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ON **VAYISHLACH** - 5768

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Rabbi Frand on Parshas VaYishlach . Good Shabbos!

Learning To Be "Stingy" With Our Words

Rashi on the first verse in this week's parsha [Bereshis 32:4] teaches us a lesson in Biblical grammar. [Hebrew uses single-letter prefixes such as "hey" for "the", "beis" for "in" or "with", "caf" for "like", or "lamed" for "to".] Regarding the words "Artzah Se'ir," Rashi explains that adding the letter "hey" as a suffix to a word is the same as adding a "lamed" as a prefix. Thus when the "hey" is added to the word "Aretz", land, the resulting word "Artzah" (Aleph-Reish-Tzadi-Hay) means *to* the land of Se'ir. The meaning would be the same if the Torah had written L'Aretz (Lamed-Alpeh-Reish_Tzadi) Seir.

The question may be raised, why does the Torah have such a grammatical rule? If the same number of letters are needed in either case, what is gained by introducing this Biblical construct of adding a "hey" at the end of the word in lieu of the more common prefix?

I saw a beautiful insight into this question in the name of Rav Yitzchak Vorker. The first law of running a business, or running any type of financial endeavor, is to delay the expenditure of assets. If one has a choice between spending money now and spending money later, it is always preferable to spend the money later rather than sooner. If I know that my payment is due thirty days from now, I will wait until later to pay it. Why should I pay it now?

This is the way we deal with money. We treat money as something precious. We need money. We have to preserve our "cash flow". We try to retain our money as long as possible. We dispense it only when absolutely necessary.

The Torah's relationship to words and to speaking is the same as our relationship to money. If I have to say a word -- or even a letter -- I should be so stingy in my usage of the words and letters that when confronted with the choice -- between saying them now or saying them later - - I should always defer the utterance of the word or letter. The Torah illustrates this idea here in our pasuk by "spending the letter hey" at the end of the word rather than "spending the letter lamed" at the beginning of the word. Thus, the Torah deviates from its common practice in order to teach this lesson.

Just as we know how to be stingy with our money, we must learn to be stingy with our words. There are a multitude of sins that we commit with our mouths. When one scans the list of "Al Chet"s [for the sin of...] in the Yom Kippur confession, one immediately notices that the preponderance of these sins are related to speech: Slander, tale-bearing, scoffing, lustful speech. There are so many sins committed by our mouths. The ethical lesson to be derived from Rashi's grammatical insight is that we must be judicious with our use of letters.

The Ability To Not Be Influenced: A Good Or Bad Character Trait?

Rashi teaches a famous Gematria lesson on the words "With Laven I have lived (garti)" [Bereshis 32:5]. The numerical value of the word "garti" [I have lived] is 613 (Tarya"g). [In fact they are the identical letters in a different order.] The subtle message in Yaakov's words to Eisav was "I have lived with Lavan for twenty years, but I have kept the 613 mitzvos of the Torah; I have not learned from his evil ways."

When a person is away from his family for twenty years, without any support system to buttress him against the mores of the surrounding culture, it takes great fortitude to maintain one's religious convictions. Yaakov Avinu possessed a special attribute that gave him immunity from societal influences.

Where did Yaakov get this attribute from? Yaakov acquired this attribute from his mother, Rivkah. Rivkah was the daughter of Besuel and the sister of Lavan. Her home influences were negative, yet she remained a righteous woman characterized by kindness and piety. She transmitted the attribute of not being influenced by one's surroundings to her son, Yaakov.

But, we must remember, Rivkah had another son as well. In fact, her sons were twins! Even though they were not identical twins, all studies show that twins are very similar in nature. Why didn't Yaakov's twin, Eisav, also inherit this attribute?

Rav Matisyahu Solomon offers a brilliant insight. Eisav *did* also inherit this attribute. He had a grandfather named Avraham. He had a father named Yitzchak. He had a mother named Rivkah. He had a righteous brother named Yaakov. Eisav should certainly have turned out to be a tremendous Tzadik [righteous man]. And yet that is not what happened. Eisav became wicked. He murdered, he practiced idolatry, he committed the worst of crimes. Why? It is precisely because he had this attribute. The same giant gene that he inherited -- like his brother -- from Rivkah, his mother, is what enabled him to ignore his positive surroundings, and grow up the way he did *despite* his environment!

The "gene" that does not let one be influenced by his surroundings can be spiritually advantageous, or it can be spiritually destructive. The same is true of all attributes that make up a person's personality. They can each be used for the greatest good or for the greatest evil. This has frightening ramifications. Any gift or blessing we possess can be used for good of for bad. It is simply a matter of free choice to determine how we will channel our G-d given powers.

The Power of Sama-el Is To Blind

The Kli Yakar [Bereshis 32:25] comments on the epic struggle between Yaakov Avinu and the Guardian Angel of Eisav (Sama-el), who represented the forces of evil in this world. Our Sages equate this angel, Sama-el, with Satan, with the Yetzer Hara [evil inclination], and with the Malach HaMaves (Angel of Death).

The Kli Yakar links the name Sama-el with the word "Suma", meaning blind. The whole goal of the evil inclination is to blind a person to reality. The ability of the Yetzer Hara to make people blind is the oldest story in the world. If we look around and see how other people act, we sometimes ask ourselves, "How can one person be so stupid? How can one person be so blind?" The answer is that is the power of the Yetzer HaRah. The worst things that happen to people are what they do to themselves. Man's own stupidity and blindness results in the most horrible of consequences.

As I was preparing this shiur [this being, of course, several years ago -- Ed.], I heard the news about the widening investigation into the Speaker of the House, Newt Gingrich. I have nothing against Newt Gingrich, and this is not a political speech. Here is someone who is ostensibly a very bright fellow. Only three or four years earlier, he had brought down the former

Speaker of the House, Bill Wright, on the basis of a book deal that did not pass the smell test.

I may not be as smart as Newt Gingrich. But if I were the Speaker of the House and I was the guy who brought down the previous Speaker of the House because of a scam book deal, then whatever shortcomings I may personally have, the last thing in the world that I would do would be to sign a scam book deal meant to enrich me. How on earth can a person who is so bright and so talented be so stupid as to accept an offer of a $4,500,000 advance on a phony book deal under those circumstances!

The answer is that he was blinded. "I became Speaker. I am now powerful. I have been making relatively small salaries and now I have my big chance. He is offering me four and a half million dollars. I am going to take it."

That is being blind. It is the bribe of money. It is the bribe of power. It is literal blindness, because everyone in the rest of the country knows it is stupidity of the highest order. This is the power of the Yetzer HaRah -- be it the Yetzer HaRah of money, of power, or of other lusts.

The problem is that we always see the stupidity in the *other* person. We do not see the stupidity in ourselves. Sama-el's whole purpose in existence is to blind the eyes of people from the light. We must guard against allowing the Yetzer HaRah blind us from that which should be as clear as the light of day.

