

Weekly Parsha Toldot
Rabbi Wein's Weekly Blog

The question raised by all of the commentators who have dealt with this week's Torah reading is a simple one: How could it be that Eisav, a child who is raised in the house of great and holy parents, Yitzchak and Rivkah, could somehow turn out to be a terribly evil person – a murderer, rapist, thief and criminal?

It is difficult in the extreme to truly comprehend this issue. However, all the great commentators have attempted to deal with the matter in various forms and ideas. Some have attributed it to genetics – Eisav is a product of recessive genes inherited from Betuel and Laban and their ancestors, all of whom were pagan and evil. A recessive gene survives even when there are strong dominant genes present for many generations. And even the strong dominant genes of Abraham and Sarah, and Yitzchak and Rivkah cannot prevent the latent recessive genes from appearing and becoming dominant in one of their offspring.

There are others who ascribe the aberrant behavior of Eisav to the fact that he did not receive an education that truly fitted his personality. He was a man of the field, a hunter and physically athletic. He was not cut out, as was his twin brother Yaakov, to sit for hours on end and study. Because of this mismatch of education and personality, the tragic figure of Eisav emerged.

Another theme that is represented in the commentaries is that the opposing views of Yitzchak and Rivka regarding their children, created an atmosphere in the home that exacerbated the differences between the children and drove Eisav to the extremes of behavior recorded for us in the Torah.

There are many other ideas and thoughts about the matter that appear in our holy Torah and we know that everything in the Torah contains 70 different layers of understanding and perspective. So, everything that can be said regarding the issue has merit and should be carefully considered when studying the matter.

A simple and perhaps more profound understanding of the matter is simply to reiterate and reinforce the basic idea that human beings, no matter what their ancestry may be and in whatever environment they are raised, retain the power of freedom of choice, especially regarding moral issues. One is righteous and pious not necessarily because that person's parents or ancestors were righteous and pious but rather because the person himself or herself chooses a path in life and behavior that would lead to righteousness and piety.

We are all ultimately responsible for our behavior and our actions and basically all rationalizations and excuses regarding how we were raised, educated and trained are insufficient to remove from us the responsibility of our own personal choice of behavior and beliefs. The rabbis epitomized this in their statement that a human being is always responsible for his/her actions whether they be caused inadvertently or with malicious intent.

Eisav turns out to be Eisav because that is what he had chosen to be his goal in life. Like all human beings he may choose to rationalize and excuse his behavior, but ultimately, he alone is responsible for his life choices.

Shabbat shalom Rabbi Berel Wein

In My Opinion JEWISH GROWTH Rabbi Wein's Weekly Blog

Numerically, the Jewish people are only an exceedingly small part of humanity. Even at the height of the most optimistic of surveys, we were and are a small constituent in the overall picture of the numbers of humans who inhabit this planet. This is always been so, for the Torah itself guaranteed that we would be the least numerous amongst nations. Nevertheless, at the very same time, we were promised that we would be as numerous as the stars of heaven and the sands of the earth. For many centuries, the commentators and great Jewish thinkers have proposed ideas as to how to bridge these two seemingly contradictory predictions.

Jewish tradition has redefined the idea of the stars of heaven and the sands of the earth in terms of quality and not of quantity, and out of proportion to their numbers.

It certainly is true that for such a small number of people, we have made a lot of noise in the story of human civilization, both as individuals, as a religion, and as a nation. So, in terms of influence and contribution to human society, there is no doubt that we are the stars of heaven and the sands of the earth. But as far as numbers are concerned, we certainly are still the smallest of all people numerically and, tragically, except for Jewish population growth in the state of Israel and amongst the Orthodox community and the exile, the statistics regarding the Jewish birthrate are very depressing and pessimistic. In fact, for most of American Jewry, the Jewish family is not even reproducing itself at a rate of replacement.

There is no doubt that this demographic disaster will, if it continues, have all sorts of consequences on the future of the Jewish community in the Diaspora. The tendencies to marry later in life, have few if any children, and the general negative attitude of much of modern society towards traditional family life, all have combined to take a severe toll on Jewish numbers. In effect, what is happening for the majority of secular and assimilated Jews, and certainly for those in the Reform and Conservative communities, is to ignore the handwriting on the wall and whistle past the graveyard.

If present trends continue, there will undoubtedly be a smaller Jewish community in the United States numerically and that will undoubtedly also have political and social consequences. That community will become increasingly Orthodox and traditional. The Orthodox Jew, contrary to all predictions and expert opinions voiced in the past, is simply not going to disappear. It is part of the promise of eternity that the Lord made in His covenant with us. Not only will the Jewish people remain eternal, but that the presence of Torah life would also always be preserved, no matter the challenges and difficulties that would arise.

It is remarkable that there are Jews in organizations and Federations in American Jewry, even though they may be non-Orthodox and non-observant in their own personal behavior, that recognize that the salvation of Jewish society and Jewish neighborhoods is completely dependent upon the continued growth of Orthodoxy and Orthodox educational and social institutions.

There are many neighborhoods in large cities in the United States that have been completely revitalized by young Orthodox Jewish couples who have moved into those neighborhoods, establish schools there and created a vibrant Jewish life on the streets and in the homes in these areas. These are the outposts of Jewish growth, not only spiritually but numerically as well.

One can never predict the future in a truly accurate or meaningful fashion. That certainly applies to everything that I have written above. There are many unforeseen forces and factors that lurk in general society that will certainly influence the growth and resilience of Jewish society as well. Nevertheless, I look back in amazement at the growth of Orthodox Jewry in my lifetime, once again, not only in terms of influence and intensity of Jewish life, but merely in terms of numbers and population.

The Jewish world was decimated by the events of the 20th century – by Germany, the Soviet Union, intermarriage and assimilation, etc. – to an extent that many despaired of any future for Jewish society at large, let alone for its growth and strengthening. One of the basic tenets of Jewish life is never to despair over the future, once again, not only individually but even nationally. Because of this, all steps should be taken again to continue to revitalize Jewish communities and Jewish life, so that we will truly be like the stars of heaven and the sands of the earth.

Shabbat shalom

Berel Wein

Communication Matters (Toldot 5781)

Rabbi Sacks z"l had prepared a full year of Covenant & Conversation for 5781, based on his book Lessons in Leadership. The Office of Rabbi Sacks will carry on distributing these essays each week, so people around the world can continue to learn

The Netziv (Naftali Zvi Yehuda Berlin, 1816–1893, dean of the yeshiva in Volozhin) made the astute observation that Isaac and Rebecca seem to suffer from a lack of communication. He noted that Rebecca's "relationship with Isaac was not the same as that between Sarah and Abraham or Rachel and Jacob. When they had a problem, they were not afraid to speak about it. Not so with Rebecca." (Ha'amek Davar to Gen. 24:65)

The Netziv senses this distance from the very first moment Rebecca sees Isaac, as he is "meditating in the field" (Gen. 24:63), at which point she fell off her camel and "covered herself with a veil" (Gen. 24:65). He comments, "She covered herself out of awe and a sense of inadequacy, as if she felt she was unworthy to be his wife, and from then on this trepidation was fixed in her mind."

