have no clear precedent in halachic literature. These new shaylas require poskim of great stature, who have such a broad understanding of halacha that they have even refined their intuitions and instincts to think in terms of Torah. Let us continue to light the Chanukah menorah inside our homes to chase out the foreign influences that have already crept in. May we all be zoche to harbai min ha'ohr, to succeed in being docech all of the choshech.

[1]See Sichos Mussar, by Rav Chaim Shmuelevitz zt"l, parshas Vayetzei 5733 Copyright © 2010 by The TorahWeb Foundation. All rights reserved.

long lasting.

Great institutions of Jewish learning have been broken up by internal disagreements as to the minute methodologies of study, the rights of succession and differences of personality. Rarely do these disputes involve true ideological differences - they almost always descend into personal feuds that are eventually intractable.

From my long experience in the rabbinate, I can unequivocally state that the bitterest disputes I was witness to, and attempted unsuccessfully to heal, were the ones between members of the same family. Usually, but not always, these disputes, which were almost never resolved, were over inheritance rights and other family matters that to the outside observer seemed relatively petty and unimportant. This is certainly an example of the sometimes perverse side of human nature.

Our rabbis have often taught us that the bitter internal disputes that have plagued Jewish history over the ages, and are all too present in our current society, can all be traced to the genetic imprint created within us by the story of Yosef and his brothers.

Yosef is insensitive to the feelings of his brothers, suspects them of deeds that they have never committed and slanders them to their father. They, in turn, see in this young teenage brother of theirs an existential threat to their very existence and to the ability of the house of Yaakov to survive and prosper. Out of these misunderstandings personal enmities now develop.

The ten brothers cannot speak peacefully or civilly to Yosef, so deep is their antagonism to him. When Yosef was in the pit of snakes and scorpions and then finally sold as a slave into Egyptian bondage, the brothers hardened their hearts and stopped up their ears when he pleaded with them. This also allows them to fool their ancient father and to witness his decades of grief without revealing to him their culpability in the disappearance of Yosef.

Wrongdoing always leads to further wrongdoings and a lie must inevitably lead to a cover up of further lies. And, all this, because of a family fight over misinterpretations and erroneous assumptions of the motives and behavior of others who are bound together by blood and family.

Eventually it will take years and very changed external circumstances in order to reconcile Yosef and his brothers and make the house of Yaakov whole again. Common existential dangers - the enemy from outside - usually have a sobering effect upon simmering internal disputes. Only diehard ideologues continue to whistle past the graveyard, oblivious to the real dangers that confront us.

I remember that once I witnessed a traffic policeman here in Jerusalem writing out a summons to someone who had allegedly illegally parked near a synagogue. Their argument grew heated and I was afraid that they could come to blows. Suddenly someone emerged from the synagogue and shouted to them: "We need two more Jews to complete our minyan!"

The policeman and the car owner dutifully trudged into the synagogue to help make up the prayer quorum. After the prayer service concluded the policeman and his victim returned outside and immediately resumed their heated discussion as to whether the person's car was indeed wrongfully parked. The external emergency had ended - the minyan was completed - and now they could repair to their own disputation once more. To a certain extent that vignette is a microcosm of Jewish social and political life today. It seems that we need a discernible external and immediate threat to allow us to forget and forego our internal squabbles at least temporarily. Let us hope that we will find a wiser and better way to deal with our family fights. Shabat shalom.

From Destiny Foundation/Rabbi Berel Wein <info@jewishdestiny.com>
Subject Weekly Parsha from Rabbi Berel Wein
Weekly Parsha :: VAYESHEV :: Rabbi Berel Wein

In this week's parsha, our father Yaakov marks a moment of great transition in the story of the establishment of the Jewish people as a national entity. Until Yaakov's family appears on the scene, the story of Judaism and Jews is one of lonely and singular individuals. Avraham has to break away from the idolatrous home of Terach and wander to fulfill his dream of monotheism and morality. He is forced to make hard choices within his own family circle as to who his successor in this mission of nation building will be.

His faithful servant Eliezer is eliminated from the succession contest as is Yishmael and the numerous other children that Avraham sired. For only in Yitzchak will Avraham find a successor to further his ideals, beliefs and value system of life. Yitzchak is also faced with a winnowing process in designating an heir to the vision and destiny of his father Avraham.

Though he attempts to somehow salvage Eisav as well, in the end he fully recognizes that only through Yaakov can the mission, of uniqueness and Godliness that is to become the Jewish people, be fulfilled. Until Yaakov's family arrives on the scene, the heritage and vision of morality and monotheism

From Destiny Foundation/Rabbi Berel Wein <info@jewishdestiny.com>
Subject Weekly Parsha from Rabbi Berel Wein
Jerusalem Post :: Friday, November 26, 2010
A FAMILY FIGHT :: Rabbi Berel Wein

There is no fight quite so bitter and harmful as a family fight. The very closeness of the relationship between the parties involved intensifies the feelings of personal hurt and deep insult. Closeness always emphasizes the differences that exist and clouds over the basic agreements, shared values and world view that also exist.

The history of the past century has shown that the divisions in the Jewish religious world are deep and seemingly unbridgeable even though the differing sides agree on the basic principles of faith and moral behavior. They disagree on clothing, customs, political matters and how to share the distribution of welfare and governmental and private largesse.

The Bolshevik Communist government of the Soviet Union hated and persecuted the Menshevik Communists, Socialists, Trotskyites and other assorted Marxist leftists to a greater degree than even their so-called Capitalist foes. It was a family fight and family fights become violent, illogical and very

is entrusted only to one member of the family while the others so to speak are discarded by the wayside of history.

But Yaakov fathers twelve sons and a daughter. Is the pattern of only one of them being the true heir of Yaakov's dream and mission to be repeated in his family as well? Past family history seems to indicate that such a scenario was possible if not even probable.

This perhaps explains the reaction of the brothers to the favoritism exhibited by Yaakov towards Yosef. The brothers were apprehensive that the mission of Avraham, Yitzchak and Yaakov would again be entrusted to only an individual – only to one of them – and the other members of the family would again be historically discarded. And that chosen brother, judging by their father's favoritism to him, would be Yosef.

And, they felt that Yosef was the incorrect choice for solely carrying on the heritage and mission that began with their grandfather Avraham. What they failed to grasp was that Yaakov and his family now marked the great transition, from Judaism being the faith and belief of individuals to now being the religion which would be embodied in a people, a society, and a national entity. Since no two individuals are alike physically, mentally, or emotionally, the people that would emanate from Yaakov and his family would be made up of diverse individuals and ideas. But the cement and glue that would bind them all together would be the vision and faith of Judaism that was their common heritage and would be their common destiny as well.

It is much more difficult for a large group of people to retain a special identity and sense of mission than it is for an individual alone. The story of Yosef and the brothers that marks the concluding sections of the book of Bereshith is the supreme illustration of the challenge of molding individuals who are inherently different into a common and effective nation. This challenge still remains with us millennia later.

Shabat shalom

From Shema Yisrael Torah Network <shemalist@shemayisrael.com>

To Peninim <peninim@shemayisrael.com>

Subject Peninim on the Torah by Rabbi A. Leib Scheinbaum

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Parshas Vayeishev

Yaakov settled into the land of his father's sojournings. (37:1)

Rashi quotes the Midrash which gives insight into the pasuk. Vayeishev Yaakov - Bikeish Yaakov leishev b'shalvah. Yaakov Avinu sought to dwell in tranquility. Then, the ordeal of Yosef happened. The righteous seek to dwell in tranquility. However, Hashem says, "The righteous do not consider that which is prepared for them in the World to Come to be enough for them, but they seek to dwell in tranquility in this world as well!" According to the Midrash, Yaakov was chastised for seeking tranquility. This seems to be a bit demanding. Clearly, Yaakov was not seeking a country club. He was not planning to go to a resort vacation. His idea of tranquility was to study Torah throughout the day in a relaxed atmosphere: no more tension; no more grief; no more deterrents to distract him from his life's mission. Is that so bad? Furthermore, Yaakov was certainly aware of the pasuk in Iyov 5:7, Adam l'amal yulad, "Man is born to labor." This pasuk expresses the Torah's view on life. The purpose of man's existence is to toil. How could our Patriarch have sought a position which was not consistent with the Torah's world-view?

