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Kavod Acharon For Rav Boruch Ber z"l Seventy-Five Years Later: The Incredible Story Of Divine Intervention Leading To His Upcoming Hakomas Matzeva
Monday November 17, 2014 4:05 PM
Rav Boruch Ber.

The very mention of his name evokes a reverence reserved for the Z'kan Rosh haYeshivos of pre-War Europe. As Rav Chaim Brisker's primary disciple, Rav Boruch Ber amplified his great Rebbe's derech halimud and transmitted it to the next generation of Roshei Yeshivos, such as Rav Reuven Grozovsky, Rav Shlomo Heiman, Rav Aharon Kotler, Rav Elya Chazan, Rav Avrohom Kalmanowitz, Rav Yonah Minsker, Rav Shaul Brus, and so many others. There is arguably no one who has had a greater direct impact on today's yeshiva world than Rav Boruch Ber.

His hasmadah and complete immersion in Torah was the greatest lesson for talmidim. As the Chazon Ish once remarked: "Whoever did not witness Rav Boruch Ber never saw true ameilus baTorah."

As an individual, Rav Boruch Ber's yiras shomayim, dikduk b'mitzvos, emunah and bitachon, ahavas Yisroel, midos tovos, kin'as ha'emes, and boundless love for his talmidim were legendary. The great Brisker Rav, Rav Yitzchok Zev Soleveitchik, whose every word was precisely measured, remarked: "He was a gaon and tzaddik of several generations ago. He was a kadosh v'tahor."

Today, the worlds of Kremenchug, Vilna, Slabodka, and Kamenetz are gone. As we express in the piyut of Yom Kippur, "Fortunate is the eye that witnessed this; how we yearn just to hear of it!" Yet, due to an incredible turn of hashgacha protis, our own generation will now have the privilege of connecting with Rav Boruch Ber. Seventy five years after the gadol hador's passing, the matzeiva that Rav Boruch Ber was never privileged to have at his gravesite will finally be erected in a supreme ma'amad of k'vod haTorah.

Here is how it came to be.

The light that was...

Although the ominous clouds of war loomed on the horizon, Yeshivas Knesses Bais Yitzchok was an oasis of pure joy borne of simchas haTorah. The revered Rosh HaYeshiva, Rav Boruch Ber Leibowitz, and the cadres of "m'vakshai Hashem", as Rav Boruch Ber would fondly refer to his talmidim, were completely immersed in a world of spirituality.

Alas, the idyllic state of existence was not destined to endure. In September 1939, pursuant to the Nazi invasion of Poland, streams of refugees passing through Kamenetz on their way to Brisk related terrifying stories of German atrocities. Rav Boruch Ber remained calm, a bulwark of faith for his flock. He ruled that shev v'al ta'aseh odif - when in doubt, it is preferable to remain in one's position and take no action. Indeed, the German troops who initially entered Kamenetz behaved with perfect civility and even respect; not one Jew was harmed. Later, when it became apparent that Kamenetz

was to fall under the jurisdiction of the Communist Russians, Rav Boruch Ber recognized the greater spiritual threat that this posed. At the urgent direction of Rav Chaim Ozer Grodzensky, Rav Boruch Ber instructed his entire yeshiva - which had already been disbanded by the Communists - to relocate to Vilna, which still enjoyed a temporary hiatus of autonomy.

His final journey

In Vilna, the yeshiva returned to its previous location of fourteen years earlier in the suburb of Lukshok, and Rav Boruch Ber immediately began delivering shiurim.

However, the Heavenly decree had already been sealed.

The Chazon Ish famously observed that as long as Rav Boruch Ber and Rav Shimon Shkop were saying shiurim, the Nazis could not completely overrun Poland; the merit of their Torah was a protection. Only after their passing would the horrors of World War II come to pass.

Shortly thereafter, Rav Boruch Ber's health took a turn for the worse. Prayer vigils were organized by the many yeshivos that had taken residence in Vilna, but Rav Boruch Ber's condition deteriorated. On 5 Kislev after davening shacharis, Rav Boruch Ber's face lit up: "Der Rebbe is gekommen - The Rebbe (Rav Chaim Brisker) has come to greet me!" A little later, while lying in his bed, Rav Boruch Ber uttered his final words before returning his holy neshama: "V'shavti b'sholom el bais avi - And I will return in peace to my father's home," a paraphrase of Bereishis 28:21.

Placed to rest...in Vilna

When Rav Chaim Ozer Grodzensky, the gadol hador and Rov of Vilna heard Rav Boruch Ber's cryptic last words, he knew what the tzadik's intent was. He summoned the leaders of the chevra kadisha and informed them: "Rav Boruch Ber must be buried in the Zarecha bais olam in Vilna, near where his father is interred." The chevra kadisha members were astounded. "But Rabbeinu," they argued, "there is not a centimeter of room left in the bais olam - it has been closed to new burials for years already!" Rav Chaim Ozer remained insistent: the words of the tzadik Rav Boruch Ber must be fulfilled. Seeing that they would have to devise a creative solution to obey Rav Chaim Ozer's command, the chevra decided to depart from protocol: instead of burying Rav Boruch Ber parallel to the adjacent graves, they would bury him perpendicular to the row, at the head of his saintly father.

The feeling of grief and gloom that pervaded at the levaya were portentous of the ominous situation the Jews faced. The caretakers decided, as is common, to erect a fitting matzeiva for the illustrious Rosh Hayeshiva at a later date, perhaps on his yahrtzeit a year later.

The matzeiva that never was

It was not to be.

The next year found the Jews of Vilna already under the cruel jackboots of the Nazi beasts or in the clutches of the Communists, depending on where they had fled. Erecting a marker on their great Rebbe's grave was not high priority at the time. After the war, Vilna was firmly subjugated under the iron fist of the Communist regime. During the war, the cemetery had been desecrated, with many stones smashed and overrun. As the years went by, construction took place on top of parts of the Zarecha cemetery, and its entire landscape was distorted. Not only was a matzeiva never erected, but the site of Rav Boruch Ber's kever was eventually completely lost. For those who knew, who yearned to see Rav Boruch Ber receive this most basic component of kavod acharon, it was another painful footnote of the enormously greater tragedy of European Jewry's destruction.

In 1989, with the gradual erosion of Communist control, a group of Rav Boruch Ber's grandchildren undertook the mission of somehow locating the tzadik's grave.

Unfortunately, their efforts were met with failure. It seemed as if Heaven had decided that our generation did not merit to have this holy site. However, a strange turn of events was to take place one that would help bring the seemingly impossible about.

The face that shone

The great Rav Aharon of Belz once related his own assessment of the kedusha that was manifest on Rav Boruch Ber's countenance: "A pachad tzu kuken oif di tzurah - It was frightening to look at the holiness of his appearance!"

Indeed, even non-Jews would sense the sanctity of Rav Boruch Ber's visage.

Reb Koppel Wolpert, a talmid of Rav Boruch Ber's remembered when he accompanied Rav Boruch Ber to the pharmacy during his visit to America. Rabbi Wolpert approached the gentile druggist to pay him. "Take money from him?" the druggist exclaimed. "He looks like an angel, not a man - I wouldn't take a penny from him!" New York City Mayor Jimmy Walker presented Rav Boruch Ber with a symbolic key to the city. "Rabbi Leibowitz disproves Darwin's Theory of Evolution," said the Mayor. "Only a God could have created such a person!"

However, Rav Shimshon Pincus once noted that "a camera is the greatest liar." The powerful spirituality that is projected on a great person's face can be completely lost in a lifeless two-dimensional photograph.

"Their bite is like a scorpion's bite"

Fast forward.

About three years ago, two American seminary students studying in Israel were casually perusing some old photographs of gedolim. In a moment of carelessness or perhaps thoughtless immaturity, one of the students made a flippant and disparaging remark about Rav Boruch Ber's appearance. Within an hour, the girl was suddenly stricken with Bell's Palsy, a condition that involves paralysis of half of one's facial muscles. Her face was now partially frozen into distortion, giving her a frightening appearance. The midas hadin of this swift repercussion was apparent, and the young lady was panic-stricken.

Rav Sholom Schwadron once related this episode, heard from Rav Boruch Ber's chavrusa: A Zionist activist was intent on opening a 'Tarbus' - a secular school - in Kamenetz. When Rav Boruch Ber pleaded with him to desist, he replied: "There's nothing you can do Rabbi - I'm opening up the school!" Rav Boruch Ber sat on the floor and began to cry, but the man, unmoved, went home.

The next morning, the man did not wake up. He had died in his sleep. As our Sages have taught, beware of slighting the honor of Torah scholars, for "Their bite is like a scorpion's bite."

"Only one solution"

The girl's father hastened to Eretz Yisroel and took his distraught daughter to the home of HaRav Aharon Leib Shteinman, where he tearfully related what had transpired. Rav Shteinman was thoughtful, and softly told the remorseful girl: "There is only one eitzah - you must go with a minyan to ask mechilah - forgiveness - at Rav Boruch Ber's kever."

The father's relief at this apparent resolution was short-lived, for he soon learned that no one in the world knew the whereabouts of Rav Boruch Ber's grave. Rav Shteinman remained unequivocal and insisted that there was no other way to exact the mechilah that was needed for the girl's cure.

Summoning the expert

At this point, the determined father engaged the services of Rabbi Yisroel Meir Gabbai. The legendary Breslover Chassid and his organization Agudas Ohalei Tzadikim have been directly involved in the identification and restoration of lost kivrei tzadikim throughout the world.

Rabbi Gabbai immediately threw himself into the project with his trademark energy and skill. Incredibly, he was able to procure a copy of the original map of the Zaretscha Bais Olam in Vilna where Rav Boruch Ber was buried near his father. The map was only a starting point but not nearly enough to work with; the entire topography of the area had been changed, and its structures and landmarks destroyed.

The next step was to identify witnesses, survivors who may have been present at Rav Boruch Ber's levaya. Remarkably, three individuals who had participated in the funeral, all well in their 80's, were found.

In order to avoid evoking false or imagined reminiscences, Rabbi Gabbai interviewed each of the three separately. Surprisingly, their recollections of the levaya and the specific area of Rav Boruch Ber's kever coincided exactly. They all recalled a bais hataharah, used for the final immersion of the deceased, that was in close proximity to the kever. All remembered steps leading down to an adjacent section of the cemetery. "I am a kohein," said one "and I remember standing not far from the gravesite in an area where kohanim are permitted."

Harnessing technology

Excited by the information he had procured, Rabbi Gabbai now shifted gears to go to the next level. He commissioned a precision aerial photograph of the entire bais olam area, based on the parameters that it had previously occupied. Then using computer imaging, he superimposed the cemetery map over the current photograph. Rabbi Gabbai was now able to identify where the bais hataharah had stood, where the steps were - and he was rapidly zeroing in on his goal: identifying the exact location of Rav Boruch Ber's kever.

Using hi-tech infrared imaging equipment, Rabbi Gabbai made the shocking discovery that was to clinch the corroborating evidence: he discovered that there was one kever - the only one - that was perpendicular to the rest of the graves. And Rabbi Gabbai, who had done his research well, knew exactly what that meant.