Their relationship, suggests the Netziv, was never casual, candid, and communicative. The result was, at a series of critical moments, a failure of communication. For instance, it seems likely that Rebecca never informed Isaac of the oracle she had before the twins, Esau and Jacob, were born, in which God told her "the elder will serve the younger" (Gen. 25:23). That, apparently, is one reason she loved Jacob rather than Esau, knowing that he was the one chosen by God. If Isaac had known this foretelling of their sons' futures, would he still have favoured Esau? He probably did not know, because Rebecca had not told him. That is why, many years later, when she hears that Isaac was about to bless Esau, she is forced into a plan of deception: she tells Jacob to pretend he is Esau. Why does she not simply tell Isaac that it is Jacob who shall be blessed? Because that would force her to admit that she has kept her husband in ignorance about the prophecy all the years the children were growing up.

Had she spoken to Isaac on the day of the blessing, Isaac might have said something that would have changed the entire course of their, and their children's, lives. I imagine Isaac saying this: "Of course I know that it will be Jacob and not Esau who will continue the covenant. But I have two quite different blessings in mind, one for each of our sons. I will give Esau a blessing of wealth and power: 'May God give you the dew of heaven and the richness of the earth ... May nations serve you and peoples bow down to you.' (Gen. 27:28-29) I will give Jacob the blessing God gave Abraham and me, the blessing of children and the promised land: 'May God Almighty bless you and make you fruitful and increase your numbers until you become a community of peoples. May He give you and your descendants the blessing given to Abraham, so that you may take possession of the land where you now reside as a foreigner, the land God gave to Abraham.'" (Gen. 28:3-4).

Isaac never intended to give the blessing of the covenant to Esau. He intended to give each child the blessing that suited them. The entire deceit planned by Rebecca and carried out by Jacob was never necessary in the first place. Why did Rebecca not understand this? Because she and her husband did not communicate.

Now let us count the consequences. Isaac, old and blind, felt betrayed by Jacob. He "trembled violently" when he realised what had happened, saying to Esau, "Your brother came deceitfully." Esau likewise felt betrayed and experienced such violent hatred towards Jacob that he vowed to kill him. Rebecca was forced to send Jacob into exile, thus depriving herself of the company of the son she loved for more than two decades. As for Jacob, the consequences of the deceit lasted a lifetime, resulting in strife between his wives and even between his children. "Few and evil have been the days of my life" (Gen. 47:9), he said to Pharaoh as an old man. So many lives scarred by one act which was not even necessary in the first place – Isaac did in fact give Jacob "the blessing of Abraham" without any deception, knowing him to be Jacob not Esau.

Such is the human price we pay for a failure to communicate. The Torah is exceptionally candid about such matters, which is what makes it so

powerful a guide to life: real life, among real people with real problems. Communication matters. In the beginning God created the natural world with words: "And God said: 'Let there be'". We create the social world with words. The Targum translated the phrase, "And man became a living soul," (Genesis 2:7) as "And man became a speaking soul." For us, speech is life. Life is relationship. And human relationships are built through communication. We can tell other people our hopes, our fears, our feelings and thoughts.

That is why any leader – from a parent to a CEO – must set as their task good, strong, honest, open communication. That is what makes families, teams and corporate cultures healthy. Everyone must know what their overall aims are as a team, what their specific roles are, what responsibilities they carry, and what values and behaviours they are expected to exemplify. There must be praise for those who do well, as well as constructive criticism when people do badly. Criticism must be of the act, not the person; the person must feel respected whatever their failures. This last feature is one of the fundamental differences between a "guilt morality" of which Judaism is the supreme example, and a "shame morality" like that of ancient Greece (namely, guilt makes a clear distinction between the act and the person, which shame does not).

There are times when much depends on clear communication. It is not too much to say that there are moments when the very fate of the world depends upon this.

One such instance happened during the Cuban Missile Crisis of 1962 when the United States and the Soviet Union were on the brink of nuclear war. At the height of the crisis, as described by Robert McNamara in his film, *The Fog of War*, John F. Kennedy received two messages from the Soviet leader Nikita Khrushchev. One was conciliatory, the other far more hawkish. Most of Kennedy's advisers believed that the second represented Khrushchev's real views and should be taken seriously.

However, one man offered a different perspective. Llewellyn Thompson Jr. had been American ambassador to the Soviet Union from 1957 to 1962 and had come to know the Russian president well. He had even spent a period of time living with Khrushchev and his wife. He told Kennedy that the conciliatory message sounded like Khrushchev's own personal view while the hawkish letter, which did not sound like him, had probably been written to appease the Russian generals. Kennedy listened to Thompson and gave Khrushchev an opportunity to back down without losing face – and the result being that a potentially devastating war was averted. It is terrifying to imagine what might have happened, had Thompson not been there to establish which was and which was not the real act of communication.

So many aspects of our lives are impacted by misinformation and enhanced by genuine communication. This is why friends, parents, partners and leaders must establish a culture in which honest, open, respectful communication takes place, and that involves not just speaking but also listening. Without it, tragedy is waiting in the wings.

Shabbat Shalom: Toldot (Genesis 25:19 – 28:9)

Rabbi Shlomo Riskin

Efrat, Israel — "Now Isaac loved Esau, because the hunt was in his mouth, while Rebecca loved Jacob" [Gen. 25:28].

The watershed moment in Jacob's life—the repercussions of which surface in every subsequent generation of Jewish history—is the act of deceiving his father, Isaac, in order to wrest the blessings of geopolitical family leadership apparently intended for Esau. What led the otherwise wholehearted Jacob, the studious dweller of tents, to conspire in this act of trickery, posing as his twin brother in disguise?

We cannot really understand the drama of our Torah reading, Toldot, without considering the emptiness in Jacob's heart, the aching angst with which only a child who feels unloved and rejected by a parent can truly identify.

From the very first verses in the reading, the stage is set for the sibling rivalry between Jacob and Esau. It is important to take careful note of

how the Torah testifies that Isaac loved Esau “because the hunt (or entrapment) was in his mouth”.

Based on the Torah’s phrasing, our Sages note that Isaac did not know that Esau’s entrapment skills extended to interpersonal manipulation. Esau knew how to deceive Isaac with his words, misleading the patriarch to assume incorrectly that his son was scrupulous in his observance of the commandments [Midrash Tanchuma, Toldot 8].

In contrast, although Isaac undoubtedly had feelings for his other son Jacob, the Torah is deafeningly silent on the matter. Every child yearns for—and deserves—unconditional love from his or her parents. After all, a child does not ask to be born into the world. The most potent armor he or she can receive as protection against the forces of both environment and society is protective, unconditional love from concerned, committed parents.

Jacob especially yearned for the warm embrace of his father. Tragically, he did not receive it. As a result, he felt unloved and rejected, by his father, who explicitly loved Esau. Understandably, Jacob craved this love, even if but for a brief period.