Yaakov Avinu was well aware of the above. He sought shalvah, tranquility, as an opportunity during which he could spend more time engrossed in his spiritual life. He wanted to live a life unencumbered by hindrances, anxiety, trouble - all that he had experienced during his contentious relationship with Eisav and Lavan, followed by the travail over the violation of Dinah. Yaakov felt that if he could immerse himself entirely into the sea of Torah, he would be able to plumb its depths with greater ease and success. He did not seek to escape misery as an end but, rather, as a means for greater success in Torah study. Was he wrong?

Adam l'amal yulad - "Man is born to labor;" amal seems to be the antithesis of shalvah, tranquility, but it does not have to be. One can experience situations that create anxiety and travail; he can toil and live without pleasure and still possess a feeling of tranquility. Tranquility is not about experiencing pure pleasure, unfettered by the burdens of life. It is about attitude. One can endure travail and still feel tranquil. It is all in the mind. Moreover, this is how it is supposed to be. One must learn to transcend the pain, eclipse the heartache, and go above the hindrances of life to field the curves as he encounters them. This is what life is all about. It is not supposed to be a bed of roses. What it becomes is what we make of it. Our attitude determines the tranquility of our existence. Western culture has been plagued by an epidemic of addiction to drugs, alcohol, and anything that can generate an escape from pain and anxiety. Society's goal is to live in a trouble-free, pleasure-filled world of tranquility In

pursuit of these goals, people take brain-altering chemicals in order to escape life's realities.

The Torah frowns on such behavior. "Man is born to labor," to recognize that life - with its troubles - must be lived thoroughly. This can only be accomplished by embracing a Torah-way of life which guides us through life's obstacles, as it gives us the courage and fortitude to overcome life's distresses. Yaakov sought to dwell in tranquility. He did not want to experience the adversity. Why transcend it if he can avert it altogether? Hashem's response was that, in this world, one must experience amal, labor. One must triumph over adversity - not avert it. To have shalvah, to maintain an attitude of tranquility toward life's difficult moments, is appropriate. To seek to dwell in tranquility, to circumvent these trying moments, is to deprive oneself of the opportunity for spiritual ascendance.

The Yom Tov of Succos presents a primary example of this idea. The festival of Succos is about vulnerability and faith. We move out of structured, stable homes and spend over a week in a ramshackle hut, a temporary structure, exposed to the mercy of the elements. During this time, we are most vulnerable. Yet, Succos is called the festival of joy. How is vulnerability a prescription for joy?

Succos is all about emunah, faith, in Hashem. When we are most vulnerable, we realize that, in reality, whatever security we thought we had was nothing more than an illusion. One wind can topple our home; one bad investment can destroy our savings; one bad step can destroy our health. In the Succah, we feel Hashem's closeness, His constant Providence, His love. This is joy at its zenith. Emunah is the belief that whatever occurs in our lives is an expression of Hashem's love. We may not always understand it, but that is where faith prevails. Tranquility is achieved when faith prevails over vulnerability - not when it is deflected.

Reuven returned to the pit, and behold! Yosef was not in the pit! So he rent his garments...he said, "The boy is gone! And I - where can I go?" (37:29, 39)

The Midrash Lekach Tov comments on Reuven's anxiety concerning the missing Yosef, "Where can I go?" Reuven thought that by saving Yosef, he was doing more than simply saving his brother's life. He was rectifying his questionable behavior concerning the incident with Bilhah. Now that Yosef was gone, however, his opportunity for making amends was gone with him. We must endeavor to understand the relationship between the incident with Bilhah and Reuven's missing the opportunity to return Yosef to his father. In his Bircas Peretz, the Steipler, zl, explains Reuven's sin concerning Bilhah. In this way, he sheds light on its relationship with the return of Yosef. The pasuk (Bereishis 35:22) tells us, "Reuven went and lay with Bilhah" In the Talmud Shabbos 55b, Chazal present us with an entirely different scenario. They say that whoever claims that Reuven sinned with Bilhah is simply mistaken. It was nothing of the sort. Noticing what he felt was an affront to his mother, Leah, Reuven took matters into his own hands, without consulting his father, Yaakov. When Rachel died, Yaakov Avinu moved his residence to Bilhah's tent. Reuven perceived this as a slight to his mother's honor. He said, "If my mother's tzarah, co-wife/rival, was her sister, Rachel, should her sister's maidservant, Bilhah, also be her rival?" To put it in simpler terms: Rachel was gone; Leah is the new woman of the house. So Reuven moved Yaakov's bed into Leah's tent.

He erred by questioning Yaakov's judgment. Reuven should have realized that every action which Yaakov performed was directed by Hashem. Apparently, Hashem wanted Yaakov's residence to be in Bilhah's tent. Case closed. Just because Reuven did not understand Yaakov's behavior that did not necessarily mean that his behavior was questionable. The flaw was in his understanding - not Yaakov's action.

Reuven repented his sin for quite some time until the opportunity to demonstrate that he had changed; he was no longer rash in assuming but, rather, assiduous and well-thought out before acting. Once again, Yaakov acted in a manner which was, to Reuven, incomprehensible. By displaying unusual favoritism to Yosef, Yaakov was inadvertently fomenting the seeds of jealousy and hatred in his otherwise happy family. By teaching the Torah that he had learned in the yeshivah of Ever exclusively to Yosef and giving him a multi-colored, fine woolen tunic, Yaakov was arousing envy in the home. This envy germinated into an animus that led to the brothers' desire to do away with Yosef. Reuven saw this as an opportunity to rectify his earlier misdeed concerning Bilhah. Even though he did not understand his father's actions, he did not question them. Perhaps his father's actions concerning Yosef seemed unfair, illogical and provocative; still, he was his father and the b'chir ha'Avos, chosen of the Patriarchs. Yaakov knew what he was doing. Reuven would return Yosef home, thereby correcting his earlier mistake concerning Bilhah. Reuven tried; his intentions were noble; he meant well, but he was too late. Yosef was already gone. He tore his clothing in grief, because he realized that he had lost an opportunity to complete his teshuvah, repentance, over the

incident with Bilhah.

Life is filled with missed opportunities. For the most part, we miss these opportunities because we do not see them. We do not see them either because: we have not been looking; we lack the ability to recognize and discern what an opportunity is; or we refuse to see the opportunity staring us in the face. Opportunity demands responsibility and obligation. Not all of us are willing to accept this added burden. An American politician once said, "Never waste a crisis." There are those who view a crisis as the end of the world when, in reality, crisis is an opportunity for one to emerge stronger than ever before. As noted, the Hebrew word for crisis is *mashber*, which may be derived from *shever*, broken. We forget, though, that *mashber* is also a birthing stool. A crisis is an opportunity for one to grow and emerge even stronger than before. Misfortune - or, rather, perceived misfortune - is an opportunity in disguise. When Yaakov sent Yosef to check on his brothers' welfare, Yosef did so willingly, despite the fact that he was well aware of his brothers' animus towards him. Indeed, when he arrived they had begun to plot his death but, finally, they agreed to sell him into slavery instead. The Ohr HaChaim HaKadosh explains why the halachic maxim of Shluchoi mitzvah einan nizakin, "an agent sent to perform a mitzvah will not be harmed," does not apply. Yosef was carrying out the mitzvah of *Kibbud Av*, honoring his father. The question is discussed at length by the various commentators. The Ohr HaChaim first says that Yosef was commanded to go to Shechem. When he arrived there, his brothers had already left for Dosan. He followed them there. Apparently, Dosan was not part of the command, thus circumventing the mitzvah's protection.

In an alternative response, the Ohr HaChaim explains that the "umbrella" of *shluchoi mitzvah* applies only in a situation where there is clear misfortune. Misfortune, however, which turns out to be a source of salvation - indeed, a benefit for the individual - is not viewed as misfortune. It certainly was not fun for Yosef. The roller coaster of fortune which he experienced included: being sold as a slave; falling into the hands of Potifar's wife; living in a dungeon, amid misery and squalor, with the elite of Egypt's criminal community. This was only his physical deprivation. Undoubtedly, for someone of Yosef's spiritual persona, these years were an abysmal perdition. He emerged, however, as Egypt's viceroy, the man who provided food for the entire world. He was able to facilitate his family's move. Therefore, Yosef's ordeal cannot be viewed as misfortune.