Rav Boruch Ber's kever had been identified - beyond a shadow of a doubt.

"Of all the kevorim I have been involved with," says Rabbi Gabbai, "we have never had such complete and compelling evidence to the exact location as we did by Rav Boruch Ber."

A happy ending

Needless to say, the stricken girl's father organized a minyan, including Rav Boruch Ber's own grandson Rav Refoel Leibowitz, to visit the site and ask for mechilah. For the unfortunate student it was a powerful moment, the culmination of months of pent-up emotion; for Rav Boruch Ber's family it was absolutely surreal.

Within hours, the girl's condition began to improve, and shortly thereafter was completely cured.

At long last

Now began the Herculean task of obtaining governmental permission to properly clear the area and erect a matzeiva. As those with experience know, European governments, including local officials, are notorious for creating obstacles to prevent the restoration and preservation of Jewish cemeteries.

It took nearly two and a half years with much concerted effort by leading askonim to finally secure permission.

A ma'amad of true K'vod HaTorah

The long-awaited hakomas matzeivah of Rav Boruch Ber is scheduled to take place on his 75th yahrtzeit - 4 Kislev, 5775. This event will take place with the participation of many gedolim, including Rav Yitzchok Scheiner and Rav Chaim Shlomo Leibowitz (grandchildren of Rav Boruch Ber), Rav Aryeh Malkiel Kotler, Rav Don Segal, and Rav Moshe Shapiro, among others.

When Rav Boruch Ber was told about a colleague from his younger days in Volozhin who abandoned Yiddishkeit and became a famous literary figure, Reb Baruch Ber said: "He knows where and when der heiliker Abaye died, but I know where der heiliker Abaye lives!"

Now, thanks to the extraordinary efforts of askonim, we have the great legacy of Rav Boruch Ber's Torah as well as the holy site of his kever.

Yehi Zichro Boruch

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Rabbi Hershel Schachter

Rachel's Longing for Children

There is famous brief Hebrew poem composed by one of the Jewish philosophers of the middle ages that runs as follows, "he'avar ayin, he'asid adayin, he'hoveh k'heref ayin, da'aga minyain? - The past is gone already; the future is not yet here; the present is merely the span of the blink of an eye; so there is no room to worry about anything." Rav Soloveitchik in several of his published essays [1] wrote that the idea expressed in the poem is not in accordance with Jewish thought. Our lives are so short; how long does one live? If we don't live in the past as well as in the future, in addition to living in the brief moment of the present, then we have not lived. A religious Jew lives along with many of the tzaddikim of the past; Avrohom, Yitzchok, and Yaakov; Moshe Rabbeinu; Rabbi Akiva and Rabbi Shimon barYochai; Abayai and Rova; the Shach and the Vilna Gaon, etc. and we live with Eliyahu Hanavi.

One of the anti-religious Israeli "thinkers" was widely quoted as having expressed the sentiment, "Enough living in the past, and always speaking of the Avos, Yitzias Mitzrayim, Maimid Har Sinai etc; and enough speaking about the future - the coming of Moshiach etc. I want to live in the present and enjoy myself!"

This is the attitude of a rosho who is only interested in the moment of the present. This is why even during his lifetime the rosho is considered as if he were dead. A religious Jew who connects with the tzaddikim of the former generations, and thereby joins Klal Yisroel, lives, in addition to the split second of the present, in the past and future as well, since Klal Yisroel includes the Jews of all the generations, past, present and future.

In the parsha we read (Breishis 30:1) the way Rachel was so upset that she had not yet had any children. She cried out to her husband that if she won't have any children she will consider herself as if she were dead and as if she had accomplished nothing in her lifetime. Even though such an individual identifies with the past, that is not sufficient; one must have children to be able to link up with the future as well. A rosho has a very brief life indeed, considering that he lives only in the very brief moment of the present.

[1] See Divrei Hagos V'ha'aracha p. 237; Lonely Man of Faith pp.69 - 73

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Rabbi Frand on Parshas Vayetzei

The Merit of Having The Ability To Keep One's Mouth Shut

The pasuk describes the deceitful incident in which Lavan switched daughters on Yaakov Avinu, giving him Leah as a bride instead of Rochel. The pasuk says, "And it was in the morning, and behold it was Leah!" [Bereshis 29:25]. Rashi elaborates: "But at night Yaakov assumed that she was not Leah, because he had given signs to Rochel by which she could identify herself to him. However when Rochel saw they were taking Leah to him, she said 'Now my sister will be humiliated.' She therefore arose and gave her those signs."

This is a seminal event in Jewish history. We are beneficiaries of this event until today. I make this statement based on a famous Medrash [Pesikta Rabasi to Sefer Eichah]: Klal Yisrael is banished from the Land of Israel, headed toward the Babylonian exile. Every one of our ancestors came to petition the Almighty that He should have Mercy on the Jewish people and end the exile. The Medrash provides a whole list of people including Avraham, Yitzhak, Yaakov, and Moshe, who each offered prayers to Heaven beseeching Divine mercy in the merit of acts of righteousness they performed during their lifetime. To each righteous Biblical figure the Almighty responded in the negative!

Finally, the Matriarch Rochel came and invoked her sacrifice of being willing to give up the husband she loved to spare the embarrassment of her sister on her wedding night. She asked that HaShem grant mercy to the Jewish people in the merit of that act. The Medrash relates that when Rochel recalled this ultimate sacrifice on her part, Divine Mercy was aroused and Hashem promised in Rochel's behalf to bring an end to the exile of her children.

Concerning this dialog it is written: "Thus said Hashem: A voice is heard on high, wailing, bitter weeping, Rochel weeps for her children; she refuses to be consoled for her children, for they are gone. Thus said Hashem: 'Restrain your voice from weeping and your eyes from tears; for there is reward for your accomplishment – the word of Hashem – and they will return from the enemy's land. There is hope for your future – the word of Hashem – and your children will return to their border.'" [Yirmiyahu 31:1-16]

This is why I state that this is a seminal event in Jewish history. It was in this merit that the Almighty took us out of exile.

This was a noble and extraordinary deed. However, how can we compare Rochel's action to Akeidas Yitzhak – sacrificing one's own son or a willingness to be sacrificed? Yet we see Rochel's action trumped the Patriarchs and Moshe. Why?

Sacrifice involves two dimensions. The act of being sacrificed on an altar takes a moment and then it is over. However, imagine how Rochel felt, knowing that she would constantly live with this idea of her beloved Yaakov being married to her sister. This is 'nisayon' [test] lasts forever. Rochel's sacrifice had this unique dimension.

However, there is more to it than that. Not only did Rochel do this for Leah, but also Rochel never ever held it over her sister. She never said, "Do you remember why you are married to Yaakov – it is only because of me!" She did a 'chessed' [kindness] and she did it with a complete heart, generously.

How do we know this? Rav Sholom Schwadron says we see it from the incident of Reuven and the 'dudaim' [mandrakes]: Reuven went out in the days of the wheat harvest; he found 'dudaim' in the field and brought them to Leah his mother; Rochel said to Leah, "Please give me some of your son's dudaim." Leah responded, "Was your taking my husband insignificant? And to take even my son's dudaim!" Rochel answered, "Therefore he shall lie with you tonight in return for your son's dudaim." [Bereshis 30:14-15]

When Leah taunts her sister, "Rochel, first you take my husband and now you take my son's flowers", if Rochel had been any one of us she would have responded: "I beg your pardon. How dare you say that I took YOUR husband? What do you mean 'YOUR husband'? He was MY husband and I generously gave him to you out of the kindness of my heart! If it wouldn't

have been for me, you never would have gotten married!" Rochel did not say that. She kept quiet and compensated Leah for the flowers.

This is among the bravest and most noble things a person can do: To keep silent; not to respond. As the Vilna Gaon wrote to his wife "Every single moment a person keeps his mouth shut, he merits acquiring the Hidden Light (reserved for the righteous in future times)." There is such a strong Yetzer Harah [evil inclination] to criticize verbally when you see someone do something outrageous. Therefore, for a person to remain quiet at such times is an extraordinarily meritorious act.

The Gemara teaches, "The world only exists in the merit of someone who is able to keep his mouth shut during the time of an argument." [Chulin 89a]. The Matriarch Rochel possessed this attribute. Every sinew in her body must have said to her "Put Leah in her place!" However, she kept quiet nevertheless. She was gracious and told her sister "Therefore he shall lie with you tonight in return for your son's flowers." We cannot begin to imagine the merit of a person who does that.

I recently heard the following amazing story.

A couple in Bnei Brak was childless after twenty years of marriage. They had consulted with every fertility specialist, every Kabbalist, every Rosh Yeshiva they could think of for advice and blessings. Nothing helped. They then went to Rav Chaim Kanievsky and asked for his advice. He told them, "Perhaps this is a decree from Heaven that you are not destined to have children. Just accept the decree." The couple started crying. Rav Chaim then thought for a while and gave them advice (based on the previously cited Gemara in Chulin): Go get a bracha [blessing] from someone who keeps his mouth shut during the time of an argument. Maybe that will help.

The couple walked out from Rav Kanievsky's home quite perplexed. "How will this advice be able to help us? Where do we find such a person? There is certainly not a listing in the Yellow Pages for people who keep their mouths shut during times of argument!"

Four years later, a different family was looking to buy an apartment in Bnei Brak. They found an apartment they liked and wanted to close the deal. Suddenly a woman came in from the street and told them: "Don't you dare buy this apartment. I am a neighbor and I have a complaint against the owner. He built an illegal extension onto the apartment and I have a claim against him. If you buy it I will have a claim against you."

The couple went to Rav Nissan Karelitz in Bnei Brak and asked for his advice. He told them that he himself was the Dayan [judge] in the Beis Din to which this dispute (Din Torah) came. He ruled in favor of the apartment owner. The woman who approached them lost her case and she does not have a valid legal claim against the homeowner. Rav Karelitz told them they have nothing to worry about and can buy the house in good conscience.

They bought the apartment and moved into the neighborhood. They wanted to make a good impression. They wanted to make new friends. Six weeks later, they attended a Bar Mitzvah of someone in the neighborhood to which they were invited. The same neighbor who had warned them not to buy the apartment walked into the Bar Mitzvah. She saw the woman who purchased the apartment sitting at a table and she made a beeline to where she was sitting and started yelling at her: "You are a thief. You did not have the right to buy this apartment. You are immoral." She made a real scene. Everyone started looking to figure out who is the target of the abuse.

The woman who was the target of all this scorn was flabbergasted. Here she wanted to make a good impression on the new neighbors and this one woman is shouting at the top of her lungs calling her every name under the sun. She is about to respond: "You do not know what you are talking about. Rav Nissan Karelitz told us that you do not have a legal leg to stand on. You are a crazy lady!"

Suddenly a woman came over to her, put her hand on her shoulder and said, "Please do not say anything. Just keep quiet. I beg you." The woman who was about to respond saw the desperation of this stranger and she kept quiet. She "kept her mouth shut in a time of dispute". Then the stranger turned to

her and said, "Now give me a Bracha. Give me a Bracha that I should have a baby."