But how could he receive it? By supplying Isaac’s requested venison meat [ibid., 27:3-4] and expressing the words, “I am Esau your firstborn,” perhaps Isaac would love him just as Isaac loved Esau of the venison; just as he loved Esau of the mellifluous verbal entrapment.

Feeling Isaac’s love and blessing was a crucial necessity in Jacob’s development, even if it entailed deceiving his father to achieve it.

Permit me to conclude with a fascinating anecdote about a beloved family friend, a survivor of the Holocaust, a beautiful and intelligent woman blessed with a strong sterling character, a stunningly frank but generous disposition, and a rare ability to express herself in prose and poetry.

During one of our many conversations in which she would reminisce about her childhood, she revealed that, paradoxically, one of the happiest recollections of her life was the day in which she was forcibly removed from her family and taken by the Nazis to an extermination camp.

Responding to our shocked expressions, she described a family situation in which her older sister was the favored, “frum” (religious) daughter and she was the rejected, rebellious one. If there was one pat of butter and one pat of margarine, her sister would get the butter and she would get the margarine.

What was even more difficult for her to bear was her mother’s complaint whenever she was angered by her younger daughter’s conduct: “You probably aren’t my biological daughter! Your sister was born at home, whereas you were born in a ‘clinic.’ The doctors probably exchanged my real daughter with you.”

Obviously, this was not a usual refrain spoken by the mother, but was only engendered by our friend’s occasional rebellion. But as the Yiddish proverb goes “A slap departs; a word still smarts” (A patsch dergeht; A vort bashteht).

The Nazis came to her hometown of Bendine and rounded up the children. Only she and her parents were at home. Her father tried to steady his trembling hands by writing a kvittel (petition) to the Gerer Rebbe; her mother threw herself at the feet of the Nazi beasts, begging them to take her and spare the life of her precious child.

But our friend said she felt absolutely no fear, even when they loaded her onto the cattle car; she could feel only joy, joy in the knowledge that her mother truly loved her after all, joy in the confirmation that she was indeed her parent’s own and beloved daughter, joy in the discovery that she was at last accepted and not rejected. It was such a moment for which the young Jacob desperately yearned.

Shabbat Shalom!

Insights Parshas Toldos Kislev 5781

Yeshiva Beis Moshe Chaim / Talmudic University

Based on the Torah of our Rosh HaYeshiva HaRav Yochanan Zweig

This week’s Insights is dedicated in loving memory of Leibish ben Shimon. “May his Neshama have an Aliya!”

Evil Acts or Evil Person?

And the boys grew up and Eisav became a man who knows trapping... (Bereishis 25:27)

Rashi (ad loc) comments “all the while they were small they were indistinguishable in their behavior [...] Once they turned thirteen years old, one went to the house of study (Yaakov) and one went to do idol worship (Eisav).”

Maharal (Gur Aryeh ad loc) asks, Rashi (25:29) explains that Avraham’s life was shortened by five years so that he wouldn’t see Eisav go out to do evil things. Yet, if Eisav went out to do idol worship when he was thirteen, Avraham should have died when he was 173 (because Avraham was 160 when his grandsons were born); why then did he die when he was 175?

In Pirkei Avos (5:25) the Mishnah states that when a child reaches the age of fifteen he should begin studying Gemara. The reason for this is that to really appreciate Gemara one needs a certain level of maturity which comes with critical thinking. This process of thinking for oneself doesn’t completely develop until the age of fifteen.

Although Eisav may have done terrible things at the age of thirteen it could have been attributed to him being susceptible to outside influence and immaturity. That would not have been so devastating to Avraham, because there was always the hope that as he matured he would grow out of those evil actions. However, once he reached the age of fifteen it became clear that these were decisions he was making through his own thought processes and he was fully engaged with evil behavior. That would have devastated Avraham to see so Hashem shortened his life to spare him the pain.

Did You Know...

The last possuk in this week’s parsha, “Eisav went to Yishmael and took Machalas [...] as a wife” is, quite remarkably, the source for a well known teaching from Chazal. Rashi (Gen. 36:3) cites this possuk as the source for the well known maxim that on the day of their wedding a bride and groom are forgiven of their sins. This is why the name of one of Eisav’s wives is originally given as “Machalas” while later she was called Basemath (Machalas is related to the word mechilah, forgiveness).

Torah Talk

Did Yitzchak know the true person that Eisav was? On one hand, Rashi says (26:27) that Eisav knew how to deceive his father and that his father was under the impression that Eisav was meticulous with keeping the mitzvos. This explains why in the next verse the Torah (25:28) professes the love that Yitzchak had for Eisav. Yet, when Yitzchak asked him to prepare a special meal (27:3-4) Rashi (ad loc) comments that Yitzchak warned Eisav not to bring him something that wasn’t kosher or something that was stolen. This seems to imply that he knew exactly who Eisav was. Yet if this is true why does he wish to bestow upon Eisav his blessings?

Praying for an Answer

Yitzchak prayed to Hashem opposite his wife, for she was barren, and Hashem responded to him (Bereishis 25:21).

“Hashem responded to him” – To him but not to her. For the prayer of a tzaddik who is the son of a rasha does not compare to the prayer of a tzaddik who is the son of a tzaddik (Rashi ad loc.).

There seems to be an internal contradiction within these pesukim. The Torah first stresses that Rivka was “the daughter of Besuel the Arami of Padan Aram, the sister of Lavan the Arami” (25: 21). Rashi comments that this reflects positively on Rivka, for she grew up surrounded by wicked people but was not influenced by their misdeeds. Yet in the very next possuk, the Torah stresses that Yitzchak’s prayer was answered, while hers was rejected. This is difficult to understand. Even if Yitzchak’s prayers were more powerful, was there any reason that Rivka couldn’t have been granted at least a partial answer to her entreaties? Why does the Torah emphasize that she was not answered at all? Moreover, this seems to be an affront to Rivka. What reason is there for the Torah to stress that her prayers were not answered?

The Gemara states (Brachos 26b) that the daily organization of our prayers was established by our forefathers: Avraham instituted Shacharis, Yitzchak instituted Mincha and Yaakov instituted Ma'ariv. Why is it that prayers were established by our forefathers? As a prayer is essentially a set appointment with Hashem, a very powerful relationship is required to establish one. The kind of relationship only held by our forefathers. Avraham, Yitzchak, and Yaakov prevailed upon Hashem to be "available" at set times during the day to hear their children's entreaties and thus instituted the Shacharis, Mincha, and Ma'ariv we still use today.

Imagine for a moment that a college freshman wants to see the dean of the school; who is he more likely to grant an audience to: the child of a former roommate and much decorated alumnus of the school or the overachieving child of a former student that was expelled from the school?