What a powerful lesson for us. There are so many situations in life which we consider adverse. After the initial impact has passed, and the great healer "time" has wended its way, we realize that what we had considered a disaster was actually Hashem preparing the scenario for our ultimate benefit. While there are certainly situations which are definitely tragic, Hashem has a plan, and these circumstances are part of it. Keeping this perspective in mind will give us the greater fortitude needed to endure through the implementation of Hashem's Divine plan.

I am writing this on Erev Yom Kippur, as I contemplate the past week. The past year is too much with which to deal. Even the events that have occurred since Rosh Hashanah in our Torah-world are sufficient motivation to put one into the Yom Kippur mindset. We should not go to davening with our heads to the ground, depressed and frightened, thinking: "Who will be next? What will it be? What can we do?" It is much easier to write than to put the ideas into action. Everything is part of Hashem's plan. How we fit into this equation is His determination. He gives us the strength to endure.

I just spoke to Mrs. Baruch Berger - my annual call. Baruch is an angel sent down from Heaven to inspire us mortals. It was Baruch who came to me during Peninim's infancy, almost twenty years ago, and requested to distribute it in the New York area. He was battling a debilitating degenerative illness, and he wanted the *z'chus haTorah* in his corner. He distributed Peninim religiously for years until the disease took its toll. For the last few years, he has been relegated to a wheelchair, since the only limb that moves is his mouth - which somehow is able to smile to everyone who has the privilege to visit him. He has, Baruch Hashem, defied medical science, because he is here for a purpose: to serve as a living inspiration to those who need a smile, a pick-me-up. Hashem should send a *refuah sheleimah* to Baruch ben Sora Chashya, b'soch she'ar cholei Yisrael, and may he soon transform all perceived misfortune into salvation and benefit.

As she was taken out, she sent word to her father-in-law. (38:25)

Tamar had no intention of saving herself at the expense of her father-in-law's reputation. Chazal say that she reasoned, "If he admits voluntarily, then I will be saved and all will be good. If he refuses to come forward and concede his guilt, then I will die. Rather I should give up my life than cause Yehudah to be publicly disgraced." Chazal derive from here that it is better for one to throw himself into a fiery furnace than to humiliate his friend publicly. Shame seems to be a compensation for death. This gives us something to consider. Who knows if a *g'zar din*, Heavenly decree, against a person had not been averted by

his experiencing a public humiliation? Indeed, the Ben Ish Chai takes this for granted. He derives from Chazal's statement that if a decree of death has been issued against a person, he has the chance to cause that decree to be rescinded by not responding to those who humiliate him. Ignoring embarrassment, not responding to ridicule, has quite a therapeutic effect. It can save one's life. Understanding the depth of humiliation takes a special person. This does not mean that we should support an individual who does wrong and not criticize him. One who wrongs us certainly deserves chastisement. Perhaps he should even be ostracized, but there is a *shiur*, limit, to everything. We are Jews and, as such, we are blessed with three unique qualities which comprise our DNA: *baishanim*, *rachmanim*, *gomlei chasadim*. We embarrass easily, a quality which is a derivative of modesty and dignity; we are compassionate, because we are sensitive to the needs and feelings of others as if they were our own; last, we are selfless and perform acts of loving-kindness, with love and care.

I had occasion to read a fascinating, truly inspirational story in Rabbi Yechiel Spero's, "A Touch of Inspiration." It teaches us how far a Jew's sensitivity for another Jew should extend. It also demonstrates the power and its utilization a Rav can, and should, have. The Bilgorayer Rav, Horav Mordechai, zl, was the brother of the Belzer Rebbe and a leader of his own chassidic court. Being a great *tzaddik*, righteous person, people came from all over to pursue his blessing. Jews struggling with material and emotional challenges were well aware of his address. One of his townspeople was a Kohen named Shimon, who was undergoing a traumatic period. His first marriage had failed dismally, and he was now alone in the world - miserable, depressed, and forgotten by the world. He met a woman whom he wanted to marry. However, there was a problem: she was a divorcee, and he was a Kohen. His depression surfaced and took over. He was going to marry her despite the Torah's prohibition. He could no longer live alone.

Understandably, the townspeople took issue with his decision. It was an insurrection against Hashem and an insult against every Jewish citizen in the community. The people took serious umbrage to his deed. Everyone stayed away; even his best friends no longer recognized him. One would think that this reaction might have created feelings of regret in his mind. Instead, it sowed greater resolution. He was finally happy. He was not relinquishing his happiness.

The people were equally resolute. If he was not budging - neither would they. No one in town gave him the time of day. The *Yamim Tovim* were fast approaching; with *Yom Tov* came a Kohen's opportunity to *duchan*, recite special blessings which the Kohanim say on *Yom Tov*, performing their special service of blessing the congregation. The Kohanim were determined not to allow Shimon to join them in *Bircas Kohanim*. They approached the Rav, who agreed with their decision. He asked everyone to sit down, as he approached the lectern to address the congregation.

"My friends," the Rav began, "you have raised a valid point, that a Kohen who transgresses the law should not *duchen*. I am in agreement. He will not *Duchen* - but neither will anyone else! As long as Shimon is in violation of one of the marriage laws that apply to Kohanim, the rest of us cannot smugly sit back and pretend that we are not partially to blame for this breakdown in the observant life of a Jewish person. Perhaps, had we been more sensitive to Shimon's loneliness, he might not have taken such an ignominious step. Therefore, until Shimon recants his decision, no one in this shul will *duchen*!"

The congregation was stunned. This was truly a shocker to everyone - except Shimon, who walked out of shul in open defiance. The Rav was on his side. Regardless of the venomous stares he received, he would not back down. He was not about to throw out his newly-found happiness. This is the way the *yetzer hora*, evil inclination, works. It encourages the sinner, convincing him that his seditious act is justified.

And so it went on for two years. Every *Yom Tov*, the Chazan would reach the point in *Shemoneh Esrai* when the Kohanim were to bless the congregation, and he continued. There was no *duchening*. Finally, after two years, Shimon repented. He stood before the Rav and, without speaking, began to cry bitterly, confessing his egregious sin. He could no longer bear to take out his personal misery on his friends. They should not suffer because of his selfishness. He was hoping that with his *teshuvah gemurah*, complete, sincere repentance, he would once again be an accepted member of the community.

The Rav listened and promised to do everything within his power to facilitate his *teshuvah*, and to see to it that the community would accept him into their hearts and homes. He would no longer be a pariah.

Word spread quickly throughout town. Shimon had divorced his wife and was becoming a *baal teshuvah*, returning to a life of observance. The city would no longer be deprived of its Kohanim's blessing. A few weeks later, *Yom Tov* commenced. The Kohanim were ecstatic. Once again, the sounds of *duchaning* would be heard in shul. This joy, however, did not reach Shimon, since the community was still not prepared to welcome him back with open arms. Everyone seemed apprehensive. It is difficult to accept a *baal teshuvah* when

the sin had been blatantly etched into their minds. It would take time.

As the Kohanim were about to arrange themselves in front of the Aron Kodesh, the Rav asked everyone to sit down. He had something to say: "Today we are about to return to the hallowed tradition of Bircas Kohanim. For two years, the sounds of the Kohanim blessing the congregation have not been heard in our shul. It happened because of one of our members, who has since repented." Everyone looked in the direction of Shimon, who felt like burying himself in shame. That was, however, part of the teshuvah process. He would be as resolute in teshuvah as he was stubborn in committing the sin. He held his head up high in an attempt to control his overwhelming shame.

The Rav continued his short speech. "Chazal teach us that b'makom she'baalei teshuvah omdin, tzaddikim gemurim einan yacholim lamod, 'In the place where a completely penitent stands, even a completely righteous person cannot stand.' Therefore, as we return to our tradition of Bircas Kohanim, I feel that only one Kohen should stand up here today, the Kohen who is a sincere baal teshuvah. Shimon, you are today the greatest Kohen. Today, only you will duchen." Shimon was reasonably tense, his legs almost giving out under him as he walked up to the podium to recite the blessings. That day, Shimon rendered what was probably the most heartfelt Bircas Kohanim ever heard in that city. A number of lessons can be derived from this episode. First, once a person is in the grip of sin, it is difficult to wrench himself away. A person either justifies his insurrection, or obstinately claims that he does not care. Second, he receives very little support from people. Humiliation is the standard response from even his closest friends. Once he decides to recant his ways, he still does not always receive the necessary support. People have long memories. Third, teshuvah demands great resolution and fortitude. Indeed, if he was "weak" enough to sin, but "strong" enough to ignore the ramifications and repercussions, he is able to endure the teshuvah process. Last, some people do care. They help and give support, but, ultimately, it is up to the individual to correct his misdeed.