This is a true story. One year later, after 25 years of marriage, the woman had a child. "The world only exists in the merit of those who keep their mouths shut in a time of dispute." This was the great merit of our Matriarch Rochel and this merit is available to us, if we only take advantage of it by keep our mouths shut in times of dispute.

This write-up was adapted from the hashkafa portion of Rabbi Yissocher Frand's Commuter Chavrusah series on the weekly Torah portion. A complete catalogue can be ordered from the Yad Yechiel Institute, PO Box 511, Owings Mills MD 21117-0511. Call (410) 358-0416 or e-mail tapes@yadyechiel.org or visit <http://www.yadyechiel.org/> for further information. To Support Project Genesis-Torah.org Transcribed by David Twersky Seattle, WA; Technical Assistance by Dovid Hoffman, Baltimore, MD RavFrاند, Copyright © 2007 by Rabbi Yissocher Frand and Torah.org. <http://torah.org> or email learn@torah.org to get your own free copy of this mailing. Torah.org: The Judaism Site Project Genesis, Inc. 122 Slade Avenue, Suite 250 Baltimore, MD 21208 <http://www.torah.org/> learn@torah.org (410) 602-1350

from: Torah Musings <newsletter@torahmusings.com> reply-to: Torah Musings <newsletter@torahmusings.com> date: Thu, Nov 27, 2014 at 10:19 AM

Vort from the Rav: Vayeitzei

Genesis 28:13 the God of Abraham your father, and the God of Isaac.

Abraham's belief in God's existence solidified when he was forty years of age. Yet God did not reveal Himself to Abraham until He ordered Abraham to enter the land of Canaan, at the age of seventy-five. Imagine the difficulties Abraham faced during that long interim period, as he attempted to defend his newfound faith! His peers surely scoffed at him, derisively inquiring: "Abraham, you say there is a Supreme Being. Have you ever seen Him? Have you ever spoken to Him?"

Abraham searched for God without His help, proving God's existence through nature. Abraham could neither point to nor display miracles to prove God's existence. Because none of his contemporaries searched for Him, God was in a sense ownerless, hefker, until Abraham "claimed" Him as his own, in accordance with the applicable laws of finding lost objects as laid out in the second chapter of Bava Metzia.

Upon close examination, the Torah recounts few miracles surrounding the lives of the forefathers. The only truly supernatural occurrence was the birth of Isaac, and this miracle cannot compare, for example, with the drama of the splitting of the Red Sea. Sarah's miracle was hidden, not as spectacular as the Plagues or the giving of the Torah. Nor were there overt miracles in Isaac's life or in Jacob's. To the contrary, Jacob's life was beset by problems: the hatred of Esau, the machinations of Laban, and the selling of Joseph. Yet, despite the formidable obstacles, our forefathers promulgated God's Name and fathered the chosen people. Just like Abraham, who experienced no overt miracles to help him in his pursuit, we must also find God through an assiduous search.

It is for this reason that "The God of Abraham...and the God of Isaac" are constructed in the possessive form. This usage suggests that each of our forefathers retained a type of ownership, a kinyan in God, as it were. Although we assert, to God is the earth and its fullness (Ps. 24), man can reciprocally attain ownership rights in God Himself. The Patriarchs attained this ownership through their self-sacrifice, through the difficulties they endured. (Derashot Harav, p. 104)

Dual Aspects of a Human Being

Halakhic Positions of Rav Joseph B. Soloveitchik

by R. Aharon Ziegler

In our daily morning Berachot we recite the beracha of "Asher Yatzar," immediately followed by the beracha of "Elokai Neshama" .

According to the Rosh, the reason that Elokai Neshama does not begin with the word "Baruch," which ordinarily introduces a beracha, is that it immediately follows Asher Yatzar, a beracha that does indeed begin with the

word "Baruch." These two Berachot form one continuous whole, a single beracha. Rav Soloveitchik explained that Judaism regards the human being as consisting of two aspects. Man is a natural being, an animal subject to biological processes and physiological drives—this is the theme of "Asher Yatzar." But Judaism also recognizes that man is endowed with metaphysical capacities, a spiritual side—which is the theme of "Elokai Netzor."

We therefore conclude that there is a duality to man in terms of his biological being and his spiritual personality.

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How Does A Tzadik's Blessing Work?

by R. Gil Student

The blessing of a righteous person has a place of pride in Jewish tradition, even if it is currently taken to extremes in certain circles. Shimon Peres has famously credited his long life to the blessing he received when he was four from R. Yisrael Meir Kagan, the saintly **Chafetz Chaim**. The Talmud (Bava Basra 116a) says that someone with a sick family member should ask a Torah scholar to pray for the ill person's recovery. Torah scholars and righteous people have long blessed others. I'd like to examine the metaphysics of a blessing, the heavenly process by which it works. How was the Chafetz Chaim able to cause such a lasting impact on Shimon Peres? The place to start is Yitzchak's blessing of Ya'akov and Esav.

The Torah tells the story of how Ya'akov tricked Yitzchak into giving him the blessing intended for Esav (Gen. 27). This is a rich tale with many layers of interpretation which we will not discuss here. But it leaves open one important question: Why was Yitzchak's blessing so valuable that it was worth all this fuss?

I. Prophecy or Prayer

Ibn Ezra (Gen. 27:40) offers two possibilities: 1) Yitzchak's blessing was a prophecy of the future, 2) It was a prayer for the success of the blessing's recipient. Each possibility suffers from narrative difficulties. If it was a prophecy, why should Rachel and Ya'akov go through a subterfuge to obtain the blessing? The prophecy will not change based on Yitzchak's preference among his children. And if it was a prayer, how can his prayer for Esav--whom he thought was with him--apply mistakenly to Ya'akov?

Ibn Ezra sides with the latter approach, that it was a prayer, and suggests that Yitzchak was uncertain which son was with him (as can be seen from Gen. 27:21-22). He prayed from whichever son was standing before him. ((AS Hartom, Gen. 27:7 adopts the approach that Yitzchak's blessing was a prayer before God.))

Ralbag (ad loc.) adopts a hybrid approach to answer the questions. The blessing is primarily a prophecy but with an additional, personal prayer to add to the prophecy. Rivkah knew the prophecy about Ya'akov would come. However, she also wanted to make sure that Ya'akov received Yitzchak's prayer.

Ran (Derashos Ha-Ran, ch. 2 at the end, pp. 32-34 in Feldman edition) takes a similar approach as Ralbag, arguing that Yitzchak's blessing was a prophecy. If so, why did it matter who was standing before him? Ran suggests that prophecies at that time were less durable and certain than in later eras. Rivkah knew from an earlier prophecy (Gen. 25:23) that Ya'akov was destined to prevail. However, she was concerned that Yitzchak's blessing would include a prayer for Esav that would overturn the prophecy. Therefore, she ensured that Ya'akov would receive the blessing, preventing Yitzchak from praying for Esav. (See also Derashos Ha-Ran, ch. 5, pp. 74-75.) (R. Yosef Shaul Nathanson, Divrei Shaul, Toledos sv. ve-hineh ha-Ralbag and R. Ya'akov Tzvi Mecklenburg, Ha-Kesav Ve-Ha-Kabbalah, Gen. 27:7) also adopt the view that Yitzchak's blessing was a prophecy. Coming from a very different perspective, the Christian commentator Gordon Wenham, Word Biblical Commentary, Gen., vol. 2, p. 216 writes: "Clearly, Genesis sees the deathbed blessing as more than a prayer for the future; it is a prophecy whose fulfillment is certain.")

I believe that Rashi and Ramban disagree on this point. The Torah emphasizes that Yitzchak wanted to give the blessing "before God" (Gen. 27:7). What does this phrase signify? Rashi (ad loc.) explains that Yitzchak wanted God's permission and therefore agreement to the blessing. In other words, Yitzchak would pray in front of God for the blessing to come true and, with God's permission, it was guaranteed. Ramban (ad loc.) explains the phrase to mean that the blessing would be given under divine inspiration, meaning as a form of prophecy.

II. Inheritance and Inspiration

R. Yitzchak Arama (Akedas Yitzchak, no. 24) rejects the premise of the entire discussion. This blessing was not a new promise; it was the blessing that Avraham and Yitzchak received. As the current "owner" of the blessing, Yitzchak had the right to choose who would receive it from him. The blessing was the enactment of a succession plan, a transaction that was entirely in Yitzchak's hands. This approach seems to me to

work best with the earlier story about Ya'akov buying the birthright from Esav. The entire narrative revolves around who would be Yitzchak's heir.

R. Yitzchak Abarbanel (ad loc.) finds a different middle position, one that is directly relevant to the question with which we began. Abarbanel says that Yitzchak's blessing, and the blessing of any righteous person, is intended to prepare the recipient for divine overflow. In other words, the blessing is part prayer and part inspiration, making the recipient more worthy of the divine reward in the prayer. When Yitzchak gave Ya'akov the blessing, or when any tzadik blesses someone else, the entire situation is one of inspiration and religious growth. The tzadik offers a prayer for a certain outcome and uplifts the recipient, changing him in a religiously positive way. ((R. Chaim Friedlander, Sifsei Chaim, Emunah Ve-Hashgachah, vol. 2, p. 408 explains in a slightly different fashion. He suggests that when a tzadik blesses someone, that other person becomes a partner, in a sense, in the tzadik's mission, thereby deserving greater divine reward.))

I see this blessing as an analogue to prayer itself. Philosophers grapple with the heavenly mechanics of prayer. If a person is worthy of a particular reward, then God should give it to him without the need for prayer. What does prayer add? Many answers have been offered to this philosophical problem. R. Yosef Albo (Sefer Ha-Ikharim 4:16-18) explains that prayer is intended to inspire us. It is a religiously transformative act that makes us more worthy of divine reward. Similarly, a tzadik's blessing is intended to transform us, making us more worthy of the reward for which the tzadik prays.

If Shimon Peres still remembers receiving a blessing from the Chafetz Chaim, he was surely impacted positively by the meeting. He was inspired, even if his life did not take the path of full mitzvah observance. That religious inspiration made him more worthy of divine protection, of fulfillment of the Chafetz Chaim's prayer for the young boy.

from: Aish.com <newsletterserver@aish.com> date: Tue, Nov 25, 2014 at 10:29 AM
subject: Life & Death in Har Nof (+Videos); How to be Grateful
Life and Death in Har Nof

An update from Rebbetzin Tziporah Heller.

Dear Friends,

So many of you have showed concern and written, and even more of you have prayed. I have no words to tell you how much this means not only to me, but to every one of us. Thank God, Shmuli, my son-in-law, is much better. He is aware, able to communicate and reminded a friend that he is only giving him his seat on the morning bus to Mir temporarily. That doesn't mean that the story is over. If we closed the book here it would be a cruel denial of our having lived through a pogrom that left Har Nof with four new widows, and 24 new orphans. (Click here to read Rebbetzin Heller's first letter.)