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Rabbi Zvi Sobolofsky - Home Improvements:
The Legacy of Yaakov and Rabbi Shimon Bar Yochai

http://www.torahweb.org/torah/2007/parsha/rsob_vayishlach.html

Immediately following his encounter with Esav, Yaakov involves himself in three activities. First, he purchases a plot of land in the area of Shechem. Second, Yaakov encamps on the outskirts of Shechem which Chazal in Maseches Shabbos interpret to mean that he physically improved the city for the inhabitants of Shechem. Lastly, Yaakov builds a mizbeach for serving Hashem and it becomes the spiritual center of his new home. Three suggestions are given as to what physical improvement Yaakov made to Shechem: he built a bathhouse, established a market place, or instituted a new currency to enable the population to do business more efficiently.

We are supposed to view the actions of the Avos as models for our behavior. What should we derive for ourselves from the actions of Yaakov as he enters Shechem?

In Maseches Shabbos we are taught the story of Rabbi Shimon Bar Yochai who had to flee from the Romans and spent many years in hiding, learning Torah in a cave. Why were the Romans looking for Rabbi Shimon? Chazal tell us that they wanted to punish him for a disparaging comment he had made about Roman society. Someone had praised three areas of accomplishments of the Roman Empire in Rabbi Shimon's presence. Their bathhouses, market places and bridges were praised as improving the lot of the populations they conquered. Rabbi Shimon responded to the praise saying that all these physical accomplishments amounted to nothing. The bathhouses were built to beautify citizens' bodies to enable more immorality; the market places had been built to allow public gatherings for inappropriate activity; the bridges were only built to enable the Romans to collect more money as tolls to further their own physical pleasure. Upon hearing these words of Rabbi Shimon, the Romans began to search for him, forcing him into hiding.

Many years later when the decree against Rabbi Shimon was rescinded, Rabbi Shimon emerged from the cave. To commemorate his escaping the clutches of Rome, Rabbi Shimon turns to Yaakov as a model. What had Yaakov done to express his gratitude for being saved from the clutches Esav, the ancestor of the Romans? He physically improved the city of Shechem thereby performing kindness to others just as Hashem had been kind to him. Rabbi Shimon, therefore, decided to improve the quality of life of the people of Teveria where he now resided.

The model that Rabbi Shimon chose to emulate is striking in light of the events that caused him to flee in the first place. He criticized the bathhouses, marketplaces, and bridges for toll collection of the Romans. Yet, these were the same areas of public life that Yaakov had improved for the people of Shechem! Yaakov built a bathhouse, a marketplace, and improved their coins! What did Rabbi Shimon have in mind by drawing upon the example of Yaakov in specifically those areas he had criticized so harshly so many years earlier?

Perhaps the answer can be found in the actual improvements Rabbi Shimon did perform for the people of Teveria. The gemara relates that he helped determine that a certain area in Teveria that had previously been thought to be impure was in fact pure. By making a spiritual improvement to Teveria, Rabbi Shimon was teaching us the secret of the improvements of Yaakov: of course every city needs bathhouses, marketplaces, and a source of revenue and monetary system. However, these physical necessities, like all other physical needs, can never be seen as ends unto themselves. In order to function in this world, physical needs must be taken care of, but only to facilitate spiritual pursuits. In Roman society, the physical bathhouses, market places and monetary system had become ends unto themselves. Without spiritual goals, all these institutions were no more than ways to pursue and enhance physical pleasure. Rabbi Shimon didn't oppose these necessities but rather opposed pursuing them as ends instead of as means to spiritual goals.

The key to Yaakov's success was his last improvement, i.e. building a mizbeach. He created the spiritual center of Shechem, thereby giving meaning to all he contributed physically. In Teveria Rabbi Shimon saw bathhouses, market places and a monetary system, and recognized the opportunity to help see to it that theses institutions didn't become merely physical ones. He purified Teveria, and by doing so purified the entire physical life of the city. A city can have well developed bathhouses, market places and a strong economy and be worthy to be the home of Yaakov and Rabbi Shimon Bar Yochai as long as there is a pure mizbeach at the center.

From: **Rabbi Jonathan Schwartz** <rjspsyd@comcast.net>
Date: Tue, 20 Nov 2007 20:47:54
To:internetchaburah@yahoogroups.com Subject: [internetchaburah] Internet Chaburah Parshas VaYishlach 5767

Prologue: After Yaakov's confrontation with Eisav, the Torah tells us that he traveled to Sukkos, calling the name based upon the Sukkos he made for his cattle. Why would Yaakov name a place after the booths he made for his cattle, especially since he also built a house there? What is so significant about these booths that they warranted to have the city they were built in named after them, rather than it being named after the house he built there?

The Vilna Gaon notes, that the first time a word appears in the Torah tellls us how to understand the depth of the term. The first time that the word Sukkos appears in the Torah is in the verse that tells us of the Sukkos that Yaakov built. In fact, the Tur writes that the holiday of Sukkos corresponds to Yaakov. What is the connection between the two? Rav Zadok HaKohein of Lublin (Pri Tzaddik Vol. V) writes that the essence of Sukkos is humility. At the time that we gather in the harvest, we need to acknowledge, out of humility, that, after all of our own efforts in tending to our crop, ultimately it is G-d who provides us with our bounty. Yaakov represented the epitome of humility, as we find in the beginning of our parsha. Thanking G-d for all the good He had done for him, he says, " I am unworthy of all the kindnesses and all the truth that You have do ne for Your servant (Bereishis 32 : 12). The Talmud, in fact, tells us that a talmid chochom, a Torah scholar, should have an eighth of an eighth of the trait of haughtiness. The Vilna Gaon says that the Talmud is referring to this verse, which is the eighth verse in the eighth parsha of the Torah. In other words, a Torah scholar should have the same level of humility that Yaakov had, as expressed in this verse. Rabbi Yechezkel Levenstein (Beis Yechezkel) notes, that it was Yaakov's trait of humility that enabled him to express his gratitude to G-d for all that he had done for him. Rabbi Meir Zevi Bergman, (Sha'arei Orah), writes that the sukkos that Yaakov built were an expression of gratitude to his sheep, for providing him with the means of his livelihood. Following Rabbi Levenstin's observation on Yaakov's expression of gratitude to God, the building of sukkos for his sheep also stemmed from an underlying sense of humility and unworthiness. Based on this analysis, Rabbi Josh Hoffman (Netvort 5762) explains the relation between these sukkos and the house which Yaakov built for himself: What was the nature of the house that Yaakov built in the place he named sukkos? The Ramban, in one explanation, writes that Yaakov built a big house with a tower in order to protect himself from Eisav. However, Targum Yonasan ben Uziel writes that the house was really a beis medrash, a house of Torah study, The rabbis tell us that in order to learn Torah, a person must be humble. Torah is compared to water, and just as water flows from a high place to a low place, so too does Torah reside only in a humble person. The logic behind this is easily understood. Torah is truth, and in order for a person to absorb truth, he must be humble enough to rid himself of any personal conceptions and accept the truth for what it is. Thus, when Yaakov built sukkos for his sheep, he was exhibiting his trait of gratitude, which was built on humility. It was this humility that allowed him to study Torah in a proper way, and become, among our patriarchs, the symbol of the truth of Torah, as the ver se says, "You will give truth to Yaakov" (Misha 7 : 20). Because it was his humility which enabled him to learn Torah properly, he named the place after the sukkos which he built in that place.