Yehudah recognized and he said, "She is right." (38:26)

We live in an age of "spin," with cover-ups being not only a daily occurrence but a way of life. After all, what is wrong with not revealing the truth? It is not as if I am telling an outright lie. This is a sad commentary on contemporary society. Regrettably, what happens "out there" has a way of surreptitiously slithering into "our world." The Midrash teaches that in the merit of Yehudah's open confession concerning his liaison with Tamar, thereby saving three souls, those of Tamar and her twin fetuses, many years later Hashem spared Chananyah, Mishael, and Azariah from the fiery furnace. Clearly, Yehudah deserves some credit, but are we not getting generous with the accolades? Would one imagine Yehudah capable of not confessing, thereby sentencing three innocent souls to their fiery deaths? It is almost as if Chazal were saying that Yehudah, who had the opportunity to murder three souls, did not; thus, he should receive tzidkus, righteous person status. How are we to understand this? Horav Yitzchak Zilberstein, Shlita, explains that as the primary judge in the case, Yehudah could have steered the verdict in such a manner that would have exonerated Tamar, without implicating himself. It was really not necessary for Yehudah to confess and humiliate himself. Indeed, he might have been justified in doing so. By confessing to his liaison, he was creating a chillul Hashem, desecration of Hashem's Name. He - the great leader of the community - was involved in an indiscretion. Is there a more egregious chillul Hashem than that? Furthermore, his father and grandfather, the Patriarchs Yaakov and Yitzchak, were there. Can we imagine the overwhelming embarrassment this must have caused Yehudah?

Yet, the progenitor of Moshiach Tzikeinu was not fazed by the situation. He was in the wrong, and he would own up to his responsibility. Hiding from the truth is not an appropriate quality for the one who would establish monarchy in Klal Yisrael. It might be an acceptable way of life for today's politicians, but it is not the way a Jew is to live. Hiding the truth - or hiding from the truth - at a time when it should be revealed, is participating in a lie. One who lives a life of cover-up is living a lie.

Va'ani Tefillah

Az yashir Moshe. Then Moshe sang.

The Midrash teaches us that whoever recites the Shirah will have his sins forgiven by Hashem. The Nesivos Shalom defines the meaning of "reciting Shirah." Whoever says Shirah daily meaning: he accepts and justifies what Hashem does in the world; He accepts Hashem's actions with joy, regardless of their appearance, whether they seem to emanate from the attribute of Mercy or the attribute of Strict Justice. A person who believes that all that Hashem performs for the world is good will merit Olam Habba; he is worthy of a place in the World to Come. In fact, one who has achieved this status is in Olam Habba - even while his physical body exists in this world. He has already transcended the confines of Olam Haze, this world, which limits a person's perception of Hashem's actions. He sees beyond that.

Sponsored l'zechar nishmas R' Noach ben Yehudah Aryeh z"l niftar 22 Kislev 5726 by his family

From Rabbi Yissocher Frand ryfrand@torah.org &
genesis@torah.org
To ravfrand@torah.org
Subject Rabbi Frand on Parsha
Rabbi Yissocher Frand - Parshas VaYeishev

The Brothers Went To Indulge Themselves

Clarification: Due to a larger than usual reaction to last week's email about animal rights and my remarks about the activities of organizations like Save the Whale and PETA, I feel some clarification is perhaps necessary. I am well aware of the importance of the concept of tzar baalei chaim. Indeed last week's email shiur pointed out how Yaakov Avinu was the first person to care enough about animals to make huts to protect his cattle from the elements. That said, like any particular mitzvah or Torah concept, tzar baalei chaim can be elevated beyond its intended level - even to the point of perversion. While we must be careful to protect animals and not to wantonly cause them pain, we must realize that the purpose of all animals is to serve the human being who stands at the pinnacle of creation. That is why Hashem allowed us to eat them and use them for our needs - i.e., beasts of burden, for plowing and tilling in ancient times, etc., even though the animal do not 'enjoy' these activities. Man's needs trump those of animals. In recent years, some organizations have taken animals 'rights' to extreme proportions. For example, they will place spikes in trees meant to be logged, literally killing and maiming loggers, in order to save the spotted owl, which lives in those trees. This also explains why PETA people will secretly try to infiltrate slaughter houses to film the shechita process, with the ultimate goal of misrepresenting shechita as cruel, and ultimately getting it banned, as has already occurred in New Zealand and as remains a real threat in Europe. All of this stems from a philosophy that does not recognize the role of man in creation as exposed by the Torah.

The pasuk says, "Now his brothers went to pasture their father's flock in Shechem" (vayelchu echav l'ros ES tzon avihem b'Schem) [Bereshis 37:12]. There are dots above the word ES. Rashi - based on the Medrash -- takes note of this and indicates that the notation alludes to the fact that in reality, the brothers went to pasture (i.e. - indulge) themselves. The Sifsei Chachamim explains Rashi's allusion. Dots over a letter indicate that the pasuk is to be interpreted as if the letter (and in this case, the entire word) was not present. If one removes the letters Aleph and Sof which have the dots and constitute the word ES from the pasuk, then the word "flock" (tzon) is no longer attached to the word "to pasture" (l'ros) and the pasuk reads as if the brothers went to pasture (themselves); (incidentally) the flock of their father was in Shechem.

Rav Simcha Zissel Brody, in his sefer Saam Derech, explains this Medrash. If the brothers would have had their father's best interest at heart, how could they have sold Yosef and caused their father immeasurable pain. We see at the beginning of Chapter 38 that "Yehudah went down". The Medrash there states that the brothers demoted him from his position of leadership in the family. They blamed him for the idea of selling Yosef and the implementation of the plan that caused Yaakov so much pain and misery. Why did they themselves not anticipate the ramifications that the loss of Yosef would cause their father? It was because at the time, they were so consumed with themselves and their own needs that they did not stop to consider the impact of their actions on anyone else. Sometimes people are so preoccupied with themselves that they do not think about other people. When people do terribly insensitive things, they do not necessarily do so because they are cruel people. Most people are not cruel. It is more likely that they are simply so wrapped up in themselves that they do not pause to think about how their actions or words might affect others.

This happens all the time. When young wives get together, they

typically they talk about babies or pregnancies. All too often, there happens to be a young woman in the crowd - who has been married for the same length of time as all these other mothers or soon to be mothers - who is not yet pregnant. How does she feel? Everyone is talking about their own baby and she does not have a baby. These other women are not intending to be cruel. They are certainly not consciously mocking her and trying to make her feel uncomfortable. It is just a question of being insensitive. The insensitivity stems from a preoccupation with self. Preoccupation with self precludes exercising the amount of forethought necessary to avoid causing others pain and suffering. It requires thinking about others as well. This is the import of the above quoted Medrash. The brothers went to pasture themselves - to the exclusion of giving thought to the needs and feelings of anyone else, including those of their father, Yaakov. Transcribed by David Twersky Seattle, WA; Technical Assistance by Dovid Hoffman, Baltimore, MD
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From: Shabbat Shalom <shabbatshalom@ou.org>
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Re: Man Plans, God Laughs-Parshat Vayeishev-Shabbat Shalom from OU!

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A Graduate of Ever's Yeshiva
Rabbi Eliyahu Safran

These are the generations of Yaakov, Yosef being seventeen years old...

Seventeen years old? We are struck by this information. Why would the Torah deem it necessary to inform us about Yosef's age? No word, no pasuk, no paragraph is out of place in Torah so we know the information is necessary and important. But what is its importance? What do we gain by this kernel of biographical information about Yosef?

To understand, it benefits us to first examine the conclusion of parashat Toledot, where Yitzchok advises Yaakov to escape from his brother, Esav, by fleeing to Padan Aram. In commenting on this passage, Rashi notes that here we learn that Yaakov sojourned in the House of Ever for more than fourteen years studying Torah and only then, at the conclusion of his study, did he continue on to Padan Aram.