We buried the four men who were killed, and their death caused many of us to rethink our ideas about what death is really about. Is dying a brutal death at the hands of people you never met and certainly do not threaten in any way a senseless desecration of life? Is dying for no reason other than the fact that you are a Jew a meaningless tragedy? Death is never sweet for those who are left behind, but there is some comfort in knowing that the death of these four men was a reflection of the way that they chose to live.

Their deaths had meaning. The men who died in Kehillas Bnei Torah died as they lived; they were dedicated to living with emunah, faith in God, and beginning their days with dedication. They were killed for not being Muslim. When my daughter Miri received the call from the hospital social worker telling her to get to Hadassah hospital as soon as possible and not to come alone, it was one of the worst moments that anyone could experience. All four people in the car spent the 20-minute ride saying all of the variations of "I can't believe that this can be happening. It sounds terrible" that you can possibly imagine. When we were allowed into the recovery room to see Shmuli after his initial surgery, there were no tears; we were too shell-shocked. It takes only seconds to assume a new sort of normal. When I asked the nurse about the trickle of blood that I saw flowing out of Shmuli's ear, she told me that they were able to control the majority of the flow, and that this isn't really significant. When they do the second surgery they'll take care of it. The answer sounded reasonable and left me feeling relieved. I had accepted that blood coming out of a man's head was normal, and that a second surgery was something to look forward to. I don't know what Miri was thinking, but the one thing that I know never crossed her mind or mine was regret.

Regret Neither of us wished that he would have stayed home from the synagogue that Tuesday morning any more than Sunday or Monday. Neither of us wished that my grandson Mordechai would be the kind of kid who doesn't like to go to shul with his dad. We both know that the villain of the story isn't the coincidences of time and place that led them to be in Kehillas Bnei Torah Tuesday morning. The villain is the man with the cleaver and the man with the gun. They are the stars of the tragedy but you can't let yourself be blind to the fact that they are supported by a cast of thousands. The countless kids who are taught hatred from their earliest youth for anyone who isn't them. The kadi in the mosque who spews out Itbach al Yahud (kill the Jews) in his Friday sermon after duly praising Allah the Compassionate. There are bit players in the

ongoing drama. They have made the media the message, and the subtle and not so subtle anti-Semitism disguised pathological hatred for Israel all deserve billing. Neither Miri nor I thought about them at the moment. We were both aware of something much bigger, more real than the ongoing soap opera called Them against Us. It's called faith in God, Who can turn things around in a moment, and whose Will isn't known to us but His ongoing kindness is. It was the only thing that mattered in the recovery room.

Emunah Emunah means knowing that everything has one source, knowing that there is purpose and meaning. It means that you will one day account for your life to the One who gave it to you. It means that you are living on one page of an endless book, and the only thing that really matters is what kind of person you choose to become.

Choose Light You can choose light. You can choose learning. You can choose acts of kindness. You can choose closeness to the wounded by continuing to pray for Shmuel Yerucham ben Baila, Chaim Yechiel ben Malka and Eitan ben Sara. The rabbis have strongly recommended lighting Shabbos candles earlier. Maharal tells us that the light of these candles is the same light that Torah sheds. You can transcend your limitations and your attachment to materialism by giving charity. A fund has been started for the widows and orphans left behind. Donations can be sent to Kuppas Hair, Fund 2159, (call 1-888-587-2842 to find out where to donate in your present location) which is earmarked for the victims of Har Nof's tragedy. Various funds have been started, but the rabbis of the neighborhood have recommended this one because they are able to provide you with an American tax-deductible receipt to those who wish them. Choose to be part of their lives at this time. After all, you are part of the family. Post this to your friends who want to look beyond the surface.

Love always, Tziporah

from: Shabbat Shalom <shabbatshalom@ounetwork.org> reply-to:
shabbatshalom@ounetwork.org date: Wed, Nov 26, 2014 at 6:43 PM

Love is Not Enough

Britain's Former Chief Rabbi Lord Jonathan Sacks

Judaism is supremely a religion of love: three loves. "You shall love the Lord your God with all your heart, with all your soul and with all your might." "You shall love your neighbour as yourself." And "You shall love the stranger, for you were once strangers in a strange land." [1]

Not only is Judaism a religion of love. It was the first civilisation to place love at the centre of the moral life. C. S. Lewis and others pointed out that all great civilisations contain something like the golden rule: Act toward others as you would wish them to act toward you, [2] or in Hillel's negative formulation: Don't do to others what you would hate them to do to you. [3] This is what games theorists call reciprocal altruism or Tit-for-tat. Some form of this (especially the variant devised by Martin Nowak of Harvard called "generous") has been proven by computer simulation to be the best strategy for the survival of any group. [4]

Judaism is also about justice. Albert Einstein spoke about the "almost fanatical love of justice" that made him thank his lucky stars that he was born a Jew. [5] The only place in the Torah to explain why Abraham was chosen to be the founder of a new faith states, "For I have chosen him so that he will instruct his children and his household after him to keep the way of the Lord by doing what is right and just" (Gen. 18: 19). So why the combination of justice and love? Why is love alone not enough?

Our parsha contains a gripping passage of only a few words that gives us the answer. Recall the background. Jacob, fleeing home, is taking refuge with his uncle Laban. He falls in love with Rachel, Laban's younger daughter. He works for seven years so that he can marry her. The wedding night comes and a deception is practised on him. When he wakes up the next morning he discovers that he has married Rachel's elder sister Leah. Livid, he confronts Laban. Laban replies that "It is not done in our place to marry the younger before the elder." He tells Jacob he can marry Rachel as well, in return for another seven years work.

We then read, or rather hear, a series of very poignant words. To understand their impact we have to recall that in ancient times until the invention of printing there were few books. Until then most people (other than those standing at the bimah) heard the Torah in the synagogue. They did not see it in print. The phrase keriat ha-Torah really means, not reading the Torah but proclaiming it, making it a public declaration. [6]

There is a fundamental difference between reading and hearing in the way we process information. Reading, we can see the entire text – the sentence, the paragraph – at one time. Hearing, we cannot. We hear only one word at a time, and we do not know in advance how a sentence or paragraph will end. Some of the most powerful literary effects in an oral culture occur when the opening words of a sentence lead us to expect one ending and instead we encounter another.

These are the words we hear: “And he [Jacob] loved also Rachel” (Gen. 29: 30). This is what we expected and hoped for. Jacob now has two wives, sisters, something that will be forbidden in later Jewish law. It is a situation fraught with tension. But our first impression is that all will be well. He loves them both.

That expectation is dashed by the next word, *mi-Leah*, “more than Leah.” This is not merely unexpected. It is also grammatically impossible. You cannot have a sentence that says, “X also loved Y more than Z.” The “also” and the “more than” contradict one another. This is one of those rare and powerful instances in which the Torah deliberately uses fractured syntax to indicate a fractured relationship.[7]

Then comes the next phrase and it is shocking. “The Lord saw that Leah was hated.” Was Leah hated? No. The previous sentence has just told us she was loved. What then does the Torah mean by “hated”? It means, that is how Leah felt. Yes she was loved, but less than her sister. Leah knew, and had known for seven years, that Jacob was passionately in love with her younger sister Rachel. The Torah says that he worked for her for seven years “but they seemed to him like a few days because he was so in love with her.”

Leah was not hated. She was less loved. But someone in that situation cannot but feel rejected. The Torah forces us to hear Leah’s pain in the names she gives her children. Her first she calls Reuben, saying “It is because the Lord has seen my misery. Surely my husband will love me now.” The second she calls Shimon, “Because the Lord heard that I am not loved.” The third she called Levi, saying, “Now at last my husband will become attached to me” (Gen. 29: 32-35). There is sustained anguish in these words.

We hear the same tone later when Reuben, Leah’s firstborn, finds mandrakes in the field. Mandrakes were thought to have aphrodisiac properties, so he gives them to his mother hoping that this will draw his father to her. Rachel, who has been experiencing a different kind of pain, childlessness, sees the mandrakes and asks Leah for them. Leah then says: “Wasn’t it enough that you took away my husband? Will you take my son’s mandrakes too?” (Gen. 30: 15). The misery is palpable.

Note what has happened. It began with love. It has been about love throughout. Jacob loved Rachel. He loved her at first sight. There is no other love story quite like it in the Torah. Abraham and Sarah are already married by the time we first meet them. Isaac had his wife chosen for him by his father’s servant. But Jacob loves. He is more emotional than the other patriarchs. That is the problem. Love unites but it also divides. It leaves the unloved, even the less-loved, feeling rejected, abandoned, forsaken, alone. That is why you cannot build a society, a community or even a family on love alone. There must be justice-as-fairness also.

If we look at the eleven times the word “love,” *ahavah*, is mentioned in the book of Genesis we make an extraordinary discovery. Every time love is mentioned, it generates conflict. Isaac loved Esau but Rebekah loved Jacob. Jacob loved Joseph, Rachel’s firstborn, more than his other sons. From this came two of the most fateful sibling rivalries in Jewish history.

Even these pale into insignificance when we reflect on the first time the word love appears in the Torah, in the opening words of the trial of the binding of Isaac: “Take now your son, your only one, the one you love ...” (Gen. 22: 2). Rashi, following Midrash, itself inspired by the obvious comparison between the binding of Isaac and the book of Job, says that Satan, the accusing angel, said to God when Abraham made a feast to celebrate the weaning of his son: “You see, he loves his child more than you.”[8] That according to the Midrash was the reason for the trial, to show that Satan’s accusation was untrue.

Judaism is a religion of love. It is so for profound theological reasons. In the world of myth the gods were at worst hostile, at best indifferent to humankind. In contemporary atheism the universe and life exist for no reason whatsoever. We are accidents of matter, the result of blind chance and natural selection. Judaism’s approach is the most beautiful I know. We are here because God created us in love and forgiveness asking us to love and forgive others. Love, God’s love, is implicit in our very being.

So many of our texts express that love: the paragraph before the Shema with its talk of “great” and “eternal love.” The Shema itself with its command of love. The priestly blessings to be uttered in love. *Shir ha-Shirim*, The Song of Songs, the great poem of love. Shlomo Albaketz’s *Lecha dodi*, “Come, my Beloved,” Eliezer Azikri’s *Yedid nefesh*, “Beloved of the soul.” If you want to live well, love. If you seek to be close to God, love. If you want your home to be filled with the light of the Divine presence, love. Love is where God lives.

But love is not enough. You cannot build a family, let alone a society, on love alone. For that you need justice also. Love is partial, justice is impartial. Love is particular, justice is universal. Love is for this person not that, but justice is for all. Much of the moral life is generated by this tension between love and justice. It is no accident that this is the theme of many of the narratives of Genesis. Genesis is about people and their relationships while the rest of the Torah is predominantly about society.

Justice without love is harsh. Love without justice is unfair, or so it will seem to the less-loved. Yet to experience both at the same time is virtually impossible. As Niels Bohr, the Nobel prize winning physicist, put it when he discovered that his son had stolen an object from a local shop: he could look at him from the perspective of a judge (justice) and as his father (love), but not both simultaneously.