****** Risk Taking *******

(Based upon the Shiurim of HaGaon Harav Asher Weiss Shlita)

Yaakov Aveinu prepared for war with his brother Eisav. Among his preparations were his Tefillos to Hashem, noting that he did not deserve the Chessed that he received from Hashem. Rashi comments that Yaakov was concerned lest he have lost some of his Mitzva credit with Hashem. Where did this concern result?

The Talmud quotes Rabbi Yannai (Shabbos 32a; Taanis 20a) who cautions one from remaining in a perilous situation and relying on a miracle. He notes that miracles do not always occur, and when they do, they cause one to lose some of his Zechusim (Mitzva credits) with Hashem. The source for this rule is Yaakov's prayer. We find many similar rulings throughout the Talmud about things that are probhibited because they cause Sakana. Most of these rules are gathered in Yoreh Deah (116) and Choshem Mishpat (427). But when the issue of Sakana is raised, is the Talmud making a Suggestion or spouting a prohibition. If the latter, is the prohibition Biblical or Rabbinic? What is its rationale?

The Rambam (Hil. Rotzeiach 11:5) notes that there are many things that are Assur because of Sakana and one who violates these receives Makas Mardus. The Radvaz (Hil. Sanhedrin chap.18) explains that this is due to the fact that we do not own our Neshamos, our souls belong to God. Accordingly, we HAVE to care. However, by attaching the punishment of Maakas Mardus, normally only provided to one who violates Rabbinic enactments, it seems like the Rambam is claiming that the whole prohibition is Rabbinic in nature (See Levush, Y.D. 116). The Be'Er HaGolah (C.M. 427) disagrees and notes that the prohibition is indeed Biblical but is a Lav She'Ein Bo Maaseh.

But is risk taking truly prohibited? The Talmud tells us of Nachum Ish Gamzu who asked for a home to be cleared before he was removed in order to prevent loss of wealth or life (Taanis 21a), of Rabbi Chaninah Ben Dosa who endured a snake bite to prevent a serpent from attacking a city and of Rav Acha Bar Yaakov who was summoned by Abaye to rid a Mazik from his Beis HaMedrash. Also, we learn that Rabbi Yehoshua Ben Levi used to enter the homes of the people who suffered from Raatan in order to learn with them (Kesubos 77b). In these cases the risks were acceptable. Why?

Moreover, the Gemara (Bava Basra 119b) notes that Bnos Tzlofchad waited until they were 40 to marry in order to find proper husbands. Rashbam notes that they were sure, that as a result of their piety, they would be allowed to have children despite their advanced age. How was this allowed? I thought we are not to rely on miracles?

(Rav Shlomo Kluger <Shut HaElef Lecha Shlomo EH 9> notes that having children after 40 is not beyond reason and might not count as much. But where is the dividing line?)

Some might argue that the dividing line is where the danger is apparent as by the case of checking corners for Chometz where there is a concern of getting stung by a scorpion. In these cases we say, better not to take the risk. But what about the Rabbis who slew snakes and Mazikin? Were these less of a risk?

Maharsha (Taanis 20a) and Maharsham (Shut Maharsham VI:150) note that the difference might be in the risk taker. Where the risk taker is an Adam Gadol (great man) and the risk, a great need, the concerns might not exist.

As The answer, as strong as it is, is marginalized when we consider a few other debates in the Talmud. The Gemara in Yevamos (12a) debates whether one who shouldn't get pregnant is allowed to take measures to protect herself or whether we rely on the prescription that in heaven they will protect those in danger. A similar concern is raised about doing a Bris on a cloudy day (Yevamos 72). In these cases, risk taking and its potential prohibition is not part of the debate. Why?

Similarly, we find (Yoma 82b) that a pregnant woman who smells food on Yom Kippur must be fed lest it cause a danger to the baby. Still, the Mishna (Avos 5:5) tells us that in the Beis HaMikdash one of the great miracles was that a woman never had to be fed special meat of Kodesh (that is forbidden). Rashi adds that if she would demand the mat we would not be allowed to feed it to her since we know she will not need it based upon the miracle. But how can we rely – Ein Somchin Al HaNes?

The Tosefes Yom HaKippurim notes that Ein Somchin is a Middas Chassidius – not a Mitzvah. Thus, when dealing with an Issur DeOraisa where Ein Somchin might interfere, we do not apply the principle of Ein Somchin. However, without any opposing principles, we can rely on Ein Somchin. But if a mitzvah would be delayed (like Milah), people would be endangered (like the cases of the various Rabbonon) or Mitzvas Onah negated (See Shut Divrei Yatziv, Y.D. 31), we would not say "don't take the risk."

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Proposed Standards for Creating and Maintaining a Kosher Community Eruv - Part 1

by Rabbi Chaim Jachter

Introduction

During the past twenty years, I have been involved with the creation and maintenance of many communal Eruvin. In this essay, I will present proposed protocols for community Eruvin to be maintained at an appropriate Halachic standard, based on my experience in this field. Proper standards can be met by strictly adhering to the outlined protocols. We shall focus our discussion on four groups that are crucial to the success of a community Eruv: the Poseik, the community Rav, the weekly inspectors, and the community.

The Poseik

Creating and maintaining proper Eruvin involves complex Halachic issues. A Poseik of eminent stature must be consulted to issue Halachic rulings regarding a community Eruv. The qualifications of someone to serve as a Poseik for a community Eruv are as follows:

1. He must be an expert in the Gemara, Rishonim and the many Acharonim (especially the Chazon Ish, who is widely regarded as having great authority in this area of Halacha, perhaps even more than the Mishnah Berurah) who discuss the practical details of Eruv design and construction.
2. He must have extensive experience in dealing with community Eruvin, which includes working in the field with utility poles.
3. He must be widely recognized in the Orthodox community as an authority in the field of Eruvin.

The Poseik must set standards and protocols for the community. He must set optimal standards as well as emergency (She'at HaDechak) standards which can be relied upon when a problem arises shortly before the onset of Shabbat. He must establish protocols in determining the standards for both the creation and maintenance of the Eruv. For example, he must establish how often utility wires must be inspected and, if river banks are used, how often they must be checked to insure that they remain at a proper angle and height to serve as part of the Eruv. Rav Gavriel Bechoffer, the author of The Contemporary Eruv, suggested that the Poseik be asked to review the Eruv twice every seven years (similar to a Mezuzah; see Shulchan Aruch Y.D. 291:1).