Again, we gain a glimpse of biographical information without yet understanding its value to us. Why inform us the length of Yaakov's sojourn? And why was it even necessary for Yaakov to stop at Ever's home in order to study Torah? There can be no doubt that, as a child growing up in Yitzchok's home, he learned and absorbed Torah, chesed, morals and positive values. Indeed, the Torah identifies Yaakov as a scholar, *ish tam yoshev o'halim!*

So, why the additional fourteen years of study?

The answer to that question comes when Torah shows Yaakov wrestling with the angel of God, earning the name Yisroel and demonstrating that we all must wrestle with Torah or, as Ben-Bag Bag would teach it, turn it over and over, finding meaning in it. From this we understand that to learn Torah demands not only the pure and sanctified environment of a Bais Yitzchok but that to truly "wrestle" with Torah is to absorb it - and transplant its teachings and precepts - in the world at large. In Ever.

In his father's house, Yaakov had superior training in pure Torah, in Torah that had meaning in the rarified world of his home and other, likeminded, scholars and students. However, in parashat Toledot, as Yaakov prepares to flee his brother and his father's house - leaving the protected environment of his home - he would be entering a foreign and threatening world. To survive and flourish in the intimidating environment of Charan, he needed first to wrestle with Torah in Bais Ever, a place not nearly as safe and nurturing as his

own father's house.

So too, Yaakov foresaw that Yosef would also find himself among Gentiles, Egyptians, in a large, intimidating and menacing society. To assure that Yosef would remain steadfast in all the Torah he had taught him even in the most threatening circumstances, Yaakov determined that Yosef, like himself, must be exposed to the same Torah in "foreign" territory. Therefore, all the Torah Yaakov learned in Ever's academy he taught to Yosef for fourteen years.

And so we return to the Torah's biographical note regarding Yosef. Yosef began learning Torah at three, when every child must begin to study Torah.

Thus, the Torah speaks of the point at which Yosef was prepared to confront life's many challenges - at seventeen.

Like Yosef, we must all at some point leave the warmth and comfort of our homes; we must all attain the age of "seventeen". And, like Yosef, we must be prepared to willingly and lovingly communicate Torah in an open, "Torah-less" society.

Torah is a glorious jewel, but it is not a fragile one. It will not only survive beyond the safety of our academies, it will thrive.

A Jew's ability to live a Torah life beyond the safety and security of "Yaakov's tent" is the ultimate test of Torah. Like any test of worth, it is not an easy one. A prominent Torah educator from Jerusalem was asked why it is that he pursued and attained higher academic degrees in prominent universities, whereas his sons were discouraged from continuing their general education beyond high school. "I grew up in the open European society. My sons live in Jerusalem. "What more do they need in Jerusalem other than Torah?" he exclaimed.

It is not difficult to understand his thinking. Who could stand against such a pure and untarnished Jewish experience? And yet...there are those who would argue that a great number of Israel's population might benefit from an open, loving outreach approach. Certainly that is true of the overwhelming majority of American Jews living in Ever's society, thirsty to drink from God's waters but never having been exposed to a genuine and authentic Jewish experience.

How can they gain such experiences but from those Jews who have been nurtured and taught in Yaakov's tent and then sent out to teach Torah to them, in the world? To teach Torah in the world demands the teacher have the experience and preparation to communicate with all Jews, at their level, in their language, wherever they are - from the secular, Jewishly ignorant, and assimilated to the ever-growing population of frum drop-outs, Jews who simply walk away from Torah life for countless reasons.

In the early '80s, I worked to recruit young talmidei chachomim to join what was, at the time, little more than a dream of what would become a Pittsburgh Kollel, one of the very first such community-oriented kollelim in the United States. It was no easy task to convince a minyan of Lakewood scholars to leave the warmth and safety of Lakewood to migrate to the Steel City.

After one of my visits to Lakewood in pursuit of "ten yungeleit", I asked the saintly Rav Schneur Kotler z"l why the vast majority of the outstanding scholars in the Lakewood Yeshiva were so reluctant to move from the famed Yeshiva to America's secular city? "They will accomplish so many positive and beneficial things for Klal Yisrael," I argued.

The wise and perceptive Rosh Yeshiva z"l smiled softly and, in his inimitable loving manner, noted that for many of the Yeshiva's graduates, particularly those who have been in the Yeshiva for a number of years, the Yeshiva is like "a warm and comforting womb, from which it is traumatic to exit.

"You know," the Rosh Yeshiva went on, "it is not easy for a newborn to leave the mother's womb after having been completely taken care of with all of one's needs for nine months."

The Rosh Yeshiva's analogy is apt. And, just like a newborn in its mother's womb, there comes a time when, despite accompanying trauma and loud cries, it must emerge, attain its own independence and eventually make its own contribution to the world at large. It is

only when the Yaakovs and Yosefs of our current day are able to make the purposeful transition from the secure and untroubled tents of their fathers and make their way in the tumultuous and demanding societies in need of their counsel, guidance, and care that we will know that their upbringing and background was significant and purposeful.

However, it is not Torah knowledge alone that ensures the transition is successful. There is a spark, a quality, that is required if one is to motivate and challenge a Jew to reach out and touch the soul of a fellow Jew with one's own talents and abilities – the ability to embrace and maintain one's youthfulness, one's sense of wonder and constant renewal. In other words, the ability to remain a na'ar. Yosef always maintained his youthfulness, his sense of renewal. Reb Aharon of Karlin explains that Yosef is the epitome of na'ar hayiti v'gam zakanti – "I was young and I have grown old." Even as I have grown older, become more mature and seasoned, I have maintained the same excitement, vigor and enthusiasm as in my youth. To maintain such an approach, one needs to retain a sense of renewal about life.

The Talmud notes that Jews use a lunar calendar, while the nations of the world make use of a solar calendar. The reason says the Sfat Emet is because the nations of the world accomplish certain goals and missions and then their sun sets. They rise and fall. Jews, on the other hand, are compared to the moon, because even as tasks are accomplished, they are able to renew their sense of excitement and vigor, just as the moon which emerges anew even from perceived darkness.

Of course it is "easier" to remain within the confines of Yitzchok's academies and neighborhoods, never having to confront the challenges and threats of Ever's needs. But the "easy" path has never been the path for the Torah Jew. It was not for Yaakov. It was not for Yosef. The easy path, the one that clings to comfort and security, leads to disaster. It leads not only to the disintegration of large numbers of the American Jewish community, but is also disabling many in our so called well-secured kehillas.

When one attains the age of "seventeen", after having been raised and nurtured by Yitzchaks and Yaakovs, and is willing to remain a perpetual na'ar, then it is time to throw open the tent flaps and enter the world. Frightening, yes. Challenging, without question.

Worthwhile, absolutely. To walk the path of Yaakov and Yosef is to realize benefits never-ending and rewards eternal.

Am Yisrael is waiting for you!

Rabbi Dr. Elyahu Safran serves as OU Kosher's Vice President of Communications and Marketing.

Midrash state that Hosea was the first to exhort the people to repent? We find the mitzvah of teshuvah is already mentioned in the Torah (Deut. 30). It must be that Hosea informed the people regarding some aspect of teshuvah that had not been taught before.

Internal and External Consequences

The impact of sin is in two realms. Sin impairs the soul's inner holiness. But it also has a negative impact on the world at large. "When the people of Israel are not fulfilling God's Will, it is as if they are weakening the great heavenly strength" (Eichah Rabbah 1:33).

With teshuvah we repair the soul and restore its original purity. But the damage caused outside the soul - this is only repaired through God's kindness. "I, yes I am the One Who erases your transgressions for My sake" (Isaiah 43:25). The corrective power of teshuvah is a joint effort - partly by man, partly by God. Nonetheless, it is possible for an individual to also repair the damage outside his soul. When one's goal is to elevate all of society, and one's teshuvah is focused on preventing one's mistakes from harming and misleading others - such an individual increases light and holiness in all of creation.

Reuben's Teshuvah

Reuben attended to both of these aspects in his teshuvah. First he occupied himself in fasting and sackcloth, repairing the damage to his own soul. But his teshuvah did not end there. He then "returned to the pit." An open pit in the public domain - bor b'reshut harabim - is a metaphor for a situation likely to lead to trouble and suffering for the general public.