At the heart of the moral life is a conflict with no simple resolution. There is no general rule to tell us when love is the right reaction and when justice is. In the 1960s the Beatles sang “All you need is love.” Would that it were so, but it is not. Let us love, but let us never forget those who feel unloved. They too are people. They too have feelings. They too are in the image of God.

[1] Deuteronomy 6:5, Leviticus 19: 18, and see Leviticus 19: 33-34. [2] C. S. Lewis, *The Abolition of Man*, New York, 1947. [3] Shabbat 31a. [4] See for example Martin Nowak and Roger Highfield, *Super Cooperators Altruism, Evolution and Mathematics* (or, *Why We Need Each Other to Succeed*). Melbourne: Text, 2011. [5] Albert Einstein, *The World As I See It*, New York: Philosophical Library, 1949. [6] This has halakhic implications. *Keriat ha-Torah* is, according to most rishonim, a *chovat ha-tsibbur*, a communal rather than an individual obligation (unlike the reading of the Megillah on Purim). [7] The classic example is the untranslatable verse in Gen. 4:8, in which Cain kills Abel. The breakdown of words expresses the breakdown of relationship which leads to the breakdown of morality and the first murder. [8] Rashi to Genesis 22: 1.

from: Shema Yisrael Torah Network <shemalist@shemayisrael.com> to: Peninim <peninim@shemayisrael.com> date: Thu, Nov 27, 2014 at 7:59 PM subject: **Peninim on the Torah by Rabbi A. Leib Scheinbaum - Parshas Vayeitzei**

PARSHAS VAYEITZEI And Yaakov departed from Beer-Sheva and went to Charan. (28:10) The Torah underscores Yaakov Avinu’s departure from Beer-Sheva. This emphasis begs elucidation, because we know that Yaakov left Beer-Sheva. It is the place in which he was living. Obviously, when one leaves - he leaves from home. Rashi explains that when a tzaddik, righteous person, leaves a community, it is no ordinary departure. It is a major event, because the community will never be the same. The departure of a tzaddik creates a stir and leaves an impression. When a tzaddik is in a city, he is its glory, its splendor, and its beauty. When he departs, these qualities leave with him.

In reviewing this Rashi, Horav Avraham Pam, zl, asks a penetrating question. We can understand that a tzaddik plays a pivotal role in the community in which he is active. As its leader, he is truly the community’s glory, beauty, and splendor. Yaakov, however, played no active role in directing the community of Beer-Sheva. It is not as if he were the rav of the city. A city without a rav to guide it is not much different than a child

without a father. Yaakov was neither involved in any form of outreach, nor did he run a chesed organization, as did his grandfather, Avraham Avinu. If Avraham would have left Beer-Sheva, it would have impacted the city due to his enormous outreach - both materially and spiritually. When Yaakov left, he was a sixty-three year old yeshivah student, who had spent his days and nights doing nothing but immersing himself totally in the sea of Torah study. Hardly anyone had known that he existed. Does such conduct impact a city?

In Shabbos with Rav Pam, Rabbi Sholom Smith cites the venerable Rosh Yeshivah, who derives specifically from here the compelling impact that a person who studies Torah lishmah, for its own sake, has on his surroundings - even if he has no personal interaction with the members of the community. His devotion to Torah serves as a symbol of the significance of the Torah in the life of a Jew. By his embodiment of Torah ideals through his 24/7 dedication to it, his mere presence impacts the moral compass of his community, becoming a deterrent against sin. The aura that encompasses someone whose devotion to Torah study is consummate is palpable. People take notice when a great person resides in their midst. When they see a man of elevated spiritual stature, they sense that they are in the presence of an unusual human being. This is true, even when: the person does not hold a rabbinical position; is not a Rosh Yeshivah; or is not involved in the spiritual or material assistance of Jews in need of either of these mainstays of life.

As an example of such an individual, Rav Pam points to the Chazon Ish. At his barmitzvah, he vowed to spend the rest of his life engrossed in Torah lishmah. Indeed, when he reached marriageable age, he was offered girls from the spiritual and material elite. He demurred interest in these shidduchim, matrimonial matches. When he heard of a young woman from a distant town whose love for Torah was peerless, however, he showed an interest in meeting her. They met, and after a while, they discussed marriage. The Chazon Ish was honest and straightforward. He told her, "If you think that I will one day become the rav of a community, you are mistaken. I am neither interested in such a position, nor am I interested in becoming a rosh yeshivah or any other public position involving Torah. I am interested only in spending the rest of my life studying Torah for its sake - nothing else." The young woman, of course, agreed and married the man who would become the gadol hador, preeminent Torah leader of his generation.

Six decades went by before the name of the Chazon Ish became known in the Torah world. For sixty years, he spent his entire day and night engrossed in Torah. Sadly, he and his rebetzin were not blessed with biological progeny, so their home was one of solitude, where the primary sound that one heard was the Chazon Ish learning or his rebetzin reciting Sefer Tehillim.

When he moved to Eretz Yisrael in the early 1930's, his fame began to spread with the publication of his treatise, *Mitzvos HaTeluyos Ba'Aretz*, the proper fulfillment of those mitzvos that apply specifically to the Holy Land. In the last decade of his life, his sparse apartment in Bnei Brak became the pulse of the Torah world, with people descending on him from all over the world. In a short span of time, he became the address to which every Torah Jew turned for guidance. Despite all of this fanfare, the Chazon Ish remained an intensely private person whose devotion to Torah study was transcendent.

The relationship of the Chazon Ish with the nascent secular government of the State of Israel concerning Torah issues was uncompromising. Torah reigned supreme, and any law that undermined or placed Torah observance in peril was a law against the Jewish people. While the Chazon Ish was usually quiet, keeping a low profile, if he felt that Torah Judaism was being attacked, he fought back by galvanizing the Jewish community's support in opposing the implementation of the law.

When the Chazon Ish passed away, he was mourned by all of the members of the Jewish community. Even those whom he opposed respected his integrity. Indeed, he earned his position as one of the most beloved figures in Jewish life. When he passed from this world, not only did Bnei Brak - and Eretz Yisrael in general - lose its splendor, glory and beauty - but all of the Jewish world was affected by the tremendous void left by his demise. He was no rav - no rosh yeshivah - no kiruv professional - no philanthropist. He was a Jew who devoted his entire life to Torah lishmah, Torah study for its own sake. We now have an inkling of the awesome power of the Torah.

Lavan overtook Yaakov. (31:25)

Imagine how Yaakov Avinu must have felt when Lavan caught up with him. He made an attempt to escape. He knew that if Lavan overtook him, he had little chance to remain alive. No one could best Lavan. So Yaakov kept on running, while Lavan continued his pursuit. The Midrash teaches us that, while Yaakov was running from Lavan, unbeknownst to him, another enemy, his brother Eisav, was also in pursuit. Armed to the teeth with four hundred trusted soldiers, Eisav was finally free to rid himself of Yaakov. His brother would pay a hefty price for appropriating the blessings.

Let us now see what the Midrash teaches about these two enemies of Yaakov, who were both bearing down on the Patriarch. Chazal say that Lavan chose not to kill Yaakov for two reasons. First, Hashem had warned him to stay away. The Almighty

gave Lavan an offer that he could not refuse. He was told, in no uncertain terms, to stay away from Yaakov. Second, Lavan heard that his other nephew, the one who was so dear to his heart, Eisav, was also after Yaakov. Eisav did not travel light. His entourage was comprised of four hundred killers, whose sole purpose in life was following their master Eisav's command. If he said, "Kill," they killed - regardless of who the designated victim was. Lavan was concerned that, if he killed Yaakov before Eisav arrived, Eisav would claim that he was redeeming his brother's innocent blood! How dare Lavan harm his only brother? Lavan did not harm Yaakov, because he feared Eisav's reaction.

Eisav handpicked four hundred men who certainly put fear in the hearts of anyone who came within their proximity. Yaakov must have trembled, knowing that when they would meet, he would be in serious peril. Little did he realize that these four-hundred men, by their very presence, were responsible for sparing Yaakov from the wrath of Lavan. We may think that we are being besieged by the enemy, when, in fact, Hashem is manipulating this enemy for our benefit.

Man is hopelessly bewildered concerning the ways of Hashem. Indeed, just when one thinks that he is beginning to understand what is taking place, Hashem throws us a curve, just to demonstrate how myopic we are. We grope around, thinking that we actually see; yet, essentially, we either see what we want to see (or what we convince ourselves is present) or what Hashem allows us to see. The big picture, the whole story, remains elusive, because this is something to which man is not privy.

The Yalkut teaches that the dog is, by nature, insolent and brazen. In order to curb his brazenness, Hashem created the dog to be "poor," relegated to relying on human beings for food and sustenance. Thus, the dog will serve his master with fidelity and appreciate the favor that he receives. We are being taught that poverty is, at times, a favor. Hashem knows the nature of each individual and, apparently, some people cannot handle the test of wealth. It might go to their heads, which will lead to arrogance. The shoshonim, source, of their neshamos, souls, is such that the fewer opportunities they have for confronting the challenge of insolence, arrogance, brazenness - the better for them. Essentially, poverty is a favor in disguise.

The Chafetz Chaim comments that people wonder why some are created with a silver spoon in their mouths, while others barely subsist from meal to meal. He explains that what we see before us is merely one frame of a large picture. We do not take into consideration that there is much more to see, as we are not invited to be part of the holistic viewing audience.

He compares this to a visitor who entered a shul for the first time and is surprised with the manner that aliya, honors when being called up to the Torah, are being apportioned. Men whom he feels are distinguished are not receiving the more important aliya, while those whom one might consider to be of lesser significance are being called up to the more esteemed aliya. The gabbai, individual charged with apportioning the aliya, replies, "You were not here last week, when it was their turn to receive the more eminent aliya."

We are allowed on this world for one lifetime, which, regardless of its length, is never sufficient. During our short stay, we expect to receive the answers to all of our questions. Perhaps the soul of the poor man had been here "earlier" and proved that wealth had been too much of a challenge. Hashem has done him a favor by "easing" the burden of his challenge; thus, He keeps him away from the money. There are many questions, and, for each question, there is a proper answer. For the most part, that answer is: "You do not see the whole picture. There is so much more to the equation than you have the ability to grasp."

When the Chasam Sofer was a teenage student, he "dormed" at the home of a certain family. One day, a soldier stationed in the area asked the Chasam Sofer to teach him to speak Hebrew. In return for this service, he agreed to polish the Chasam Sofer's shoes every day. The Chasam Sofer agreed to the arrangement, despite his puzzlement at this request.

Years later, when the Chasam Sofer was already the distinguished Rav of Pressburg, Hungary, it happened that he was asked to adjudicate a dispute between two wealthy members of the community. As expected, only one of the disputants emerged victorious. The other disputant left the beis din, court, enraged with the verdict and dead set upon taking revenge against the rav. He was so upset that he conjured up a libelous story about the Chasam Sofer, asserting that he was subversive to the secular government. As a result, the Chasam Sofer was subpoenaed to appear in court before the magistrate to answer charges of sedition.