No change in the Eruv should be made without consulting the Poseik.

The Local Rav

The second key figure in Eruvin is the local Rav. He needs numerous qualifications:

1. He must have extensive training and knowledge of Hilchot Eruvin both in theory and practice. We cannot rely solely upon the fact that a Rav of eminent stature designed and once inspected the Eruv. Eruvin are quite vulnerable to weather, vandalism, and utility company workers shifting poles and wires. Eruvin become disqualified quickly and often, especially very large ones. The community depends on the local Rav to facilitate repair of the Eruv in a proper manner.
2. He must insure that there is an extensive and clear record of every detail of precisely how the Eruv is constructed. Every change in the Eruv's construction must be duly noted. The Rav must be intimately familiar with every detail of the Eruv and involved in its inspection on a regular basis. Ideally, the Rav should be the one who inspects the Eruv each week, as the Chazon Ish did in Bnei Brak every Friday morning, even in the most inclement weather (Pe'eir HaDor 2:136 and 285). Experience teaches that when community rabbis do not attend to the community Eruv, the kashrut of the Eruv deteriorates.
3. He must understand when it is appropriate to consult the Eruv's Poseik.
4. The Rav must insure that the Eruv adheres to the highest standards of ethics and safety. I heard directly from Rav Yosef Dov Soloveitchik that no portion of the Eruv should be constructed without obtaining the necessary permission. Eruvin must be a source of Kiddush Hashem in the community.
5. Alternative routes for the Eruv must be explored in case of recurrent problems in specific portions of the Eruv.
6. He must insure that She'at HaDechak standards do not evolve into the conventional standards for the Eruv. For example, a "Lechi" (a portion of a doorframe necessary in the creation of an Eruv; see my Gray Matter 1 pp. 181-182) that was attached to a utility pole shortly before Shabbat in a less–than-optimal fashion (see ibid. p. 183 for a related conversation I had with Rav Shlomo Zalman Auerbach) should not remain a permanent component of the Eruv.
7. The Rav must insure that the Eruv Chatzeirot (see ibid. 1 pp. 194-196) and Sechirat Reshut (see ibid. pp. 197-199) remain updated and cover the entire area encompassed by the Eruv.Rav Schachter recommends that Sechirat Reshut should not be made for longer than twenty years (see Mishnah Berurah 382:48 and Netivot Shabbat 37:28 and note 20 for a variety of opinions regarding this issue).
8. There is great pressure on a Rav to insure that the Eruv encompass all members of the community. He must insure that expanding the Eruv does not compromise its Halachic standards and integrity and/or become too large to properly supervise.
9. Experience teaches that a community that does not yet employ a Rav should not establish an Eruv. Although there is great motivation to establish an Eruv in order to attract people to the community, Eruvin easily and quickly fall into disrepair without on-site rabbinic supervision.
10. When a community is "in between rabbis" the Eruv should not be relied upon.

Eruv Inspectors

Of no less importance are those who inspect the Eruv on a regular basis.

1. Optimally the Eruv inspectors should be Talmidei Chachamim who are well-versed in the theory and practice of Hilchot Eruvin. At minimum, they should be God-fearing Jews who are highly scrupulous in their observance of Jewish Law who will inspect the Eruv meticulously (see Rav Asher Bush's Teshuvot Shoel BeShlomo number 12, based on Rama Y.D. 127:3).
2. They should never make any changes or repairs to the Eruv without consulting the local Rav.
3. They must have a through knowledge and understanding of every detail of the Eruv so that they will be able to spot a potential problem in the Eruv. Their knowledge of Hilchot Eruvin should be sufficient for them to know when to alert the local Rav to a problem.
4. They must record where the Eruv is most vulnerable and must inform the Rav of recurrent problems in specific locations.
5. They must be alert to specific Halachic issues that arise for time to time, such as tangling of wires in trees during springtime. The appearance of a brand new utility pole often signals that the Eruv has been compromised.
6. They must not (except for unusual circumstances) drive a car and inspect the Eruv simultaneously. They will either not drive properly or not inspect the Eruv properly (or both) if they attempt to do both concomitantly.
7. Candidates for Eruv inspectors should be tested to determine competency in this task.
8. The Rav and Poseik should be consulted as to whether the Eruv can be inspected earlier than Friday in case of great need. (See

Teshuvot Doveiv Meisharim 2:28, who insists that Eruvin be inspected on Friday.) The Community

Finally, the community maintaining the Eruv must be alert.

1. It must realize that the maintenance of a community Eruv requires a very significant amount of time, resources and effort on an ongoing basis. The price of a kosher Eruv is eternal vigilance. All too often, communal enthusiasm regarding an Eruv wanes after it is constructed. Ongoing attention insures that the Eruv does not fall into disrepair.

2. As suggested by Rav Hershel Schachter, the community should be aware of the route of the Eruv so that members can alert their Rav and Eruv committee to potential problems, such as utility pole construction.

3. It should consider adopting the practice (initiated by Rav Pinchas Teitz) of the Elizabeth, New Jersey Jewish community to declare the Eruv out of operation once a year in order to educate the community that carrying is forbidden on Shabbat (see Eruvin 59a). Otherwise, a generation is raised not knowing the prohibition to carry on Shabbat. For example, a woman who grew up in a community encircled by an Eruv told me that she never knew that there is a difference between Shabbat and Yom Tov with regard to Hotzaah. In Elizabeth, the Eruv is always declared "down" on the Shabbat that follows Parashat Zachor. We should note that not all Rabbanim subscribe to this practice.

Conclusion

In contemporary Israeli and North American Orthodox communities, it is almost expected that there be an Eruv and that the community Rav properly maintain it. Indeed, Halacha assumes that an Eruv should be established whenever it is possible to do so (see Eruvin 67b-68a, Mordechai Eruvin number 515, Teshuvot HaRosh 21:8, Teshuvot Chatam Sofer Orach Chaim 89 and Teshuvot Har Zvi O.C. 2:24). However, not all community members are sufficiently sensitized to the time and effort necessary to achieve the goal of maintaining a kosher community Eruv. Many if not most Rabbanim are severely overburdened and cannot, in most cases, be expected to maintain the Eruv without abundant and generous communal support, both moral and financial. The community must be willing to devote time to insure the Eruv's success. On the other hand, community members cannot be expected to successfully maintain an Eruv at an appropriate Halachic level unless the local Rav is involved with the Eruv on an ongoing basis. The synergy of Rav and community will insure that our Eruvin maintain the same high standards as they did at the time of their creation.

A document that presents these protocols in much greater detail has been submitted for review by leading Poskim. Please share any comments and insights by contacting me at koltorah@koltorah.org .