Clearly the one who he will be scheduling an appointment with is the child of someone with whom he already has a close relationship. We too needed our forefather's relationships to establish an "appointment" for a set prayer. That is why Hashem immediately turned to Yitzchak's prayers and not Rivka's. In addition, the prayers described in these pesukim were for a very specific subject: the birth of a child. In that context, Rivka's unfavorable pedigree took on an entirely new significance. A child is more than merely an addition to a family; when a person prays for a child, he is praying for someone to carry on his genetic code, to absorb his own traits and serve as a reflection of himself. Every human being inherits his parents' genetic makeup, both physical and spiritual, which shapes a good deal of his life and nature.

Therefore, when Rivka davened for a child, she was praying for offspring with her own genetic makeup. This explains why, as Rashi tells us, Rivka later (25:22) questioned why she had prayed for a child: When she sensed Eisav's eagerness to visit the temples of idolatry, she was certain that it was a result of her own genetic influence and the wicked traits of her family.

Question of the Week

The common appellation for Yaakov Avinu is that of "ish emes." That is, Yaakov is the very definition of truth and honesty. If this is so, why does Yaakov agree to deceive his father into thinking that he was Eisav and thereby "stealing" the brachos that were intended for Eisav?

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For the week ending 21 November 2020 / 5 Kislev 5781

Rabbi Yaakov Asher Sinclair - www.seasonsofthemoon.com

Parshat Toldot

A Lover of the Land

"And these are the offspring of Yitzchak son of Avraham: Avraham begot Yitzchak..." (25:19)

It is difficult to speak of someone as great as Rabbi Mendel Weinbach zt"l. Together with his life-long partner Rabbi Nota Schiller (lblch"t), Rabbi Weinbach created an institution that brought thousands of Jews back to Torah. I had the privilege to work for him for more than twenty years and I would like to highlight just one of his many talents. Ohr Somayach has been the gold standard in Jewish education. One of the reasons for this has been the tremendous diversity in the faculty, from world-class talmidei chachamim and leaders of their generation in Jewish thought to professors of philosophy and linguistics and media and communication experts.

To take such a diverse mix of talented people and keep them performing as a team is no mean feat. Rabbi Weinbach knew how to get the best out of everyone. And I think one of the reasons was his humility and his self-confidence. Many bosses follow the principle of divide-and-rule. This betrays insecurity. Rabbi Weinbach was always happy that someone could do something better than him. As my father a"h used to say, "You don't buy a dog and bark yourself." If you're hiring the "dream team"—let them excel!

Rabbi Weinbach once published a book (among his many) on the mitzvah to love Eretz Yisrael. It was a combination of sayings from our Sages about places in the Land of Israel, together with photographs of those places. The writing was Rabbi Weinbach's, but the photographs were from stock sources. At the time, I was working on a black-and-white art photography book with many photographs of Eretz Yisrael. When he showed me the book, I was disappointed by the stock color photographs. Some were a bit fuzzy. Not being the most diplomatic of people, I impertinently pointed this out to him. He just smiled and shrugged his shoulders. As far as I could tell, he wasn't insulted or hurt in the least.

"And these are the offspring of Yitzchak son of Avraham: Avraham begot Yitzchak..."

Why does the Torah repeat that "Avraham begot Yitzchak" if it already wrote "Yitzchak son of Avraham?"

The primary characteristic of Avraham was kindness, and that of Yitzchak was strength. The emphasis in the verse here is to teach us that kindness and strength must always go hand in hand. Kindness without of the reality by concealing the true nature of Esav which came to haunt strength can lead to indulgence and excess. Strength without kindness can lead to intolerance and insensitivity. Happy were those who worked for someone who combined those two qualities with a smile that seemed etched in his face! The eighth yearzeit of Rabbi Chona Menachem Mendel Weinbach zt"l will be on the 27th of Kislev.

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Rabbi Buchwald's Weekly Torah Message - Toldot 5781-2020

"The Ancient Origins and Practice of Anti-Semitism"

(updated and revised from Toledot 2000-5761)

Rabbi Ephraim Z. Buchwald

In this week's parasha, parashat Toledot, we learn that Isaac follows in the footsteps of his father Abraham and, as Abraham did when there was a famine in Canaan, Isaac too goes down to the Philistines in Gerar.

The Torah, in Genesis 26:6, records Isaac's move: וַיֵּשֶׁב יִצְחָק בְּגֵרָר , and Isaac dwells in Gerar. And, as his father Abraham had done before him with Sarah his wife (Genesis 12:10-14), Isaac also tells the local people that Rebecca is his sister rather than his wife.

Because of the plague that struck the royal household when Abimelech had abducted Sarah (Genesis 12:17), the King is much more cautious with Isaac and Rebecca. His caution is justified when he sees Isaac (Genesis 26:8), "sporting" with his wife Rebecca. Abimelech reproves Isaac for deceiving him, but allows Isaac and his family to remain in Gerar. It is significant to note how carefully the Jews are "watched" in their new country.

Scripture reports that Isaac was enormously successful in Gerar (Genesis 26:13): וַיִּגְדַּל הָאִישׁ וַיְהִי הָלוֹךְ וְגָדֹל, The man [Isaac] became great and kept becoming greater until he was very great. The Midrash Sechel Tov, notes that the term "great" is repeated in this verse three times because Isaac became great not only in wealth, but also in fame and in good deeds as well. In fact, Isaac was held in such high esteem by the people of Gerar, that the Midrash Rabbah, (Genesis Rabbah 64:7) says, that the local people would exclaim: "Better the manure of Isaac's animals, than the money in the coffers of Abimelech, king of Gerar."

Literally, anything that Isaac touched turned to gold.

The Torah tells us, in Genesis 26:14, that Isaac acquired flocks and herds and owned many enterprises. The unfortunate result was: וַיִּקְנְאוּ אֹתוֹ פְּלִשְׁתִּים, the Philistines envied Isaac, resulting in one of the earliest acts of recorded anti-Semitism. Genesis 26:15, relates that all the wells that Abraham's servants had dug in the days of Abraham, the Philistines stopped up and filled with earth.

It is very likely that the reason that the Philistines had access to the wells was because the wells that Abraham had dug were common wells, open to the general public. Nevertheless, the Philistines, who desperately needed water themselves in this arid land, filled them up for spite, just to make certain that Isaac and his family could not use them.

We find a similar pattern of such spiteful anti-Semitic behavior with Pharaoh as well. Pharaoh commands (Exodus 1:22), “Any male child that is born shall be cast into the river,” implying that all male children, even newborn Egyptian children, should be thrown into the river because some Jewish child might be disguised as an Egyptian child in order to escape the decree. Pharaoh wanted to be certain to kill every last Jewish child, even if it meant killing Egypt’s own children.

Similarly, Hitler’s war effort urgently needed trains to transport troops and armaments to the front, but he diverted them to the killing camps even at the last desperate stages of the war, most likely contributing to losing the war.

The Philistines were determined to injure Isaac by making certain that Isaac’s flocks had no water, even though there would be no water for the Philistines and their flocks.

The Siftei Chachamim suggests another reason why the wells of Abraham were rendered inoperable. The wells were covered up because the local people were sure that Isaac would sense their enmity and leave Gerar. When King Abimelech saw that Isaac was staying put, he finally told Isaac clearly: Genesis 26:16, *לך מעמנו, כי עצימת ממנו מאד*, “Leave us! You are expelled, because you have become much too great for us.” The words *לך מעמנו*, “You have become too great for us,” also implies that it is because of us, meaning at our expense, that you have become great.