On the appointed day, the Chasam Sofer appeared in court. It was a military court - no jury. As soon as he entered the court, the chief magistrate came over and said, "You have nothing to worry about. I will take care of everything. When the judge saw the Chasam Sofer stare at him incredulously, he explained, "The rabbi does not remember me. I was the man to whom you taught Hebrew many years ago. I never forgot the favor. Now I have the chance to repay you."

As the Chasam Sofer left the courthouse, he commented about himself, "This is the meaning of the pasuk V'raisa es achorai u'panai lo yirah, 'You will see My back, but My face may not be seen'" (Shemos 33:23). At times, man sees Heavenly endeavors which are inexplicable. He neither understands why Hashem acted in this manner, nor perceives a reasonable purpose in these actions. Everything is sealed before him; with his limited perception, he is unable to penetrate the maze of events which are clearly Heaven-sent. Later on, Hashem's intent becomes clear. The panai - My face, up front, when events occur - are beyond our comprehension. Achorai - My back - later on, when we are privy to the consequences of those early endeavors, we begin to grasp the reason for Hashem's actions.

With whomever you find your gods, he shall not live. (31:32)

Yaakov Avinu made a statement, ascribing a premature demise to the one who had taken Lavan's terafim, idols. He was unaware that Rachel Imeinu had taken them. As a result of our Patriarch's words - albeit without malice and unwittingly - he catalyzed a tragic impact on his beloved wife. The Chafetz Chaim derives from here a compelling lesson concerning the gravity of one's words. Yaakov certainly did not want to harm Rachel, but words, once they exit the mouth, cannot be recanted. They are gone, and, sadly, in this situation, they left an indelible mark.

Yaakov was very careful about which words left his mouth. Imagine, says, Horav Shlomo Levinstein, Shlita, that upon hearing the demands the Egyptian viceroy was placing on his sons, Yaakov would have uttered a curse against him. His son, Yosef, would have died! The brothers returned home and related to their father the humiliation which they endured, as they had been accused of spying. Now, the viceroy wanted them to return with Binyamin. Yaakov must have been beside himself with rage at the insolence of this "pagan." One curse - and he would have been gone! He kept his calm, said nothing - and, as a result, Yosef lived out his full life.

David Hamelech says in Sefer Tehillim 119:62, Chatzos laylah akum l'hodos lach al mishpatei tzidkecha, "At midnight I arise to thank You for Your righteous ordinances." Why did David arise specifically at midnight - as opposed to any other time of the night? In Midrash Rus, Chazal comment concerning the meaning of mishpatei tzidkecha, "Your righteous ordinances." Mishpatim - the justice (punishments) meted out against Ammon and Moav, and tzidakos - the righteous manner that You act with my grandfather, Boaz, and grandmother, Rus. This refers to the encounter at "midnight," when Rus covertly entered the threshing floor where Boaz had retired to bed. Instead of cursing her, he blessed her for coming.

Let us envision the scenario in the perspective of the debauched culture that reigned at the time. Boaz's generation was morally deficient. The threshing floor was a place in which immoral encounters could take place. It was secluded, and the people who spent the night there were not necessarily the community's spiritual elite. Boaz sensed movement in this close proximity. He looked up and saw a young woman. What does a person do in such an instance, under such circumstances? One assumes that this woman is up to no good. His first reaction was to curse her!

Not only did Boaz not curse her, he went as far as to bless her! As a result of this "change of pace," David praised his grandfather for not cursing his grandmother. Who knows, had Boaz reacted in the opposite way, David Hamelech may not have been born!

The words that come out of a person's mouth have an element of kedushah, sanctity, to them. Under certain circumstances, strong words with dual connotations can have a far from desired - and even a deleterious - effect. An incident occurred during the hafganos, protests, in Yerushalayim, concerning the building of a swimming pool which would cater to mixed swimming. Obviously, to establish such a venue that undermines the very underpinnings of kedushas Yisrael, the holiness and morality of our nation, in the Holy City was a knife thrust into the heart of Torah-observant Judaism. People took to the streets to protest this infamy.

One day, Horav Yehudah Tzedakah, zl, who was Rosh Yeshivah in Porat Yosef, approached Horav Ezra Attiyah, zl, the Rosh HaYeshivah, with the suggestion that it might be appropriate to send the students of the Yeshivah to a hafganah that was taking place that day.

Rav Attiyah asked, "Are you not aware that it might become physical and the mishtarah, police, will beat the protestors with sticks and truncheons? Is it appropriate to send students to a scene of unrest where they might be hurt?"

"It is worth suffering for kedushas Yisrael," Rav Tzedakah countered. "Would your response be the same if it were your son who was beaten by the police?" was the Rosh HaYeshivah's reaction to his senior lecturer.

That evening, a hafganah took place, and Rav Tzedakah's son was injured by the police. When they came to inform Rav Tzedakah of what had happened, he replied, "I know. I already knew in the morning that this would happen... It is shegagah ha'yotsei mipi ha'shalit, "Like a decree that is already issued by the ruler." This was a reference to Rav Attiyah's question concerning his son. As soon as the great tzaddik uttered the words, "And if it would be your son," it was as if he had foreshadowed its occurrence.

The holier one is, the greater his spiritual stature, his words are commensurately valued and rendered significant.

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date: Wed, Nov 26, 2014 at 2:30 PM

subject: Parshat Vayetzei 5775 - **Rabbi Berel Wein**

In My Opinion

HALF EMPTY

Rabbi Wein's Weekly Blog

I have always attempted to be a pragmatist, a realist, if you will. The advantage of being such a realist is that one is rarely truly shocked or surprised by the events of life as they unfold. The highs of life are not really that high and the lows are not really that low. It becomes a matter of perspective, of patience, and above all, a matter of faith.

It is the high expectations that we harbor for our children, our finances, our social acceptance and success that lead to our deepest disappointments. The secret of successful psychological therapists is that they respond only to the realities of their patients and not to their fantasies or psychotic ramblings and conversations.

Yet, we are all aware that fantasies are part of our existence - perhaps even a necessary and positive part of human life. And because of this propensity to avoid true perspective and realistic judgments, it becomes very easy to view life and the world and its events as a glass that is half empty.

If this is true generally regarding world events, it certainly is doubly true regarding Jewish life, Torah and the State of Israel. On my recent trip out of Israel I visited the United Kingdom, the United States and Canada. I found the prevailing mood in Jewish communities that I visited to be slightly depressing. The Jewish world is war weary, concerned and down on its future. The glass, in their view, is truly half empty.

We are all aware that the security issue in Israel is a troubling one. We are also aware that the chances for any sort of fair and meaningful accommodation with the Arabs are quite slim. In our fantasies we all thought that such an accommodation was somehow within reach. Oslo, Wye, Annapolis, Hebron, Lebanese withdrawal, Gaza disengagement, all promised positive results and all have disappointed, to put it mildly.

People today speak of a third intifada, God forbid, and not of a rose garden here in the Middle East. For a few decades after World War II, Jews were convinced that somehow anti-Semitism seemed to finally have been checked. Today we all know better that this was a mere illusion and a wild fantasy. Jews all over the world feel threatened and treat their futures, even in the Western world, as being uncertain and possibly troubled.

So it is not surprising that Jews see their glass as being half empty. Yet in historical perspective the State of Israel is stronger now than it has ever been. And the Jewish societies the world over are more influential and affluent than they have ever been in the history of the Diaspora. We have a lot of problems that impinge upon our serenity. But we are all certainly in a better place and in better condition than the Jewish world was in a century ago.

The Land of Israel was then part of the Ottoman Empire, Eastern European Jewry was ravaged by war, revolution and pogroms, the immigrant generation was struggling to find its way in the United States, and the Great War was just beginning. In that view of history, one can easily say that our glass is now perhaps half full.

The glass in terms of Torah study, religious observance and traditional Jewish lifestyle is subject to alternate assessments. On one hand, we have a very disturbingly high rate of intermarriage throughout the Diaspora. The Conservative movement in the United States is in dire decline and the Reform movement has become the haven of the intermarried. The secular Israeli is still opposed to halacha and representations of Jewish tradition and Torah observance in Israeli public and political life.

Most Jews in the world are not committed to halachic observance of Judaism and most Jewish children still receive a minimal Jewish education, if any at all. So, that glass can certainly be viewed as being half empty.

Yet, in truth, the Jewish world is much more Jewish today than it was a few decades ago. The amount of people involved in regular serious daily Torah study is probably at an all-time high. The number of students in Jewish schools and yeshivot is far greater than it was in the previous centuries. And the recent universal Shabat program attracted one million participants - something completely unimagined and deemed impossible only a half century ago.

So, there is legitimate reason to view that glass of our faith as being half full. It all depends on our perspective and mindset when we look at the Jewish world and its problems and accomplishments.

Shabat shalom

Berel Wein

from: **Rabbi Yitzchok Adlerstein** <ravadlerstein@torah.org>

to: beeros@torah.org

date: Thu, Nov 27, 2014 at 11:42 AM

subject: Be'eros - Parshas Vayeitzi - You've Got To Be Carefully Taught
Rochel was jealous of her sister. She said to Yaakov, "Give me children!"
Be'er Yosef: Rashi cites a midrash that Rochel's jealousy was of Leah's good deeds. She reasoned that only Leah's righteousness could account for Leah's fecundity and her own barrenness, and was jealous of the merit that Leah possessed that she herself lacked.

This interpretation seems to make the rest of the episode unravel. If Rochel decided that her plight stemmed from the insufficiency of her own merit relative to Leah, she seems to have hit on the wrong strategy. She should have focused on Leah's actions, and learned from her sister how to become more righteous! What prompted her to look for short cut through the prayer of her husband? She should have strived to multiply her own merit, and deserve children in her own right.

When we first meet Leah, we are told that her "eyes were tender." [2] The gemara [3] offers us the back-story. The talk of the "street" was the shidduchim-to-be between the sons of Yitzchok and the daughters of Lavan. Everyone knew what would happen: the older daughter would go to the older son. Naturally, Leah had some interest in this story, and began inquiring about her apparent intended. She quickly learned that his reputation preceded him – but not in a good way. His evil exploits were a matter of record. The more she learned about Esav, the more she was repulsed by him – and took to crying incessantly. When Hashem saw how much Leah hated Esav's lifestyle and misadventures, He had pity upon her, and gave her the gift of the ability to bear children.

Rochel, on the other hand, led a charmed life. She was aware of the blessing of her attractiveness. More importantly, she knew she was destined to marry Yaakov the tzaddik. Her demeanor was one of happiness and thankfulness – and hence her dilemma. She understood that her sister had achieved great merit in fully reacting against Esav's deeds with disgust. Because Leah thought she was going to be drawn into his life, she was able to personalize the rejection of his evil. While Rochel certainly rejected Esav's evil, she knew that she could not feel it as intensely as her sister. She could not attain Leah's merit, because she was an entirely a different person. Lacking that merit, she turned to her husband to daven for her, hoping that his merit could compensate for what she could not supply.

We know that Yaakov spurned her request – and used some sharp, acerbic language to boot. Essentially he told her that this was her problem, and not his. He had children through Leah. Rochel was the one in trouble.