Rabbi Wein - Parshas Vayishlach

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Parshas Vayishlach 5768

Our father Yaakov lives in a very violent and dangerous world. Escaping from Lavan and his treacheries, he falls into a wrestling match with an angel and an actual encounter with Eisav, who apparently is determined to kill him. Extricating himself from these difficulties, bruised, wounded and slightly poorer materially for the events, Yaakov then suffers the tragedy of his daughter Dina being kidnapped and assaulted and the resultant war that his sons, led by Shimon and Levi, conduct against the leaders and citizens of Shechem.

Yaakov is appalled by the violence perpetrated by his sons but is apparently powerless to limit it. Even on his deathbed he will reprimand Shimon and Levi for their violent nature and behavior. This parsha therefore turns into a litany of tragedies and untoward events that befall Yaakov. I have always felt that when Yaakov told the Pharaoh that “my years have been few and bad” he was referring to this week’s parsha and its events.

It certainly seems that any assessment of Yaakov’s life, based on the events of this week’s parsha, must certainly be a bleak one, full of shade with very little light shining through. Yet in the assessment of Jewish history and rabbinic tradition, Yaakov’s life is seen as a triumph and success. He is the one who takes a family and builds it into a nation. He takes thirteen disparate children, each one with a distinct personality and differing goals and welds them into the people of Israel. He imbues them with the belief of monotheism, good purpose and probative behavior, in spite of their living in a world of paganism and dissolute behavior.

Yaakov is strengthened in his belief by the promises made to him by G-d many years earlier in his life, before he embarked on his fateful journey to Aram. He never questioned the validity of God’s support of him, of his eventual salvation and survival, no matter how difficult the circumstances. In this he is the paradigm of all future Jewish existence that mimics his life and circumstances.

Jewish life and events can be characterized as always being one of “out of the fire into the frying pan.” There never seems to be a letup, a respite from the challenges and dangers that constantly arise. Yet we Jews are constantly aware of God’s promise that He will never completely forsake us and that within us is the ability of being an eternal and constantly renewed people.

Being a loyal and Torah abiding Jew can create within each of us a sense of serenity and harmony. However, as a nation and people, such a pleasant passage through the waters of human history is unlikely. It is natural for us to wish that this would somehow be otherwise. But the events of the life of Yaakov stare us in the face. They chart our course in life as well. Faith in G-d and the will to persevere under all circumstances define our goals and hopes in this difficult world in which we live. For, after all, we are all the children of Yaakov.

Shabat shalom.

Rabbi Berel Wein

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Covenant & Conversation

Thoughts on the Weekly Parsha from

Sir Jonathan Sacks

Chief Rabbi of the United Hebrew Congregations of the British Commonwealth

[From 2 years ago - 5766]

http://www.chiefrabbi.org/tt-index.html

Vayishlach

Jacob and Esau are about to meet again after a separation of twenty two years. It is a fraught encounter. Once, Esau had sworn to kill Jacob in revenge for what he saw as the theft of his blessing. Will he do so now – or has time healed the wound? Jacob sends messengers to let his brother know he is coming. They return, saying that Esau is coming to meet Jacob with a force of four hundred men. We then read:

Then Jacob was greatly afraid and distressed. (32: 8) The question is obvious. Jacob is in the grip of strong emotions. But why the duplication of verbs? What is the difference between fear and distress? To this a midrash gives a profound answer:

Rabbi Judah bar Ilai said: Are not fear and distress identical? The meaning, however, is that "he was afraid" that he might be killed. "He was distressed" that he might kill. For Jacob thought: If he prevails against me, will he not kill me; while if I prevail against him, will I not kill him? That is the meaning of "he was afraid" – lest he should be killed; "and distressed" – lest he should kill. The difference between being afraid and distressed, according to the midrash, is that the first is a physical anxiety; the second a moral one. It is one thing to fear one's own death, quite another to contemplate being the cause of someone else's. However, a further question now arises. Surely self-defence is permitted in Jewish law? If Esau were to try to kill Jacob, Jacob would be justified in fighting back, if necessary at the cost of Esau's life. Why then should this possibility raise moral qualms? This is the issue addressed by Rabbi Shabbetai Bass, author of the commentary on Rashi, Siftei Chakhamim:

One might argue that Jacob should surely not be distressed about the possibility of killing Esau, for there is an explicit rule: "If someone comes to kill you, forestall it by killing him." None the less, Jacob did have qualms, fearing that in the course of the fight he might kill some of Esau's men, who were not themselves intent on killing Jacob but merely on fighting Jacob's men. And even though Esau's men were pursuing Jacob's men, and every person has the right to save the life of the pursued at the cost of the life of the pursuer, none the less there is a condition: "If the pursued could have been saved by maiming a limb of the pursuer, but instead the rescuer killed the pursuer, the rescuer is liable to capital punishment on that account." Hence Jacob feared that, in the confusion of battle, he might kill some of Esau's men when he might have restrained them by merely inflicting injury on them.

The principle at stake, according to the Siftei Chakhamim, is the minimum use of force. Jacob was distressed at the possibility that in the heat of conflict he might kill some of the combatants when injury alone might have been all that was necessary to defend the lives of those – including himself – who were under attack.

There is, however, a second possibility, namely that the midrash means what it says, no more, no less: that Jacob was distressed at the possibility of being forced to kill even if that were entirely justified.

At stake is the concept of a moral dilemma. A dilemma is not simply a conflict. There are many moral conflicts. May we perform an abortion to save the life of the mother? Should we obey a parent when he or she asks us to do something forbidden in Jewish law? May we break Shabbat to extend the life of a terminally ill patient? These questions have answers. There is a right course of action and a wrong one. Two duties conflict and we have meta-halakhic principles to tell us which takes priority. There are some systems in which all moral conflicts are of this kind. There is always a decision procedure and thus a determinate answer to the question, "What shall I do?"

A dilemma, however, is a situation in which there is no right answer. I ought not to do A (allow myself to be killed); I ought not to do B (kill someone else); but I must do one or the other. To put it more precisely, there may be situations in which doing the right thing is not the end of the matter. The conflict may be inherently tragic. The fact that one principle (self-defence) overrides another (the prohibition against killing) does not mean that, faced with such a choice, I am without qualms. Sometimes being moral means that I experience distress at having to make such a choice. Doing the right thing may mean that I do not feel remorse or guilt, but I still feel regret or grief that I had to do what I did.

A moral system which leaves room for the existence of dilemmas is one that does not attempt to eliminate the complexities of the moral life. In a conflict between two rights or two wrongs, there may be a proper way to act (the lesser of two evils, or the greater of two goods), but this does not cancel out all emotional pain. A righteous individual may sometimes be one who is capable of distress even when they know they have acted rightly. What the midrash is telling us is that Judaism recognises the existence of dilemmas. Despite the intricacy of Jewish law and its meta-halakhic principles for deciding which of two duties takes priority, we may still be faced with situations in which there is an ineliminable cause for distress. It was Jacob's greatness that he was capable of moral anxiety even at the prospect of doing something entirely justified, namely defending his life at the cost of his brother's.