After repairing his soul, Reuben returned and looked at the pit. He examined the damage that he had caused outside himself, in the public domain. He then worked to rectify his actions so that they would not be a stumbling block for others.

(On a simple level, Reuben sinned by upsetting the order in his family, as he intruded on his father's private life. He sought to correct this mistake by restoring harmony to the family, through his efforts to protect his brother Joseph.)

That is why the Midrash states that Reuben was the first to "sin before Me and repent." He was the first to repair not only his soul but also that which is "before Me," i.e., all that God created. In the words of the Midrash, what made Reuben's teshuvah unique was that he "started with teshuvah." He aspired to correct the external damage ordinarily repaired by God's chesed.

Israel Alone

Now we may understand the special level of teshuvah mentioned by the prophet Hosea. In the Torah it says, "You will return to God... and the Eternal your God will accept your repentance" (Deut. 30:2-3). This is the normal level of teshuvah, where one repairs the damage in one's soul, and God corrects the damage in the world.

But Hosea spoke of a higher level of teshuvah. He described a teshuvah like that of Reuben, an effort to repair all the repercussions of one's errors.

Therefore he called out, "Return, Israel, to the Eternal your God." Hosea encouraged a complete teshuvah, performed by Israel alone.

(Adapted from Midbar Shur, pp. 191-194)

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Rav Kook on the Torah Portion

Vayeishev: The Special Teshuvah of Reuben

"And Reuben returned to the pit, but Joseph was no longer in the pit. He tore his clothes [in grief]." (Gen. 37:29)

Where was Reuben coming from? Why wasn't he together with the other brothers?

According to the Midrash, Reuben was "occupied with sackcloth and fasting," as he repented for changing his father's sleeping arrangements. (The word vayashov ('he returned') can also mean 'he repented'.)

The Midrash continues:

"The Holy One said: No one has ever sinned before Me and repented, but you are the first to repent. As you live, one of your descendants will stand up and be the first to urge repentance. And who was this [descendant]? Hosea, who called out, 'Return, Israel, to the Eternal your God.' (Hosea 14:2)"

This Midrash is quite difficult. There were a number of individuals who repented before Reuben's time, such as Adam and Cain. Also, why does the

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Weekly Halacha

by Rabbi Doniel Neustadt

Parshas Vayishlach

List of Minor Ailments and Conditions * Part 2

IMPORTANT NOTE: The following list applies only to older children and adults and is limited to medical ailments and conditions which are clearly and unquestionably non-life-threatening. The Halachah is abundantly clear that all Shabbos restrictions are lifted if even a small chance of a life-threatening situation exists. If one is aware of a medical condition, it is imperative that before Shabbos he consult a rabbi, a doctor or any other medically knowledgeable person for a diagnosis of his condition and instructions for treating it on Shabbos. If this was not done, and now on Shabbos there is even a slight chance of a life-threatening situation, all Shabbos restrictions are lifted.

This list also excludes medications for mental and behavioral

disorders, e.g., Ritalin, Prozac, etc. Each individual situation should be presented to a rabbi for a decision.

* abscess—may be squeezed to relieve pressure from pus, even if some blood is secreted in the process.¹

* acne—all medications are prohibited. See infection.

* angina—all medications are permitted.

* Arthritis (mild)—Anti-inflammatory medication may not be taken.

* asthma (mild)—all oral and breathing medications may be taken.²

* athlete's foot—all medications are prohibited.

* back or neck brace—may be put on or removed.³

* bedridden⁴ due to pain—all oral medications may be taken.

* bee or wasp sting—the stinger may be removed and the area may be washed with ice water, lemon juice or vinegar, etc. The area may not be soaked, however, in those liquids.⁵

* bleeding (slow)—pressure may be applied to a cut to stop bleeding. Sucking or squeezing out blood is prohibited.⁶

* blood pressure—all medications are permitted.

* bone fracture (simple)—a non-Jew may be asked to do anything necessary, e.g., make a phone call, drive a car, take x-rays or put on a cast. [If a non-Jew is not available, some poskim permit a Jew to do these acts if they are done with a shinui, in an abnormal manner.⁷] If there is even a small chance of internal bleeding, e.g., the thigh or pelvis bone was fractured, or if the elbow was shattered, all Shabbos restrictions are lifted.

* Cellulites – may be life-threatening and immediate medical attention is required.

* cold (running nose)—medications and vitamins may not be taken,⁸ unless one is experiencing discomfort in his whole body or is bedridden. Chicken soup and tea with honey, etc. are permitted.

* cough—medication may not be taken. If the cough may be an indication of pneumonia or asthma, medication is permitted.

* cuts and abrasions (minor wounds)—may be washed or soaked in water.

Hydrogen peroxide may be poured over a cut. It is not permitted, however, to soak absorbent cotton or paper in such a solution and then wash the wound with it. The wound may be covered with a non-medicated Band-Aid.⁹ See infection.

* diabetes—all necessary medications may be taken.

* diarrhea—medication is not permitted unless one is in severe pain or weak all over. Prune juice or any other food or drink is permitted. A hot water bottle is permitted when one experiences strong pains.¹⁰

* dried (or cracked) lips—it is prohibited to apply chap stick or any other medication, liquid or otherwise.

* dried (or chapped) hands—it is prohibited to rub them with either oil, ointment (Vaseline) or lotion. One who regularly uses a pourable, liquid lotion or oil on his hands (whether they are chapped or not) may do so on Shabbos, too, even if his hands are chapped.¹¹

* ear infection—all medications are permitted. Cotton balls may be inserted.¹² Even if the infection is no longer present, prescribed medicine begun on a weekday must be continued until finished in order to avoid a relapse.

* eye inflammation—eye drops (or ointment) may be instilled in the eye. If the eye is not inflamed but merely irritated, no medication is permitted.¹³

* fever—all oral medications may be taken. A mercury thermometer may be used.¹⁴ If a person is suffering from high-grade fever, a non-Jew may be asked to do whatever the patient needs in order to feel better.¹⁵ If the cause of the fever is unknown, a doctor should be consulted.

* headache—medication should not be taken. If the headache is severe enough so that one feels weak all over or is forced to go to bed, medication may be taken. One who is unsure if he has reached that stage of illness may be lenient and take pain-relieving medication.¹⁶

* heartburn—Foods which will have a soothing effect may be eaten. Some poskim permit taking anti-acid medication while others are stringent. If the medicine is prescribed by a doctor, one may be lenient.¹⁷

* Hemorrhoids—For a mild case, medication may not be taken. For a severe case, it is permitted to sit in a "sitz bath" (with water that heated before Shabbos), or use medicated pads or suppositories.

* Herniated Disc (back and leg pain) – ice packs or hot packs are permitted. Physical therapy exercises, e.g. stretching, are permitted. If the pain is severe to the degree that the entire body is in pain, painkillers or other medications are permitted as well.

* infection—all medications are permitted. If ointment is needed, it may be used. See Using Ointment on Shabbos in next week's article for the permitted application method.

* insect repellent—liquid or spray repellents may be used.¹⁸

1 O.C. 328:28 and Mishnah Berurah 89.

2 See The Journal of Halachah and Contemporary Society #6, pg. 47, for a full

discussion of how to treat asthma on Shabbos. See also Igros Moshe, Y.D. 4:13-2 and Tzitz Eliezer 17:13.

3 Based on ruling of Rav S.Z. Auerbach in Shemiras Shabbos K'hilchasa 34, note 113.

4 Even if he is capable of getting out of bed and walking around, but presently he is in bed due to his pain, he is considered bedridden; Aruch ha-Shulchan 328:19.

5 See Mishnah Berurah 328:141,142. Obviously, if the sting results in a severe allergic reaction, it is considered a life-threatening situation and one must do whatever is necessary as rapidly as possible.

6 Mishnah Berurah 328:147.

7 This is the view of Shulchan Aruch ha-Rav 328:19 and Eglei Tal (Tochen 18). Some poskim (Rav S.Z. Auerbach, quoted in Shemiras Shabbos K'hilchasa 33, note 18; Shevet ha-Levi 8:93) rule that one may rely on this view, especially when there is "danger to a limb." Note, however, that Mishnah Berurah, Aruch ha-Shulchan and most poskim do not agree with this leniency.