Rochel was not only rejected, but Yaakov's apparent coldness got her thinking. Perhaps, if I can't provide children to Yaakov, he won't really need me. He will consider divorcing me. If he does, what will happen if Esav then sets his eyes on me? (Rashi, in fact, on pasuk 22 writes that even though there was no divorce contemplated, Esav did set his eyes upon Rochel, and desired to make her his!)

The upshot of this nightmare was that Rochel began to react to Esav exactly the way her sister had! In her new position of vulnerability, she was able to look upon Esav with heightened contempt. When that happened, Hashem rewarded her with a pregnancy.

But why should having children hinge on hatred for Esav. We know that both Rochel and Leah were tzidkoniyyos. Both achieved prophesy. Did they have no other merits that justified giving them children?

Perhaps this was the reason. Our meforshim are troubled that Yitzchok could father an Esav after his experience at the Akeidah. There, he had become a pure, elevated olah. How did Esav become part of his family?

Some of them pin the birth of Esav on Rivka, Yitzchok's wife. There was an ample font of evil in her familial roots; she had not purged herself entirely from its burden. Some of the unresolved evil in her background took shape in the person of Esav. (These commentators find support for this theory in

the verse that predicted the clashing personalities of the two children she would bear. "There are two nations in your womb." Since this was written in response to her question about her difficult pregnancy, why would the Torah emphasize the words, "in your womb?" Rather, the Torah means to localize the source of Esav and his evil. Because he was a product of Rivka's womb – and not of the purity of Yitzchok alone – Esav was well connected to the evil that was a legacy of Rivka's forebears. This is also evidenced by the reactions of his parents when Esav marries women not to their liking. "They were a source of grief to Yitzchok and Rivkah." [4] A midrash [5] sees precision in the word order: they caused more grief to Yitzchok, who had been entirely purged of all evil, than they caused his wife. Because Esav's evil ultimately was sourced in her family roots, Rivkah did not react against it the same way.

Divine Providence had a different plan for Yaakov. His progeny had to be united in their commitment to their father's principles and message. Somehow, the residual evil in the family had to be dealt with. HKBH engineered the context within which their mothers would operate. First Leah, and then Rochel, were placed in situations where they would develop a fierce contempt for Esav and all that he stood for. Only in this way could they become suitable mothers of the shivtei Kah; only this way would they merit having children.

[1] Based on Be'er Yosef, Bereishis 30:1 [2] Bereishis 29:17 [3] Bava Basra 123A, cited by Rashi [4] Bereishis 26:35 [5] Bereishis Rabbah 65:2

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shabbatshalom@ounetwork.org date: Wed, Nov 26, 2014 at 6:43 PM

Failure is Our Only Option: Success is Built on a Foundation of Failed Attempts

Rabbi Eliyahu Safran

Those who dare to fail miserably can achieve greatly. - John F. Kennedy

"Look the day is still long, it is not yet time to bring the livestock in; water the flock and go on grazing. But they said, we will be unable to, until all the flocks will have been gathered and they will roll the stone off the mouth of the well; we will then water the flock." (Breishit 29:7)

The Sfas Emes asks, Why was Yaakov so critical of the shepherds, especially that they are idle?

Why does he provoke them? The stone covering the well was massive, requiring several men to move it. What does he teach them by ultimately moving it himself? Moreover, perhaps they had tried before he got there. What message does Yaakov send in being so demanding? For the Sfas Emes, even earlier, unsuccessful attempts were no excuse to sit idly by; they should have tried again and again. No "failure" should ever stop anyone from trying again, until success is achieved. In other words, only by giving up does one fail. As long as you continue, you only experience temporary set-backs. And that is the point of this narrative – success is won by persistence. With each fresh attempt, a new angle is revealed, a new potential realized, a new line of attack opened. Hope and success is the sure reward for each attempt.

When Yaakov moved the rock himself he demonstrated exactly that. Success had been tantalizing close for the shepherds... if only they had continued their efforts.

Of course, ultimate success is never guaranteed. But we are obligated to continue to strive forward toward our goals.

There was an ambitious young man who asked the great merchant for the secret of success.

"It's really quite easy," replied the merchant. "You jump at your opportunities."

The young man was confused. "But, sir, how can I tell when my opportunity comes?"

The merchant smiled. "You can't," he said simply. "You have to keep jumping." Then he held the young man's gaze and shared the real secret of success, "Never stop jumping."

We never know the opportunity is there until we are in midair, leaping toward it.

When Yaakov rolled the stone from the well – like taking a plug from a bottle, according to Rashi – was the Torah trying to charm us with his physical strength? Not at all. Rather, as Rav Chaim Shmulevitz relates, the Torah wants us to understand that Yaakov himself was not aware of the enormous strength he possessed until he dedicated himself to accomplishing the task. Until he "leapt."

Each of us has talents and gifts. Most of the time those gifts remain hidden until we make the effort to use them and only then do we truly realize we have them! Rav Moshe of Kobrin told his followers that when they fail at achieving their goals or make mistakes, they should not be discouraged. Rather they should focus on correcting themselves in the future; trying again and again, until they are successful.

To illustrate his point, he asked a disciple whom he knew to have grown up in a farm, "Did you ride on a horse?"
"Of course. All the time."

"Did it ever happen that you fell off the horse?" asked Reb Moshe.
"Many times," he replied.

"And what did you do when you fell off?"

"I just mounted the horse again, and continued riding. I focused on staying on securely" the disciple answered.

"This is the model how we should react to our failures and mistakes," Rav Moshe told his followers. "Never give up. Regardless of how many times you fall, keep on trying."

In the beautiful Tefilat Geshem prayer we recite on Shemini Atzeret, Rav Chaim Shmulevitz notes that we invoke the righteousness of our illustrious forefathers and ask God to grant us the blessing of rain in their merit. When we invoke Yaakov we say, Yichad lev v'galal even mipi be'er mayim – he dedicated his heart, and rolled a stone from the mouth of a well of water. Rav Chaim is clear that we do not ask such favor due to Yaakov's physical gifts but rather because of the inner strength that came from dedication. He did not "tone" his muscles. He dedicated his heart. He did not let fear or weakness stop him from helping those in need and those suffering around him. Yichad lev – Yaakov dedicated his heart. He focused on succeeding.

The Alter from Slabodka adds that seeing the needs of others is enough to give one the strength to do what otherwise would seem to be impossible.

Whether from seeing the needs of others or from a fire smoldering within, with determination one can reach heights that he never dreamed he could attain.

Yes, you can do it.

from: **Rabbi Kaganoff** <ymkaganoff@gmail.com> reply-to: kaganoff-a@googlegroups.com to: kaganoff-a@googlegroups.com date: Sun, Nov 23, 2014 at 3:22 PM subject: **Is it Time for Maariv?**

This week's article is sponsored by Mr. Murray Shore of Toronto in honor of a very special person who requested not to be named.

Is it Time for Maariv? By Rabbi Yirmiyohu Kaganoff

Question #1: Why do we daven maariv on Friday evenings in the summer well before sunset, yet the rest of the week and in the winter we daven mincha immediately before sunset and maariv always after sunset?

Question #2: Why is there no repetition of shmoneh esrei for maariv?

Introduction: In citing the source for our three daily prayers, the Gemara quotes two approaches. Rabbi Yosi ben Chanina explains that our three daily prayers were founded by our forefathers: Avraham instituting shacharis, Yitzchak, mincha, and Yaakov, maariv. The source for Yaakov's having introduced maariv is in the second verse of this week's parsha, where it says vayifga bamakom, and the Gemara explains the word vayifga to mean he prayed. The Gemara also cites Rabbi Yehoshua ben Levi's statement that shacharis and mincha were established by the Anshei Keneses HaGedolah (the great leaders of Klal Yisrael who lived during the time of the building and the beginning of the Second Beis Hamikdash) to correspond to the offerings that were brought every morning and afternoon in the Beis Hamikdash (see Bamidbar 28:1-8), whereas maariv corresponds to the burning of the remaining parts of these offerings that transpired at night (Brachos 26b).

What we call "maariv" actually fulfills three different mitzvos, and the above-quoted Gemara is referring to only one of these mitzvos, the part called the tefillah, which are the prayers we recite as shmoneh esrei. (The avos did not establish the shmoneh esrei itself, but the concept that one should daven three times a day. All agree that the text of the shmoneh esrei was created by the Anshei Keneses HaGedolah.)

The other two mitzvos that we fulfill when we pray maariv are kerias shma, whose recital is required min haTorah every morning and night (Brachos 2a), and the birchos kerias shma, which Chazal instituted to surround the shma with brachos (Mishnah, Brachos 11a). These brachos, together with the shma, constitute the part of the davening between borchu and the shmoneh esrei. (Ashkenazim in chutz la'aretz add another bracha that begins with the words Baruch Hashem LeOlam, between the birchos kerias shma and the kaddish that precedes the shmoneh esrei.)

Although we are very familiar with the order in which we recite the different parts of maariv, we should be aware that at the time of the Gemara, this order was a topic of dispute between Rabbi Yochanan, whose opinion we follow, and Rabbi Yehoshua ben Levi, who contended that the shmoneh esrei of maariv should be recited before shma and the birchos kerias shma, so that we recite shma closer to the time one retires (Brachos 4b).

Why is there no maariv repetition? As a preamble to answering this question, we must first examine a famous event that occurred shortly after the destruction of the Beis Hamikdash, after the main Sanhedrin and its associated yeshiva had been forced to evacuate Yerushalayim and reestablish itself in the city of Yavneh. To understand this anecdote properly, we must be aware of the historical context: the Beis Hamikdash,

which had been the central focus of all organized Torah life, had been recently destroyed, and there was concern as to whether an organized Jewish community could maintain itself without it.

Rabbi Shimon bar Yochai, then a young student in the Yeshiva, posed the following query: Is maariv (referring to the tefillah part) reshush, usually translated as "optional," or is it required? First, he brought his inquiry to the great scholar, Rabbi Yehoshua, the rebbe of Rabbi Akiva, who ruled that tefillas arvis reshush. Afterwards, Rabbi Shimon shared his question with Rabban Gamliel, who was the Rosh Yeshiva and the head of the Sanhedrin, who responded tefillas arvis chovah, the maariv prayer is obligatory.

Rabbi Shimon noted that he had previously heard Rabbi Yehoshua's opinion to the contrary, to which Rabban Gamliel responded that Rabbi Shimon should wait until all the scholars had arrived in the Beis Hamedrash. At that moment, Rabbi Shimon repeated his inquiry, and Rabban Gamliel immediately answered tefillas arvis chovah. Then Rabban Gamliel asked whether anyone disputed this, to which Rabbi Yehoshua responded in the negative. At this point, Rabban Gamliel challenged Rabbi Yehoshua, announcing that it has been reported that Rabbi Yehoshua had ruled that tefillas arvis reshush, and instructing Rabbi Yehoshua to arise, so that they could hear the testimony that he had indeed ruled it to be only reshush. At this point, Rabbi Yehoshua acknowledged that he had indeed ruled this way, and Rabban Gamliel then continued the lecture, without granting Rabbi Yehoshua permission to resume his seat.