That characteristic – distress at violence and potential bloodshed even when undertaken in self-defence – has stayed with the Jewish people ever since. One of the most remarkable phenomena in modern history was the reaction of Israeli soldiers after the Six Day War in 1967. In the weeks preceding the war, few Jews anywhere in the world were unaware that Israel and its people faced terrifying danger. Troops – Egyptian, Syrian, Jordanian – were massing on all its borders. Israel was surrounded by enemies who had sworn to drive its people into the sea. In the event, it won one of the most stunning military victories of all time. The sense of relief was overwhelming, as was the exhilaration at the re-unification of Jerusalem and the fact that Jews could now pray (as they had been unable to do for nineteen years) at the Western Wall. Even the most secular Israelis admitted to feeling intense religious emotion at what they knew was an historic triumph.

Yet, in the months after the war, as conversations took place throughout Israel, it became clear that the mood among those who had taken part in the war was anything but triumphal. It was sombre, reflective, even anguished. That year, the Hebrew University in Jerusalem gave an honorary doctorate to Yitzhak Rabin, Chief of Staff during the war. During his speech of acceptance he said:

"We find more and more a strange phenomenon among our fighters. Their joy is incomplete, and more than a small portion of sorrow and shock prevails in their festivities, and there are those who abstain from celebration. The warriors in the front lines saw with their own eyes not only the glory of victory but the price of victory: their comrades who fell beside them bleeding, and I know that even the terrible price which our enemies paid touched the hearts of many of our men. It may be that the Jewish people has never learned or accustomed itself to feel the triumph of conquest and victory, and therefore we receive it with mixed feelings." A people capable of feeling distress, even in victory, is one that knows the tragic complexity of the moral life. Sometimes it is not enough to make the right choice. One must also fight to create a world in which such choices do not arise because we have sought and found non-violent ways of resolving conflict.

Faith in man and G-d

Job is a difficult book because by its very terms it has presented Job, and us, with a question that is unanswerable. Job and his companions search for justice. However, we the readers know what Job and his friends cannot: there is no justice in Jobs sufferings. That is made clear at the beginning. Job is not punished for his sins. Indeed, it was his very righteousness that

singled him out in the first place. That, incidentally, is why the sages were correct when they said that, "Job never existed; the story is merely an allegory." If the events of the book actually happened we would have to conclude, like Shakespeare's King Lear, that "As flies to wanton boys, are we to the gods; They kill us for their sport." The book is the testing of a hypothesis: "What would happen if …?"

Job is rarely understood for a simple reason. We read it upside down. Yet the interpretive key has been there from the beginning:

"The day came when the members of the court of heaven places in the prescence of the Lord, and the Accuser was there among them. The Lord asked him where he had been. 'Ranging over the earth', he said, 'from end to end.' Then the Lord asked the Accuser 'Have you considered my servant Job? You will find no one like him on earth, a man of blameless and upright life, who fears G-d and sets his face against wrongdoing.' The accuser answered the Lord, 'Has not Job good reason to be G-d fearing? Have You not hedged him round on every side with Your protection, him and his family and all his possessions? Whatever he does You have blessed, and his herds have increased beyond measure. But stretch out Your hand and touch all he has, and then he will curse You to your face.' Then the Lord said to the Accuser, 'So be it. All that he has is in your hands….' " (Job 1: 6-12) On trial in the book of Job is not job but G-d. the very idea sounds blasphemous. That is why the book has consistently been read against the grain, and why, read thus, it is unintelligible. Why do the righteous suffer? asked Moses, and Jeremiah, and Habakkuk. That is assumed to be the question at the heart of the book of Job, and to it, it offers no answer. How could it comfort the afflicted to be told that bad things happen for no good reason, because the Accuser is tormenting us, because we are innocent and because we have faith?

The question most often asked by theologians and philosophers is: how, given what we know of the world, can we be sure that G-d exists? The question asked in the book of Job (as in later rabbinic midrash) is the opposite: how, given what we know of G-d, can we explain that humankind exists? Why did a wise, good all knowing, all-powerful Creator, having constructed a universe of beauty and order, introduce into it one form of life, Homo sapiens, capable of destroying beauty and creating disorder? This is a surpassingly strange question, yet until we grasp its logic and force we will not understand the proposition at the heart of the book, and of the Jewish vision of humanity's role in the world.

Consider this: there are two creation narratives in the Pentateuch, the first, G-d's creation of the universe, the second, the Israelite's construction of the tabernacle in the wilderness. The space allocated to these processes is utterly disproportionate. The Bible takes a mere 34 verses to describe the making of the universe. It takes between 500 and 600 verses to describe the building of the Tabernacle (Ex 25-40), a small, portable, fragile building. In any other literature, the proportions would be reversed. What has fascinated humankind from the era of myth to the age of science is cosmology: How did the universe come to be? The Bible, having given the most influential account of all time – ' In the beginning, G-d created ….' – reduces it to the barest outlines and rarely (except in Job itself and the 'creation' Psalms) returns to it again. There is a fundamental issue at stake. What kind of book is the Bible? What is its most fundamental theme? The question answers itself, and the answer is profoundly counterintuitive. The bible is not humankinds book of G-d; it is G-d's book of humankind. It takes for granted that G-d can construct a home for humankind. The question that endlessly absorbs it is: can humankind construct a home for G-d?

Wittgenstein once rhetorically asked: What is your aim in philosophy? He replied: to show the fly the way out of the bottle. The fly is trapped in the bottle. It searches for a way out. Repeatedly it bangs its head against the glass until at last, exhausted, it dies. Had it been gifted with the power of reasoning it would have saved itself despair and death. If there is a way in, there is a way out. The one thing the fly forgets to do is to look up. Insight is the ability to see familiar things from an unfamiliar perspective. The way to understand Job is to invert the way it has often been understood. What if the truth at the heart of faith were the opposite of what we take it to be? What if, more significant than our faith in G-d, is G-d's faith in us?

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Olas Shabbos - Parshas Vayishlach - Ya'akov/Yisrael – What's in Two Names?

Rabbi Eliyahu Hoffmann <hoffmann@torah.org

Ya'akov/Yisrael – What's in Two Names? R' Eliyohu Hoffmann

And [Ya'akov] built an altar there. And he called it E-l E-lokei Yisrael. (33:20)

On its most simple level, the above verse is unclear as to who called what, what? Was it Ya'akov that called the altar E-l Elokei Yisrael/G-d the G-d of Israel? Or did Ya'akov call out to Hashem, G-d of Israel? Rashi introduces a most shocking interpretation: "From here we derive that Hashem called Ya'akov E-l – G-d," understanding the verse such: "And He [G- d] called him [Ya'akov] E-l – Elokei Yisrael/It was the G-d of Israel [Who did so]."