Isaac departs and settles in a new location, Nachal Gerar, and is once again confronted with Philistine attacks on his new wells. Isaac moves even further away, to Rechovot, where he is finally able to settle and live in peace.

Some time elapses, and before long, Abimelech, the king of Gerar, together with Achuzat, his friend, and Phicol, the general of his legion, go to visit and negotiate with Isaac. Bringing Pichol the general along with him perhaps implies that if Isaac makes peace, fine. But, if Isaac rejects Abimelech’s overtures, they will then confront Isaac physically. Isaac is perplexed. He asks, Genesis 26:27-29, “Why have you come to me? You hate me and drove me away from you.” Abimelech responds, “We have indeed seen that G-d is with you, and we said, ‘Let the oath between ourselves now be between us and you, and let us make a covenant with you...Now you, O’ Blessed of G-d.’”

Notice how the anti-Semites, who seek to weaken, impoverish and destroy the Jewish people, don’t really succeed. In fact, quite the contrary, it is often the Jew who succeeds unexpectedly in the face of adversity. Abimelech had already seen this when Isaac was in Gerar. The Torah reports in Genesis 26:12, *ויצא בשנה ההוא, וימצא בשנה ההוא, ויזרע יצחק בארץ ההוא, ויבראה השם, ויברכהו השם*, and Isaac planted in that land. In that year, the year of the famine, Isaac reaped one hundred fold! It was clear that G-d was with Isaac and had blessed him. Bear in mind that Isaac was now living further away, deeper in the wilderness, yet, wherever he dug his wells, he finds water.

As we see in contemporary times, and have seen throughout Jewish history, the Jews have endured many threats of annihilation and expulsion. While our people have suffered greatly during those harmful actions, the countries that sought to harm them have often suffered great reversals. In fact, throughout Jewish history, many the nations who have tried to destroy the Jews have ceased to exist: the Egyptians, the Babylonians, the Persian, the Greeks, the Romans. Those who expel the Jews seem to go into an almost immediate nose-dive and economic decline: England (1290), France (1306), Hungary (1349), Austria (1421), Spain (1492), Portugal (1496)...

The only major exception to this unwritten rule is contemporary Germany, which would have suffered a similar decline had not the Allied forces and the Marshall Plan rebuilt Germany. But, how ironic is it, that after the collapse of the former Soviet Union, Germany took the unprecedented steps to invite Jews who had any previous connection to Germany, to settle in the former East Germany, which was economically weak, in the hope that Jewish economic prowess would help revive the economy.

Let’s face it, there is no escaping Jewish destiny; there is no escaping Jewish history.

May you be blessed.

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Chief Rabbi Ephraim Mirvis

Dvar Torah Toldot: Jacob and the Pandemic

Why are our voices today more powerful than ever before?

In Parshat Toldot, the Torah tells us how Yaakov successfully deceived his father Yitzchak into giving him the bracha of the firstborn. Yitzchak felt his son and he felt like Eisav, and yet the voice was the voice of Yaakov prompting Yitzchak to exclaim,

“Hakol kol Yaakov v’hayadayim yedei Eisav,” – “The voice is the voice of Yaakov while the hands are the hands of Eisav.”

The Midrash tells us that this actually was a bracha. Yitzchak was saying as follows: May Hashem bless you and your descendants that the Eisavs of this world, your enemies, will only be able to potentially harm you with their hands, that is to say when they are in your presence. But may Hashem give you and your descendants the potential through all the blessings that you give to the world to say something here which will make an impact on the other side of the world.

Through the generations we have always understood that the power of the ‘kolo shel Yaakov’ – the voice of Jacob – has been through tefillah, prayer, so that from here on Earth we can make an impact in the heavens above through Hashem listening to our prayers. But more recently, through recordings, people have been able to hear the voice of somebody elsewhere. Through the telephone we’ve been able to communicate and to inspire. But actually it has been primarily through coronavirus that we have found and discovered new means through which our voices can be heard emphatically, right around the globe.

With conventional methods of delivering shiurim and teaching classes not available to us we’ve resorted to zoom and other methods and we’ve discovered that actually we can include everybody everywhere. The result has been absolutely extraordinary.

I’ve discovered for myself, for example, an opportunity – I now learn regularly with my grandchildren who live in three continents. We bond together through learning and it’s wonderful that we’re able to study together and appreciate our traditions together, and I highly recommend this to you all.

And let us not forget about a different type of ‘kol’ – it’s the kol, the sound, of singing: being able to see concerts, hear recordings and benefit from the ruach, the wonderful spirituality, of the singing of others wherever they might be through the modern methods that are available to us.

Let us therefore pray to Hashem that,

“Hayadayim yedei Eisav,” – the hands of the eisavs of this world will not even harm us when they are in our presence, and at the same time, may we continue to excel through the,

“kol kol Yaakov,” – the voice which is the voice of Jacob through what we teach, through what we learn, through how we sing, and how we inspire our world thanks to the voices that God has given us.

Shabbat shalom.

Rabbi Mirvis is the Chief Rabbi of the United Kingdom. He was formerly Chief Rabbi of Ireland.

Rabbi Yissocher Frand - Parshas Toldos

The Difference Between a ‘Double-Life’ and a Broad Life

Near the beginning of our parsha, the pasuk says “...And Eisav was a man who knew how to hunt, a man of the field; and Yaakov was a pure and straight person who dwelt in tents.” [Bereshis 25:27] Eisav and Yaakov are described as two brothers with very different personalities. There is an inference that jumps out at us from this pasuk. When speaking about Eisav, the Torah describes him twice as an ‘Ish’ (man). That means there were two distinct aspects of his personality: (a) He knew how to hunt; and (b) He was a man of the field. Yaakov Avinu is also described in two ways: (a) He was a “Tam”—a very pure, innocent,

and straightforward uncunning type of person, and (b) He was also a “Yoshev Ohalim”—he dwelt in tents. However, in reference to Yaakov, the Torah only uses the word ‘Ish’ (man) once. What is the reason for this lack of literary parallelism in describing the two brothers?

I saw an answer to this question in a sefer called *Mishchas Shemen*. In the 1950s, there was already talk about the possibility of putting a man on the moon. The author of this sefer asked the Shotzer Rebbe (Rabbi Shulem Moskovitz [1877-1958]) “Will they ever put a man on the moon?” The Rebbe responded with a definitive “No!” He buttressed his answer by quoting the pasuk “The Heaven belongs to Hashem and the Earth belongs to mankind.” [Tehillim 115:16].