8 There is room for leniency in kavod ha-beriyos situations, e.g., a constantly dripping nose which is disturbing to people who are around him; Rav S.Z. Auerbach (Shemiras Shabbos K'hilchasa 34, note 52).

9 Most poskim (oral ruling by Rav M. Feinstein, quoted in Kitzur Hilchos Shabbos 44, note 117); Rav S.Z. Auerbach in Shulchan Shlomo 328:45; Ohr l'Tziyon 2:36-15; Az Nidberu 7:34, 35; Rav C.P. Scheinberg, quoted in Children in Halachah, pg. 88; Rav N. Karelitz, quoted in Orchos Shabbos 11:35) permit removing the protective tabs from a Band-Aid, while others (Minchas Yitzchak 5:39-2; 9:41; Rav Y.S. Elyashiv, quoted in Machazeh Eliyahu 70) are stringent. To satisfy all opinions, one may prepare Band-Aids for Shabbos use by peeling off their protective tabs and re-sealing them before Shabbos; once they have been prepared in this fashion, they may be used on Shabbos (Tzitz Eliezer 16:6-5).

10 Mishnah Berurah 326:19.

11 Based on O.C. 327:1.

12 It is prohibited to tear cotton balling on Shabbos; Minchas Yitzchak 4:45; Shemiras Shabbos K'hilchasa 35:20.

13 O.C. 328:20. See also Eglei Tal (Tochen 17).

14 O.C. 306:7. Before using it, the mercury may be shaken down.

15 Mishnah Berurah 328:46, 47.

16 See Ketzos ha-Shulchan 138, pg. 100; Minchas Yitzchak 3:35; Be'er Moshe 1:33; 2:32.

17 See Ketzos ha-Shulchan 138, pg. 98; Tzitz Eliezer 8:15 (15-21); Az Nidberu 1:31; Shemiras Shabbos K'hilchasa 34:4.

18 Shemiras Shabbos K'hilchasa 14:35; Shalmei Yehudah, pg. 179.

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By Rabbi Yirmiyohu Kaganoff

Did the Brothers have a Right to Sell Yosef?

By Rabbi Yirmiyohu Kaganoff

Question #1: How could the righteous brothers of Yosef want to murder him in cold blood?

Question #2: If I saw someone do something wrong, what should I do about it?

Question #3: May I inform a parent that I saw his/her child do something wrong, or is this loshon hora?

By properly understanding the events of this week's parsha, we will be able to answer these three seemingly unrelated questions.

Who are these Brothers?

When studying the events leading to the kidnap and sale of Yosef, we must remember that all twelve of Yaakov's sons were pure, tzadikim gemurim (Ramban, Iggeres HaKodesh, Chapter 5). Of course, this makes this already incomprehensible story that much more difficult to understand.

Had this story happened in the most dysfunctional family imaginable, we would still be shocked by its unfolding events. After all, even if brothers feel that their indulged, nasty kid brother is challenging their father's love for them, would they consider committing fratricide, or any murder for that matter?

This would apply even to members of a poorly functioning family. How much more when we are discussing great talmidei chachamim who constantly evaluate the halachic ramifications of every action that they perform! How can we possibly understand what transpired? In other words, the Ten Brothers

were far greater tzadikim than the Chofetz Chayim or Rav Aryeh Levin, and far greater talmidei chachamim than the Chazon Ish or Rav Moshe Feinstein (this comparison does not diminish the stature of any of these tzadikim; on the contrary, mentioning them in this context shows how much we venerate them). We cannot imagine any of these people hurting someone's feelings intentionally, much less causing someone even the slightest amount of bodily harm. It is difficult to imagine any of these tzadikim swatting a fly! Thus, how can we imagine them swatting their brother, much less do anything that might cause any long-term damage.

Certainly, we cannot interpret this as an extreme case of sibling rivalry. We are left completely baffled by the actions of the ten saintly and scholarly brothers. How could these ten great tzadikim consider killing their brother? And then decide that selling him into slavery was more appropriate? As we see clearly in next week's parsha, for the next twenty-two years they assumed that their decision was justified, although they acknowledged that they should possibly have given Yosef a "second chance."

Although we will be spending some time discussing the parsha, since this is a halachah column, and not a Chumash commentary, our goal is to understand and apply the halachic issues we learn from these great people. In order to do so, we must first understand exactly what happened.

Act One

Yosef is in the habit of reporting to his father the dibasam ra'ah, usually interpreted as slander, that he sees of his older brothers. Rashi quotes the Medrash that Yosef informed his father of whatever he saw bad about Leah's six sons. Specifically, Yosef reported:

(1) They were consuming meat without killing the animal properly, a sin forbidden to all descendants of Noah.

(2) They were belittling their brothers Dan, Naftali, Gad and Asher by calling them slaves.

(3) He suspected them of violating the heinous sins of giluy arayos.

Others explain that Yosef accused the brothers of not caring properly for their father's flock (Seforno). Although Rashi makes no mention of this accusation, it is clear from his comments that, in his opinion, had Yosef suspected them of this, he would certainly have noted it to his father.

Is dibasam ra'ah equivalent to slander?

We must be careful not to define dibasam ra'ah as slander, which usually intimates malice and falsehood and would imply that Yosef had harmful intentions. The righteous Yosef certainly had no such intent. It is more accurate to translate dibasam ra'ah as evil report. Yosef certainly shared with his father his interpretations of his brothers' actions, but they were not fabrications and he was not attempting to defame them.

Why is Yosef Tattling?

Without question, Yosef's goal was the betterment of his brothers. He acted completely lishmah, with no evil intent, just as later in Parshas Vayigash, he holds no grudge against his brothers despite the indescribable suffering they caused him.

Indeed, Yosef's motivation was his sincere concern for his brothers. He knew well the halachah that if you see someone sin, you must bring it to the offender's attention, explaining to him that he will achieve a big share in olam haba by doing teshuvah (Rambam, Hilchos Dei'yos 6:7). A person giving tochacha must always have the interests of the sinner completely at heart, and consider how to educate the malefactor in a way that his words will be accepted. Yosef also knew that whoever has the ability to protest sinful activity and fails to do so is liable for his lack of action. The Seforno comments that due to Yosef's youth, he did not realize what might result from his deeds.

At this point, we can already answer one of the questions I raised above: If I saw someone do something wrong, what should I do about it?

Answer: I am obligated to bring it to his or her attention that it is in his or her best interest to do teshuvah and correct whatever he or she has done wrong.

The admonition should be done in a way that it is received positively and thereby accomplishes its purpose.

Why through Yaakov?

Without question, Yosef's goal in sharing his concerns with his father was that his brothers should correct their actions. If so, why didn't Yosef admonish them directly?

Did Yosef say loshon hora?

Yosef wanted his father to take appropriate action to correct the brothers' deeds and thereby bring them to do teshuvah. The halachic authorities disagree whether Yosef was guilty of reciting loshon hora by using this approach in this instance. The Chofetz Chayim (Shemiras HaLashon Volume 2, Chapter 11 [Parshas Vayeisheiv]) contends that Yosef was guilty of telling loshon hora, because he should have shared his concerns directly with his brothers rather than first discussing them with his father.

Maybe his Brothers are Correct?

Yosef should have considered that his attempts at tochacha might be

successful. The Chofetz Chayim also attributes Yosef with acting against the mitzvah of being dan likaf zechus, judging people favorably. Since the brothers were great tzadikim, Yosef should have realized that they had a halachic consideration to permit their actions. Had he judged them favorably, he would have considered one of three possibilities:

(1) That his brothers had done nothing wrong – but he (Yosef) had misinterpreted what he had seen them do.

(2) Alternatively, his brothers might have justified their actions, explaining them in a way that he (Yosef) might have accepted what they did as correct or, at least, permitted.

(2) That although his brothers were incorrect, they had based themselves on some mistaken rationale. If their rationale was mistaken, Yosef should have entertained the possibility that he might successfully have convinced them that their approach was flawed. He should have discussed the matter with them directly and either convinced them of their folly, or gained an understanding of why they considered their actions as justified.

In any case, Yosef should not have assumed that the brothers sinned intentionally.

The Malbim's Approach.