While one may on occasion refer to a "G-dly person," what he likely means is that the person is holy, perhaps a reference to the G-dly aura, which is the Shechinah, that surrounds him. How are we to understand that Hashem called Ya'akov E-l? What is the significance of this most unusual title, and why was it applied specifically to Ya'akov?

The holy rebbe of Tzanz notes the Gemara (Berachos 13a) which rules that from the time the Holy One, Blessed is He, changed Avram's name to Avraham (Bereishis/Genesis 17:5), one who continues to refer to him as Avram is in violation of the verse (ibid.), "And your name will [from now on] be Avraham." However, the Gemara notes, although Ya'akov was given the name Yisrael, it is permissible to continue to call him Ya'akov, since the Torah itself does so (i.e. refers to him as Ya'akov post name-change), as it is written (46:2), "And G-d said to Yisrael in a vision of the night, and He said, 'Ya'akov, Ya'akov.'" We are left wondering why indeed Avraham's name was changed exclusively, while Ya'akov's name Yisrael was merely an addition that didn't negate his previous one?

"A G-d [E-l] of vengeance is Hashem; a G-d of vengeance He appears," (Tehillim/Psalms 94:1). Why does this verse refer to Hashem using the names E-l and Hashem [YKVK], while all the while calling Him a G-d of vengeance? Generally, when Hashem relates to us through the Divine attributes of mercy and kindness, He is referred to as Hashem [YKVK], which denotes kindness. When Hashem relates to us through anger, harsh judgment and vengeance, He is called E-lokim. Yet here, we have vengeance and YKVK and E-l, itself also a name that denotes kindness, all in one. The holy Ba'al Shem Tov notes that the concepts of punishment and judgment are largely in order to awaken man from his sinful ways. However, he notes, there is a more pleasant way to arouse the sinner from his slumber; by showering him with goodness:

A simple lad was once aroused by the sounds of horses and buggies clamoring through the narrow alleyways of his remote village. Curious, he rose from his bed and went out into the street to check the commotion. Wagon after wagon passed by, many of them spraying him with indifferent waves of mud and pebbles, until finally what was clearly the head wagon passed. In its midst, unbeknown to the simple boy, sat the king. "For this pomposity I was awoken from my sleep?" The youth spat into the carriage, his efforts landing squarely on the king's cheek.

The king, surprisingly, turned a deaf ear to the predictable cries of, "Off with his head." Instead, he brought the lad into his royal carriage, and returned with him to the palace. "The boy has never seen a king before," he told his irate advisors. "What do you expect?!" The sinful boy became the king's personal guest. The longer he spent in the palace, seeing the honoured dignitaries that came from afar to spend a few moments in the royal highness' presence, the more out-of-place he felt. "What am I doing here?" he began to question. "Not only do I not even begin to comprehend the king's great wisdom and immeasurable influence – I had the foolish

audacity to spit at him!" When, one day, the lad threw himself at the king's feet and begged his forgiveness, the king was vindicated. He knew he had accomplished far more by allowing the naïve lad a glimpse of royalty than he would have with lashes and labour.

Sometimes, the Ba'al Shem Tov explains, instead of rebuke through punishment, Hashem chastises us through undeserved kindness. He allows us a brief glimpse into His greatness, and the infinite kindness with which He constantly showers the world, in the hope it will arouse us to better our ways. The wise man recognizes the undeserved love Hashem showers on him, and is humbled. The foolish man thinks he deserves it.

The two names, Ya'akov and Yisrael, refer to the two aspects of this phenomenon. Yisrael is a name of greatness: For you have ruled over angels and over man. Ya'akov is a name of humility; the root of Ya'akov is ekev, which means heel – the lowest part of the human body. It is only through this two-faceted existence – complete humility in the face of great accomplishments – that success and prosperity become even stronger conduits of teshuva/repentance than rebuke.

This is why, the rebbe of Tzanz zt"l explains, the name Yisrael was never intended to supersede Ya'akov. When Ya'akov achieved greatness, yet remained the same, humble man he had always been, he received the name Yisrael, the name of greatness, to compliment his humility.

If we were to divide up the 22 letters of the alef beis into two equal groups, the rebbe says, alef would be at the head of the first group, while lamed, the twelfth letter, would lead the second. The first group of letters, the Sanzer Rav explains, are the 'face' or light side of the alef beis, while the second group becomes the 'back' or dark side of the letters.

Combining alef with lamed, or E-l, one of G-d's names, represents the melding of light and darkness, of kindness and judgment, of success and self-effacement. Ya'akov had just wrestled with the angel, and won. His success was no doubt cause for celebration, yet there was none. Even after receiving the name Yisrael, "for you have wrestled with the angels and won," he remained in essence Ya'akov ish tam/Ya'akov the simple man. He builds an altar upon which to place his offerings of thanks to Hashem. In his eyes, he did not deserve what he had achieved. He ascribed his greatness to Hashem's infinite kindness.

And Hashem called him E-l – you – Ya'akov/Yisrael – are the perfect synthesis between alef and lamed, between the greatness you have achieved and the humility you retain. May Hashem always choose to test us with undeserved kindness, and may we have the wisdom to pass the test. Have a good Shabbos.

HaMaayan / The Torah Spring - Parashat Vayishlach
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Sponsored by the Edeson family in memory of their fathers Joseph N. Edeson and Nathan Salsbury a"h
Today's Learning: Shevuot 1:2-3 O.C. 45:1-46:1 Daf Yomi (Bavli): Ketubot 84 Daf Yomi (Yerushalmi): Shekalim 19

This week's parashah describes the momentous confrontation between Yaakov and Esav when the former returned to Eretz Yisrael after 20 years with Lavan. R' Yitzchak Isaac Sher z"l (rosh yeshiva of the Slobodka Yeshiva in Lithuania and later on Bnei Brak; died 1951) observes that this parashah provides a glimpse of Yaakov's greatness and the contrast between him and Esav. At the same time, it teaches us the lofty heights that a human being is capable of reaching. He explains:

We read (Bereishit 33:20), "He [Yaakov] set up an altar there and proclaimed, `Kel, the Kel of Israel'." The literal translation of this verse, as just rendered, suggests that Yaakov called G-d, "the G-d of Israel." However, Rashi z"l quotes the Gemara (Megillah 18a) which reads the verse differently: "He called him `El.' The G-d of Israel." In other words, "He called Yaakov, `El.' Who called him that? The G-d of Israel called him that."

What does this mean? Needless to say, G-d was not ascribing divinity to Yaakov. Rather, the title "El" means that Yaakov had perfected his tzelem Elokim / Divine image. He had accomplished what man was put in this world to accomplish. He was as close to godliness as a person ever can be.