As we all know, President Kennedy pledged early in his brief presidency that by the end of the decade of the 1960s, America would put a man on the moon, and so it was—on July 20, 1969, a man walked on the moon! 1969 is the year I received Semicha. The Chag HaSemicha was in August of that year, less than a month after this historic event. [Parenthetically, this was the last Chag HaSemicha Ner Israel has ever held – don’t ask me why.] The guest speaker at that event was Rav Simcha Elberg. He spoke (in Yiddish) about “de shpatzir af de Levana”. At any rate, the author of *Mishchas Shemen* now had a strong question on the definitive answer given to him years earlier by the Shotzer Rebbe. This Rebbe was no longer alive by that time, so the author went to the Biala Rebbe and told him about his previous conversation with the Shotzer Rebbe. The Biala Rebbe did not say “The moon landing was all a fake—it took place in a Hollywood studio (as some claimed at the time). He did say that the event that occurred was not a contradiction to the cited pasuk. Even though America indeed placed a man on the moon, but Neil Armstrong could not survive on his own in the atmosphere of the moon. He had to bring oxygen from earth, he had to wear a space suit to protect him from the moon’s environment. His lifeline was still the ‘Aretz’ (Earth). He may have physically been on the moon, but since he still needed all the earthly elements to exist, he was still considered an ‘earthling’ – not a ‘moonling.’ The eternal truth of the pasuk “HaShamayim Shamayim L’Hashem v’ha’Aretz nasan livnei Adam” remains. Neil Armstrong still remained a human being who belonged to the earth, his source of life.

With that in mind, the *Mishchas Shemen* explains why Yaakov Avinu is called an *Ish Tam Yoshev Ohalim* and Eisav is called an *Ish Yodeah Tzayid*; *Ish Sadeh*.

Yaakov Avinu, no matter where he went, no matter what he did, and no matter what environment he found himself in, his life line and his life blood was still from the “tent”—the *Makom Torahi* which reflected his “home base”. His sustenance always came from that holy place, no matter what he did with the rest of his life. His lived a unified existence. All dimensions of his life had a singularity to them that all stemmed back to the *Ohalei Torah*.

True, he became a shepherd, engaged in commerce and became a wealthy man. But even while he was in the field shepherding, he was still a “Yoshev Ohalim.” Just like the man on the moon may have been far away from “his base”, but his oxygen was still brought from his home planet and he is still called an earthling. That is the source of his life.

On the other hand, Eisav lived a double life. The Torah testifies that he knew how to hunt. Chazal say that this means he knew how to put on a good act and trick people. He even knew how to fool his father. He would ask Yitzchak all his “frum shaylos”—how does a person take tithes from salt? He was an *Ish tzayid*, a cunning person. Beyond that, he was an *Ish Sadeh*. He was a different person than the person he pretended to be. He led a double life. He talked the talk of a pious person (through his cunningness as a *Yodeah Tzayid*), but he walked the walk of a man of the field.

This reminds me of a very famous letter that Rav Hutner, zt”l, wrote to one of his students. In addition to Rav Hutner’s *Pachad Yitzchak* on the *Yomim Tovim*, he also wrote a sefer called *Igros v’Michtavim*, in which he publishes correspondence he had with various students. One of these letters (#94) is a response to a former student who engaged in a secular career. The student complained to his former Rosh Yeshiva that he felt

he was living a “double life.” On the one hand, he was a Ben Torah, a Yeshiva graduate; on the other hand, he spent the majority of his day in a very secular environment. He felt that he was being hypocritical by leading this contradictory life.

Rav Hutner wrote back to him that his assumption that engaging in a career was ipso facto leading a secular life is not true. Having a secular career does not mean you are leading a “double life.” Rav Hutner compares this to a person who has a multi-room house where different rooms are used for different activities. This does not imply he is leading a “double life”. It means he is living a broad life. He writes that it is not a contradiction for a person to be in the secular world and yet be a full-fledged Ben Torah and an *Ehrliche Yid* (a Jew with integrity). As long as one derives his *chiyus* (sustenance) from the “*Ohel of Torah*” then regardless of how he spends the rest of his day, he is still in the *Beis Medrash*.

Rav Hutner writes that he remembers once visiting the *Shaarei Tzedek Hospital* founded by Dr. (Moshe) Wallach [1866-1957]. He noticed that when Dr. Wallach would visit a patient who was about to go into surgery, he asked him for his mother’s name so that he could pray for him before his operation. Rav Hutner writes, “When I told over this story to one of the *Gedolim* in *Yerushalayim*, he commented, ‘How much a person must be jealous of such a Jew as Dr. Wallach, who uses his professional career as a vessel to promote the Honor of Heaven.’ This is not a double life; it is a broad life. It is not a contradiction. A person can be an *Ish Tam, Yoshev Ohalim*—grounded in the *Beis Medrash*, in the *Tents of Torah*—no matter where he may find himself during considerable portions of his day.

The Wells Were Part of a Master Plan

Parshas Toldos is the only parsha in *Sefer Bereshis* that deals with the Patriarch Yitzchak. It is ironic—Avraham is the main subject of the *Parshiyos Lech Lecha, Vayera, and Chayei Sarah*. Yaakov is featured in the *Parshiyos Vayetzei, Vayishlach, and VaYeshev*. Miketz, Vayigash, and Vayechi deal primarily with Yosef with Vayechi also returning to feature Yaakov. So, the majority of *Sefer Bereshis* deals with either Avraham or Yaakov. Yitzchak has merely one parsha. There is an entire section of *Parshas Toldos* about wells.

Avraham Avinu had dug wells and the *Pelishtim* stopped them up. Yitzchak re-dug them, made them viable again, and called them the same names as his father had called them. (I saw someone comment that of the *Avos*, Yitzchak is the only one whose name remained the same throughout his life—not being changed by the Almighty or a Malach! Avraham started as Avram and Yaakov later was called Yisrael. Yitzchak’s name remained with him throughout his life, in the merit of the fact that he did not change the names of the wells!)

But the point is, what is the big deal? Avraham dug the wells; the *Pelishtim* stopped them up. Yitzchak re-dug them. Yitzchak names the wells with the same names. Who cares? Only one parsha in the Torah covers Yitzchak, and this incident is so important to take up so much space in that one parsha? Why?

Obviously, there is something significant here. The sefer *HaKsav v’Ha’Kabbalah* says a very interesting thing. The reason Avraham called these wells by those particular names was because he had one mission in this world—to bring the concept of One G-d into this world. That is why wherever he went, he gave the name of the place he visited a name having to do with Hashem. *Yerushalayim* was Hashem *Yir’eh*. Another place was *Beis El*. These wells all contained the Name of Hashem.

When people would meet each other, they would say – “I will meet you by the well—the *Be’er L’Chai Ro-ee*.” Or they would arrange to meet by another well that he called “*K-El Olam*.” The Name and concept of Hashem would thus constantly be in the mouths and on the lips of people. *L’Havdil* (a million times), consider *M&T Bank Stadium* (home of the *Baltimore Ravens*). Maybe I am an atypical consumer, but the fact that *M&T Bank* has a sports stadium with its name would not influence me to open up a checking account with *M&T Bank*. I have my bank which I have had for the last 47 years, and I am not going to change. Similarly, I am not going to buy a specific life insurance policy because

MetLife has a stadium. I do not know who they are targeting, but apparently there are people who will buy MetLife insurance because they have their name on a stadium.