The Malbim disagrees with the Chofetz Chaim's approach, contending that Yosef felt that his rebuking his brothers would be unheeded under any circumstances and only his father's reprimand would be successful. If you are certain that the sinner will not listen to you, but may listen to someone else, you may share the information with the person you feel will be more successful at giving rebuke. Yosef felt that admonishing his brothers or attempting to refute their halachic logic would be unsuccessful, and possibly even counterproductive; therefore he reported the matters to his father. Yosef felt that although his brothers would not listen to him, their father could successfully convince them of their errors.

In the same vein, a student who sees classmates act inappropriately and feels that they will not listen to his/her rebuke, may share the information with someone who he/she feels will be more effective at accomplishing the Torah's goal.

We are now in a position to answer the third question I raised at the beginning: May I inform a parent that I saw his/her child do something wrong, or is this loshon hora?

Under the circumstances where a parent may be able to do something to improve a child's behavior, one may notify the parent of the child's conduct. Not only is it not loshon hora, it is the correct approach to use. However, if the parent will be unable to do anything to improve the child's behavior, or one can bring about change in the child's behavior by contacting them directly, one may not inform the parents of the child's misbehavior.

Yaakov's Reaction

Yaakov, or more accurately Yisrael, reacts passively to Yosef's tale bearing on his brothers. He does not rebuke the brothers for their misbehavior, which we will soon discuss; but he also does not reprimand Yosef for violating either loshon hora or dan likaf zechus. Indeed, he demonstrates his greater love for Yosef than for the others by producing with his own hands a special garment for Yosef. Yaakov, an affluent sheep raiser who preferred to spend his time studying Torah, took time from his own learning to hand-weave Yosef a beautiful coat. Indeed, Yaakov felt a special kinship to Yosef for several reasons, including Yosef's astute Torah learning. All of this makes us wonder: Why does Yaakov not rebuke Yosef for reporting on his brothers?

Was Yosef Wrong?

Yaakov agreed with Yosef's assessment that his reporting was not loshon hora, although this does not necessarily mean that he felt the brothers were guilty. I will shortly rally evidence that implies that Yaakov was convinced the brothers were innocent. Nonetheless, Yaakov concurred that Yosef was correct in bringing the matters to his (Yaakov's) attention rather than dealing with the brothers himself.

Yaakov agreed that the brothers would not accept Yosef's admonition because they did not understand his greatness. At the same time, Yaakov realized that Yosef had superior leadership and scholarship skills than his brothers and that he was their spiritual and intellectual superior. Yaakov therefore gave Yosef the kesones passim to demonstrate his appointment as leader of the household (Seforno).

Why did Yaakov not admonish the brothers?

This of course leads to a new question. If Yaakov did not rebuke Yosef because he felt that his approach was correct, why do we nowhere find that he rebuked the brothers for their behavior. It appears that Yaakov realized that the brothers had not sinned, and that there was no reason to rebuke them (Shemiras Halashon). Shemiras Halashon rallies proof to this assertion because the Torah teaches that Yaakov had a special love for Yosef only because of Yosef's scholarship, and not because of any concerns about the brothers' behavior. (See the Sifsei Chachamim and other commentaries on Rashi who explain why the

brothers had done nothing wrong and what Yosef misinterpreted.) Yaakov understood that the brothers had not sinned and that indeed Yosef had misinterpreted their actions.

In fact, because of his mistaken accusation of the brothers, Yosef himself was later severely punished: He was sold into slavery, and for wrongly suspecting his brothers of violating arayos, he himself was suspected by all Egypt of a similar transgression as a result of Mrs. Potifar's fraudulent allegation (Shemiras Halashon). Apparently, Yosef was indeed guilty for not judging them favorably (Rav Shmshon Rephael Hirsch). Thus, the problem of an innocent man being tried and convicted in the media is not a modern phenomenon – Yosef was found guilty of a crime for which he was guiltless.

Was Yaakov Correct?

Was the kesones passim an appropriate gift for Yosef? Was Yaakov wrong in giving Yosef the kesones passim?

Even asking this question places us in an uncomfortable position: It implies that we might lay blame on the educational practices of one of our avos.

Notwithstanding our awesome appreciation of the greatness of Yaakov Avinu, the Gemara (Shabbos 10b) criticizes Yaakov's deed: "A person should never treat one son differently from the others, for because of two sela'im worth of fancy wool that Yaakov gave Yosef over his brothers, the brothers were jealous of him and the end result was that our forefathers descended to Egypt."

Yaakov did not act without calculation. Presumably, seeing Yosef's high standard of learning, his refined personal attributes, and his concern for others' behavior, Yaakov felt it important to demonstrate that Yosef was the most skilled of a very impressive group of sons. Yet Chazal tell us that this is an error. One should never demonstrate favoritism among one's sons, even when there appears to be excellent reason for doing so.

Were the brothers justified?

At this point, we have presented Yaakov and Yosef's positions on what happened, but we still do not know why the brothers wanted to kill Yosef. Remember that the brothers were both righteous and talented talmidei chachamim. Clearly, they must have held that Yosef was a rodef, someone pursuing and attempting to bring bodily harm on another. No other halachic justification would permit their subsequent actions.

Seforno and others note that the brothers interpreted Yosef's actions as a plot against them to drive them out of being part of Yaakov's descendants. Rav Hirsch demonstrates that the pasuk, vayisnaklu oso lehamiso, means they imagined him as one plotting against them -- so that he was deserving of death. The brothers assumed that Yosef's goal was to vilify them in their father's eyes so that Yaakov would reject them -- just as Yitzchak had rejected Eisav, and Avraham had rejected Yishmael and the sons of Keturah (Malbim). After all, Yosef was falsely accusing them of highly serious misbehaviors. The brothers interpreted Yaakov's gift of the kesones passim to Yosef as proof that Yaakov had accepted Yosef's loshon hora against them (Shemiras Halashon). The brothers needed to act quickly before he destroyed them; they were concerned that Yaakov would accept Yosef's plot to discredit them and to rule over them. Therefore, they seized and imprisoned Yosef, and then sat down to eat a meal while they decide what to do with him.

Not a Free Lunch

The brothers are strongly criticized for sitting down to eat a meal. Assuming that they were justified in killing Yosef, they should have spent an entire night debating their judgment. After all, when a beis din decides on capital matters, they postpone their decision until the next day, and spend the entire night debating the halachah in small groups, eating only a little while deliberating the serious matter (Rambam, Hilchos Sanhedrin 12:3). Certainly, the brothers sitting down to eat immediately after incarcerating Yosef was wrong, and for this sin the brothers were subsequently punished (Shemiras Halashon). The brothers then realized that selling Yosef as a slave would accomplish what they needed without bloodshed.

Later, in Egypt, they recognized that they should not have been so hard-hearted as to sell him -- perhaps his experience in the pit taught him a sufficient lesson and he was no longer a danger. Not until Yosef presented himself to them in Mitzrayim did they realize that Yosef was correct all along -- he would indeed rule over them, and he never intended to harm them.

Halachic conclusions:

1. When you see someone doing something that appears wrong, figure out a positive way to tell him/her what he or she can accomplish by doing teshuvah properly.
2. If one is convinced that one is unable to influence them, while someone else may be more successful, one may share the information with the other person so that he/she can be mochiach.
3. The information should be shared with no one else, unless there is a reason that someone could get hurt.
4. Always figure out how to judge the person favorably. The entire sale of Yosef occurred because neither side judged the other favorably. Also bear in

mind that we are often highly biased in our evaluation, making it difficult for us to judge the other side favorably.

5. Never demonstrate favoritism among children, even when there appear to be excellent reasons for doing so.

Concluding the Story:

To quote the Medrash: Prior to Yosef's revealing himself in Mitzrayim, he asked them, "The brother whom you claim is dead is very much alive; I will call him." Yosef then called out, "Yosef ben Yaakov, come here. Yosef ben Yaakov, come here." The brothers searched under the furniture and checked all the corners of the room to see where Yosef was hiding (Breishis Rabbah; Yalkut Shimoni).

By this time, Yosef had already revealed that he knew the intimate details of their household. They knew that Yosef had been taken to Mitzrayim. They now have someone telling them that he knows that Yosef is in the same room, and there is no one in the room save themselves and Yosef. Nonetheless, they cannot accept that the man that they are facing is Yosef!

A person convinced of the correctness of his actions may stare truth in the face and still deny it. This is a sobering thought that should influence our daily activities and particularly our interactions with others.