We find that Yaakov had attained extremely high spiritual levels even earlier. When Yaakov was fleeing to Lavan's home, Yaakov dreamt of a ladder on which malachim were ascending and descending. Midrash Rabbah records that the malachim were going back and forth between the human Yaakov and an image of Yaakov that was "engraved" on G-d's "throne," comparing the two.

The engraving of Yaakov's image on G-d's throne is meant to teach us what man is capable of achieving. We can only imagine how hard Yaakov worked on himself to attain that level.

In contrast, we do not find that Esav worked on himself at all. At birth, he was named, "Esav," which comes from the word meaning "complete." Just as Esav appeared physically complete at birth, so he represents those people who view themselves as spiritually complete, having no need to work on themselves. Such a person stands in sharp contrast to the ideal human represented by Yaakov. (Lekket Sichot Mussar, Vol. III, p.41)

"You shall say, `Your servant Yaakov's. It is a tribute sent to my lord, to Esav, and behold he himself is behind us'." (32:19)

"Accept my tribute from me, inasmuch as I have seen your face, which is like seeing the face of Elokim." (33:10)

Why did Yaakov tell his servants who took gifts to Esav to point out that Yaakov would soon follow in person? Also, what did Yaakov mean when he equated seeing Esav to seeing the face of Elokim? R' Shlomo Kluger z"l (1783-1869; rabbi of Brody, Poland) explains:

Halachah requires that just as there were representatives of the kohanim and levi'im present in the Bet Hamikdash every day, so there must be representatives of the yisraelim present every day. The Gemara (Ta'anit 26a) explains this by asking rhetorically, "Is it conceivable that a person's sacrifice could be offered and he is not present?!" R' Kluger asks: Why is it so inconceivable that a person's sacrifice could be offered when he is not present?

Another question: We read (Bereishit 18:8) that when Avraham served food to his guests, "he stood over them beneath the tree and they ate." What does the Torah mean to teach us?

Says R' Kluger: When a person offers food to a guest, he may have one of two motives--either to feed a hungry person or to honor the guest. How can we tell what the host's motives are? When the main purpose is to relieve the

guest's hunger, then the food is the main thing. The host need not "offer himself" to the guest as well, i.e., he need not be present. On the other hand, if the main point is to show honor to the guest, then the host's presence is more important than the food.

When we offer sacrifices in the Bet Hamikdash, we do so to honor Hashem. Obviously, he does not need our food. That is why it is inconceivable that our sacrifices could be offered without our representatives standing nearby. That also is why Avraham stood over his guests while they ate. Although they may have been hungry (assuming he did not know they were angels), he wanted to honor them with his presence as well.

This was Yaakov's message to Esav: I am not sending you a gift because I think you need it. I want to honor you, and I am following right behind my gift. And when Esav balked at accepting the gift, saying (33:9), "I have plenty," Yaakov reiterated: Seeing your face is like seeing the face of Elokim, i.e., my whole intention was to bring an offering to someone who does not need it, merely in order to show him honor. (Ma'amar Esther to Esther 5:8)

"Rescue me, please, from the hand of my brother, from the hand of Esav, for I fear him lest he come and strike me down, mother and children." (32:12)

R' Shlomo Alkabetz z"l (1505-1584; author of the Friday night hymn Lecha Dodi, among other works) writes that Yaakov referred in this verse not (only) to Esav, but to Esav's descendant, Haman who planned "to exterminate all Jews, young and old, children and women" (Esther 3:13). Thus, immediately after Yaakov's prayer (32:14), the Torah says, "He spent the night there." Note that the final letters of the Hebrew words in this phrase spell "Haman." Also, the word "ba'lailah" / "at night" appears three times in our chapter, alluding to the three days and nights of the fast that Mordechai and Esther decreed. (Manot Ha'levi to Esther 7:7)

"And it came to pass on the third day, when they were in pain . . ." (Bereishit 34:25)

Rabbeinu Bachya z"l (Spain; 14th century) writes: It is fact of nature that the third day of a series is associated with weakness. Thus, a baby is considered most at risk on the third day after his brit milah, so that a baby who was circumcised on Thursday may be cared for on Shabbat in ways that might otherwise violate Shabbat prohibitions. Likewise, the "Anshei Ma'amad" / certain participants in the Bet Hamikdash service would not fast on Sunday as they would on other days of the week because Sunday is the third day after man's creation, which occurred on Friday. For this reason, Rabbeinu Bachya concludes, we recite a blessing on besamim / spices after Shabbat (the halachic beginning of the third day after man's creation) in order to invigorate the newly weakened soul through the good fragrance. (Be'ur Al Ha'Torah)

R' Yechiel Yaakov Weinberg z"l (rosh yeshiva in Berlin, Germany and later Montreux, Switzerland; died 1966) lists three additional reasons for reciting a blessing on besamim after Shabbat. All of these reasons are found in Rishonim / medieval sources.

(1) To reinvigorate the soul following the loss of the neshamah yeteirah / the "extra" soul that a person has on Shabbat.

(2) To mask the smell of the fire of Gehinom, which is rekindled after having rested on Shabbat.

(3) To give solace to the soul which is sad over the departure of Shabbat. (This differs from the first reason in that it does not focus on the loss of the neshamah yeteirah but rather of the Shabbat itself.) (She'eilot U'teshuvot Seridei Esh, O.C. No. 29)

Shemittah

This week we begin to discuss the concept of "Kedushat Shevi'it" the sanctity of the fruits of the seventh year. One of the basic rules is that the produce of shemittah may not be wasted. [Exactly what constitutes a "fruit of shemittah" is a separate and complex discussion.]

In conjunction with the Dvar Torah above regarding the use of besamim at havdalah, we begin with a halachah of shemittah-produce relating to havdalah.

There is a widespread custom to overflow the havdalah cup as an omen for blessing. One who recites havdalah over wine of the seventh year should not do this since he is causing the wine to go to waste. Likewise, those who have the custom to place a drop of havdalah wine in their eyes may not do this with the wine of shemittah.

In addition, an argument can be made that one is not even permitted to make havdalah with the wine of shemittah. The reason for this would be that, since it is customary that women do not drink the wine of havdalah, one who recites havdalah over wine of shemittah is causing it to become unusable by a large segment of the population, which is a form of "waste." (Sources: R' Yechiel Michel Tikochinski z"l, Sefer Ha'shemittah, ch.7, n.4; R' Y. Neuwirth shlita, Shemirat Shabbat Ke'hilchatah, ch. 60, n.55)

[Ed. note: One might ask: Why is overflowing the wine cup not prohibited at all times because it seemingly wastes food? There are different definitions of waste for purposes of shemittah and for general halachic purposes. In other years, the wine that is spilled out is not "wasted" because it has a purpose - to be an omen. With respect to shemittah, however, any conversion of a food item to a non-food state is considered "waste."]