L'Havdil a million times – Avraham Avinu wanted the name of the Ribono shel Olam to be in people's mouths. People needed wells. This was not just a utilitarian place from which to draw water. This was part of Avraham Avinu's master plan to put the concept and the Name of G-d in people's minds and in people's mouths.

So, when Avraham Avinu died, the Pelishtim stuffed up those wells. Were they crazy? Do you know how valuable a well is in an arid country like Eretz Canaan? It is self-defeating. So why did they do that? It is because there was a culture war. If it has the Name of Hashem on it, we do not want the name of Hashem in our country. This is a fight to the death. They stopped up the wells even though it was injurious to them.

That is why using the same names was so important for Yitzchak Avinu. It was not only about re-digging the wells, but it was the tradition and mission of Yitzchak Avinu to keep the Name of Hashem in the mouths of the people. "This is the legacy of my father and this is what my father lived for. I am going to go ahead and call them by the same names because I want to keep the same tradition that my father started."

The Ponevezher Rav [Rav Yosef Shlomo Kahaneman (1888-1969)] lost eleven children and his wife in the Holocaust. He came to Eretz Yisrael and began a Yeshiva in Bnei Brak. He called it Ponevezh, because that was the name of the Yeshiva in Lithuania that was wiped out by the Holocaust. He later started another Yeshiva in Ashdod. He called that Yeshiva Grodno, after the Yeshiva in Lithuania that Rav Shimon Shkop started, which was also wiped out by Hitler. Why? "Because I have to build again and I have to build new, but I want to keep alive the spirit and the principles that Ponevezh represented and that Grodno represented."

This is what Yitzchak did as well. "My father called the well K-El Olam, so I am going to call it K-El Olam. I am going to call it by the same name. The mission that my father started—to put the Shem Hashem into the mouths and minds of people—that is my legacy as well." Therefore, the Torah spent all this time speaking about the wells, because the wells were just a means to spread the Shem HaShem in the mouths of the people.

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Drasha Parshas Toldos - From Soup to Nuts

Rabbi Mordechai Kamenetzky

Dedicated to the speedy recovery of Mordechai ben Chaya

Two different brothers. Two different attitudes. Two different worlds. This week we learn about Yaakov and Esav, two brothers whose demeanors and attitudes toward life were as different as their physical make-up. Esav was hairy, Yaakov was smooth. And while Yaakov sat in the tent and studied Esav hunted. As different as they were, there was one similarity. Both brothers had name changes. The circumstances that led to the name changes were quite different for each brother. In two weeks, we will read that Yaakov had a fierce battle with no less a being than an angel. He was badly injured but he endured. And the angel changed his name. "No longer shall your name be Yaakov, declared the angel, "it shall be Yisrael, a word that interprets, "you fought with man and angels and you won" (Genesis 32:29).

This week we read about Esav's name change. He enters his home (after Avraham's funeral) exhausted. He sees his younger brother preparing a red lentil soup and shouts to him. "Give me some of that very red stuff!" And then the Torah testifies, "therefore his name was called, 'Edom Red' (Genesis 25:30). Red it's the name given to the blood-hungry wild man we know as Edom.

It is quite disconcerting. Each brother had a name change. But Yaakov had to have his hip dislocated, he had to battle an angel. All Esav had to do was slurp some soup, and he acquired a demeaning name for eternity. Is that fair?

In the years during the Revolutionary War, the fledgling colonial court system was in chaos. A judge in Bedford County, Virginia, took charge of law and order in his town by presiding over an unofficial court. According to all records, he was not only fair and reasonable meting fines and occasional whippings, he was merciful too. He did, however, deal one death sentence which, upon review in 1782 by the state government, was considered justified because of the looming danger during the war.

But that one death sentence earned the judge a place of notoriety. The otherwise merciful judge would never have known that the word that defines the vicious and despotic act of mob execution would be named for him. Judge Charles Lynch may have thought twice if he knew that 5,000 people, spanning the 1800s through the modern era, were executed in a manner that was named for his one deed the lynch mob.

The Chofetz Chaim used to contrast acts of distinction and those of notoriety. In order for Yaakov's name to be changed to Yisrael, He had to struggle with Esav. He had to outsmart the cunning Lavan. And ultimately he had to battle and defeat an angel. To earn a notorious name, however, all one must do is one reckless action. It's a lesson for life. Back in the 1980s, Raymond Donovan, Labor Secretary in the Reagan Administration was exonerated on charges of connections to organized crime. After months of hearings, hours of testimony in various rooms in the Congressional Houses, he was vindicated. Before leaving the committee hearings, he sarcastically asked the panel, "Which room do I go to get my good reputation back?"

The Torah tells us that with one slurp of the soup Esav got a new name. It was not his hunting. It was not his wildness. It was not even the flaming color of his hair. It was his wild table manners and his animalistic quest for the red soup, in which he was willing to give up his birthright. It was that big gulp that earned him his reputation. And Esav went ... from soup to nuts.

Good Shabbos!

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Rabbi Mordechai Kamenetzky is the Dean of the Yeshiva of South Shore.

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The Chazir is Not Kosher

Rabbi Herschel Shachter

The Torah tells us that a kosher animal is one which has split hooves and chews its cud; pigs have split hooves, but because they do not chew their cud, are not kosher. The Rabbis of the Medrash tell a parable of a pig stretching out a leap in order to display its split hooves, and attempt to fool everyone into believing that it is kosher.

Esav, Yaakov's twin, claimed to follow the same tradition as Yaakov. When Yaakov left to Padan Aram to marry a girl from the family, Esav followed suit and also married a girl "from the family," but did not divorce his non-Jewish wives. This act of marrying a "girl from the family" was solely in order appear as though he was following in the footsteps of Jewish tradition.

The so called "Judeo-Christian" tradition is merely a facade. Despite the fact that the two brothers were twins, and had a lot in common biologically, they had very little in common in terms of lifestyle. There is an often-quoted medrash which states, "Why is the pig called a 'chazir'? Because some day in the future God will give it back ('le'hachziro') to the Jewish people." The Rishonim ask how this can be. The Rambam postulates, as one of the thirteen principles of our faith, that the laws of the Torah will never change. Can it be that some day it will be permissible for us to eat Pork?

Some of the Rishonim explained that "the return of the pig does not refer to eating pork, but rather to the restoration of the Jewish government in place of the Christian one." The "pig" is the faker who makes believe that he is kosher by showing his split hooves, just as Christians claim that theirs is a twin-religion with ours, and just as Esav was a twin brother of Yaakov.