This continued for a short while, until the students objected to Rabban Gamliel's highhanded treatment of Rabbi Yehoshua. The lecture was stopped, and the decision was reached to remove Rabban Gamliel from his position as Rosh Yeshiva and as head of the Sanhedrin, and to install Rabbi Elazar ben Azaryah in his stead. Eventually, all understood that although the consensus was that Rabban Gamliel was wrong for his strong tactics, his motives were completely sincere. He had been ruling with an iron fist to maintain a central authority for Torah in Klal Yisrael, out of concern that in the absence of such strong authority, the centrality of Torah leadership over Klal Yisrael might dissipate. Eventually, Rabban Gamliel was returned to his position, with Rabbi Elazar ben Azaryah serving as rosh yeshiva and the head of the Sanhedrin one week in four (Brachos 27b-28a).

Is maariv optional? Ultimately, the halachic conclusion is that maariv is a reshush. Is maariv really optional? Can one decide, every night, if he wants to skip maariv?

The rishonim already note a ruling that appears to contravene the statement that maariv is optional. Someone who missed maariv must recite a makeup prayer, called a tefillas tashlumim, after the next morning's shacharis. However, this ruling appears to contradict the statement that tefillas arvis reshush. If maariv is optional, why must someone make up the missed prayer?

In response to this question, Tosafos explains that when the Gemara states that maariv is reshush, it does not mean that it is optional, but that it is less obligatory than other requirements. For example, should one need to choose between fulfilling two different mitzvos in a situation where one cannot fulfill both of them, maariv is pushed aside (Tosafos, Brachos 26a s.v. Ta'ah). In all other circumstances, one is obligated to recite maariv.

The Rif answers the question in a different way. He explains that, indeed, maariv is technically not obligatory. However, someone who decided to recite maariv this evening makes it obligatory on himself and must pray correctly, even if he needs to pray a makeup.

Must a woman daven maariv? Does any other halachic distinction result from this difference of opinion between Tosafos and the Rif? It seems that a difference results regarding whether, according to those authorities who rule that women are obligated to daven shacharis and mincha daily, a woman must also daven maariv daily. According to Tosafos, who contends that maariv is obligatory, a woman should be required to daven maariv daily. This ruling is stated by the Aruch Hashulchan (106:7). However, other authorities rule that women are not obligated to daven maariv, since they never accepted it as a responsibility (Graz 106:2; Mishnah Berurah 106:4; cf. Magen Avraham 299:16). This approach reflects the opinion of the Rif that, although maariv was originally reshush, since men daven maariv regularly, they must continue to do so, but women, who for the most part do not regularly daven maariv, are exempt from doing so (see Shach, Yoreh Deah 375:14).

Why should Yaakov lose out? This previous discussion should arouse a question in every one of our readers. Since Yaakov Avinu introduced tefillas maariv, why is it treated "second rate" – why is maariv reshush, and only the tefillos founded by Avraham and Yitzchak obligatory?

Why is maariv different? To answer this question, let us revert to our previous discussion – where I noted that there were two approaches, one contending that the daily prayers were instituted by our forefathers, and the other maintaining that the prayers were created to correspond to the daily offerings. According to both of these approaches, we can explain why maariv is treated somewhat differently from shacharis and mincha.

According to the interpretation that the forefathers instituted the daily prayers, although Yaakov was the first to daven maariv, he had not intended to daven so late, but Hashem caused the sun to set suddenly, giving Yaakov no choice but to daven after nightfall. Since this davening was performed not as Yaakov's first choice, but because he had no other option, the prayer instituted this way is reshus (Pnei Yehoshua, Brachos 26b s.v. Mihu).

According to the approach that our prayers correspond to the daily offerings, shacharis and mincha each represent the daily korban tamid that was offered in the Beis Hamikdash. Maariv represents the remaining parts of the daily tamid that were burnt the following night on the mizbei'ach. Since this step in the processing of the korban is non-essential, the prayer was also not required (Rashi, Shabbos 9b, s.v. Lemaan).

Repetition of maariv With this background, we can now answer the question we raised above: Why does maariv not include a chazzan's repetition of shmoneh esrei, whereas there is one for both shacharis and mincha? The answer is that although today maariv is obligatory, it is not the same level of requirement as are shacharis and mincha. Since everyone is required to daven shacharis and mincha, Chazal were concerned that unlettered individuals would be unable to fulfill the mitzvah. Chazal therefore instituted the repetition of the tefillah, so that those unable to daven otherwise would be able to fulfill their requirement by listening to the chazzan's prayer. However, since maariv is reshus, Chazal were less concerned that the unlettered would be unable to fulfill this responsibility, and therefore, they did not institute a repetition.

When do we daven maariv? Having established that maariv is indeed obligatory, our next question is: When is the earliest time that one may begin maariv? Indeed, although the Mishnah establishes times for the other prayers, it leaves the time for maariv fairly vague. The accepted halachah is that once the time for davening mincha is over, one may daven maariv (Tosafos, Brachos 2a).

So, now, we need to resolve: Until when can one daven mincha?

The Mishnah records a dispute between the Tana'im regarding this question. According to the Sages, one is allowed to daven mincha until "the evening," while according to Rabbi Yehudah, the last time for mincha is "plag hamincha," which I will soon explain. The dispute between them is dependent on how late one may offer the afternoon korban tamid. According to Rabbi Yehudah, one may offer it only until plag hamincha; whereas according to the Sages, one may offer it until evening (Brachos 26b).

So, we now know. According to Rabbi Yehudah, one may daven mincha until plag hamincha, and maariv after plag hamincha, whereas the Sages contend that one may daven mincha until "evening," and maariv afterwards.

When is evening? Of course, now we need to find out when is "evening," when is plag hamincha, and whether we rule like the Sages or like Rabbi Yehudah.

The authorities dispute whether "evening," here, means shortly before tzeis hakoachavim, nightfall (see Rama 233:1 and Mishnah Berurah #14) or whether it means sunset (Rabbeinu Yonah; authorities cited by Shaarei Tziyun 233:18). According to the first approach, the Sages hold that one may daven mincha until nightfall, but one may not daven maariv until after nightfall. According to the second approach, one may not daven mincha after sunset, but one may daven maariv then.

When is plag hamincha? Rabbi Yehudah ruled that the latest time to daven mincha is a point in time called plag hamincha. When is plag hamincha? According to the most commonly accepted interpretation, plag hamincha is calculated by dividing the time between sunrise and sunset into 48 "quarter-hour" segments. The point of time that is five of those segments prior to sunset is plag hamincha. Obviously, each segment will not be exactly fifteen minutes, but will vary according to the length of the day. An easier way to express this is to say that plag hamincha is 1 1/4 "halachic hours" (in Hebrew, sha'os zemaniyos) before sunset, where a "halachic hour" is defined as a twelfth of the time between sunrise and sunset. (There are other authorities who calculate the halachic hours and plag hamincha from halachic dawn, alos hashachar, until nightfall, tzeis hakoachavim. In their opinion, plag hamincha is considerably later in the day than it is according to the first opinion quoted.)

Do we rule like the Sages or like Rabbi Yehudah? Now that we have discussed the dispute between the Sages and Rabbi Yehudah, we need to know how we rule, so that we can determine when is the latest time for mincha and the earliest time for maariv. Most disputes in the Gemara are resolved either by the Gemara itself or by the early halachic authorities. However, in regard to this dispute, the Gemara notes that different amora'im followed differing approaches – some of them following the Sages and others following Rabbi Yehudah. After noting this, the Gemara then concludes with a unique ruling -- that one can choose which opinion he wants to follow (Brachos 27a). One who wishes to daven maariv after plag hamincha, following the opinion of Rabbi Yehudah, may do so, and someone who would rather recite mincha after plag hamincha may follow the opinion of the Sages and do so.

Now our question is:

How consistent must I be? May I follow Rabbi Yehudah's approach one day and the Sages approach on a different day? What about on the same day – may I daven mincha after plag hamincha following the Sages, and then daven maariv before sunset, following Rabbi Yehudah?

Most rishonim rule that one must consistently follow one of these two opinions. In other words, if one decides to daven maariv before sunset, following Rabbi Yehudah, then he must be consistent and always daven mincha before plag. Once he follows Rabbi Yehudah's ruling in this matter, he may no longer daven mincha after plag, and to do so is contradictory (Rabbeinu Yonah, Brachos 18b, s.v. de'avad; Rosh, Brachos 4:3; Tur, Beis Yosef, and Shulchan Aruch 233). Being inconsistent is referred to as following a path that is tarti desasri ahadadi, two approaches that contradict one another, since neither Rabbi Yehudah nor the Sages approve of what he is doing, albeit for different reasons.

Some authorities permit following Rabbi Yehudah on one day and the Sages on a different day, providing one is not inconsistent by davening mincha after plag and maariv before sunset on the same day (Hashlamah and Mordechai, both quoted by Beis Yosef 233).

Notwithstanding this discussion, the frequent practice was to daven mincha and then maariv, both after plag hamincha and before sunset, which appears to be inconsistent according to all opinions. Nevertheless, the poskim acknowledge that this was commonly done and suggest different reasons why this practice was accepted, or at least tolerated. Some explain that had this approach not been accepted, many communities would be unable to have a regular minyan consistently, or that many individuals would not daven maariv altogether, since they would not wait in shul until the later time to daven maariv, and would not daven maariv afterwards. As a result, either for the sake of tefillah betzibur or to guarantee that more people daven maariv, many authorities allowed the tarti desasri, but ruled that someone davening privately (beyechidus) must wait until nightfall to daven maariv (Magen Avraham 233:7).

We should note that, according to the accepted halachah, one who davens maariv before nightfall should recite the full shma over again after nightfall (Shulchan Aruch Orach Chayim 235:1). This is for two different reasons. Firstly, although Rabbi Yehudah ruled that the cutoff time between mincha and maariv is plag hamincha, this is only germane to the shmoneh esrei parts of our davening, whose timing is dependent on the daily tamid offerings as mentioned above. However, the mitzvah of reading shma must be fulfilled at the time people retire for the evening, as the Torah says beshachbecha, and few people retire for the evening before it gets dark. Since the time for reciting the evening shma is when most people might consider it bedtime, one cannot not fulfill this mitzvah until nightfall, according to most opinions. (However, see opinion of Rabbeinu Tam quoted by Tosafos, Brachos 2a.)

Secondly, the requirements of davening at a specific time and reciting the birchos kerias shma are rabbinic in nature, rather than Torah mandated, which allows some leniency. However, regarding the Torah requirement of reading the shma, we should follow the stricter approach and recite it again after it is definitely nightfall.

I'll share one anecdote to show how far we should be concerned that one recites shma after it is dark. One gadol I knew, from the previous generation, who established his community in America, was concerned that baalei batim would not recite shma after dark, and thus not fulfill the mitzvah min hatorah properly. He also knew that if the break between mincha and maariv was too long, many would not attend shul regularly. He thus established in his community that they began mincha after sunset, followed by a fifteen minute shiur and then maariv, so that people would daven maariv in its correct time. Although this approach is not the most commonly accepted, we should all be aware of the many considerations that a rav or posek must have in mind.