The prophet Malachi points out in the haftorah that the fact that they were twins has nothing other than biological significance: "I love

Yaakov, while I have rejected Esav, and I disdain him." Throughout the generations the Jewish people have adopted a dual position vis-a-vis the Christians and mankind. Namely, the position of Avraham Avinu (in the beginning of Chayei Sara): we exist as both strangers and citizens with respect to the rest of mankind. Regarding fighting crime, terror, disease, poverty, improving the economy, and delving into the science of nature, we are equal partners, and all work together. But, with respect to the purpose of our lives, and lifestyle - the Jewish people feel "as strangers", and share nothing in common with anyone else. We are "the nation that lives alone" (parshas Balak), and will always remain so. The Jews live alone, die alone, and are buried alone. When Ruth converted and joined the Jewish people, she said to her mother-in-law Naomi, "Where you go I will go; where you stay, I will stay; the way you will die, I will die; and there too will I be buried."

After living for many years in peace and harmony in Eretz Canaan, after the passing of Sara, Avraham Avinu insists on buying her a separate burial plot. The Jew lives differently, dies differently, and is even buried differently to emphasize this point. We share biological similarities with others, and work together with others on many different projects for the purpose of improving man's position here; but we do not share their weltanschauung. "Asher bochar banu mikol haamim."

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Toldot: A Tale of Bitter Rivalry

Ben-Tzion Spitz

Enemies' promises were made to be broken. - Aesop

Isaac and Rebecca have twin sons: Esau and Jacob. They're very different physically and in temperament. Esau is a hairy hunter. Jacob is a smooth-skinned dweller of tents. Isaac loves Esau. Rebecca loves Jacob. The Bechor Shor in the Torah portion of Toldot gives a somewhat different reading of events than what many might be familiar with, from the more popular commentaries.

According to the Bechor Shor, Esau, the eldest, shows up at Jacob's tent after an unsuccessful hunt, literally starving to death. He is so weak he can't even feed himself. Jacob sees his brother, his bitter rival, and says to himself: if I do nothing, he dies of his own fault, my rival will be gone by his own doing and I will inherit everything. Esau understands well his predicament. Jacob offers Esau a deal: I'll feed you and save you in exchange for the eldest's part of our inheritance. Esau accepts, but in the back of his mind, counting on being his father's favorite, he expects Isaac to gift him his portion before he dies. Once Isaac would die, a legal inheritance would then be in force and Esau would need to abide by his agreement and let Jacob get the major portion of their father's wealth (a wealth that we are told previously is vast).

Isaac, wanting to give his favorite son, Esau, the major portion of his wealth despite his agreement with Jacob, indeed decides to bestow the majority of his wealth as well as leadership of the family to Esau before his death. He informs Esau of his decision and sends him to hunt for some food and prepare a celebratory meal to seal the deal. Rebecca, wanting to sabotage Isaac's and Esau's workaround of the firstborn sale, suggests Jacob present himself to blind Isaac in Esau's place. Isaac is fooled and bequeaths his possessions as well as the family leadership upon Jacob (the ultimate rightful recipient, based on his agreement with Esau) in an irrevocable form.

Esau, understandably furious that his treachery was neutralized, plans to kill Jacob at his earliest opportunity, BEFORE his father dies, thereby getting that entire inheritance. Jacob, under the legitimate pretense of going to find a bride from Rebecca's family in Haran, escapes, taking nothing with him, to travel quickly and lightly, and so Esau won't suspect his prey is planning an escape.

More than two decades later, the brothers meet briefly, each prepared for war. Battle is averted. The brothers are affectionate and civil to each other and then part ways never to meet again, with Esau renouncing his claim to the inheritance of Isaac and leaving the land of Canaan permanently. However, the descendants of these two brothers, who

would go on to form two different nations, would rarely know peace between them.

Some rivalries are not so easy to overcome.

Dedication - On the engagement of our niece, Leora Spitz, to Sammy Landesman. Mazal Tov!

Shabbat Shalom

Ben-Tzion Spitz is a former Chief Rabbi of Uruguay. He is the author of three books of Biblical Fiction and over 600 articles and stories dealing with biblical themes.

Rav Kook Torah

Psalm 115: The Earth is Entrusted to Us

Garden_of_Eden

How much should we be involved in this world and its pleasures?

We find two approaches in this matter. One position is that we should focus all of our energies on spiritual growth. Material life - eating, sleeping, and so on - is but a means to attain our goals of enlightenment and holiness.

According to this approach, we should be involved in worldly matters as little as possible. We should limit our mundane activities to what we need to accomplish our spiritual goals.

This view, that we should dedicate our lives to our highest spiritual aspirations, is expressed in the verse,

“לה' הארץ ומלואה תבל וְשֶׁבִי בָהּ”

“The earth and all that it holds is God's, the world and its inhabitants.” (Psalm 24:1).

But in chapter 115, the psalmist proclaims a much different outlook:

“הַשָּׁמַיִם שְׁמַיִם לַה' וְהָאָרֶץ נָתַן לִבְנֵי אָדָם”

“As for the heavens, the heavens are God's; but the earth He entrusted to man.” (115:16)

The earth is entrusted to our care. This suggests that there is an intrinsic value in using our talents to cultivate and develop the physical world.

Which approach is correct?

Before and after the Berachah

The Sages took note of the contradiction between these two verses. They provided an elegant resolution, explaining that each verse refers to a different situation:

” ‘The earth and all that it holds is God's’ - this is before one recites a blessing. ‘The earth He entrusted to man’ - that is after one has recited the blessing.” (Berachot 35)

Before taking pleasure from this world - biting into a sweet apple, smelling a fragrant myrtle, gazing at an expansive ocean - the rabbi decreed that one should recite a berachah, a “blessing over enjoyment.”

We may understand this Talmudic statement in a simple, legalistic fashion: reciting a blessing is a mechanism permitting us to enjoy the pleasures of this world. But Rav Kook explained that the system of berachot indicates how we should relate to the physical world. And the two verses refer to different stages in this relationship.

Before reciting a blessing, we have not yet uncovered the spiritual light that a particular physical pleasure provides. At this stage, we should recognize that “The earth and all that it holds is God's.” We may only take from the world the bare minimum that we require.

But after the blessing - after we have reflected on the nature of this physical enjoyment, and recognized the spiritual benefit connected to it - involvement in this pleasure will not hinder our spiritual aspirations. On the contrary, it will promote them.

Appreciating Material Blessings

If we do not recognize the intrinsic value of developing the physical world, if we are not aware of the spiritual benefit present in every material entity, then involvement in material matters will only debase the spirit. But if we can appreciate the value of cultivating the world, appreciating its progress to a higher, more equitable state, then we can acknowledge the contribution of those who work towards the world's material advancement. Such an attitude serves to widen our horizons and enrich our spiritual vision.

For this reason, the Torah speaks of worldly rewards: rains of blessing, bountiful crops, and material wealth. If the world's physical progress

only detracts from our spiritual advance, why promise such rewards? This teaches that physical riches may complement spiritual growth - when beauty and pleasure serve to advance our spiritual aspirations.

(Adapted from *Ein Eyah* vol. II, p. 172)

See also: *Toldot: Harnessing the Power of Esav*

Shema Yisrael Torah Network

Peninim on the Torah - Parshas Toldos

פרשת תולדות תשפ"א

ויעקב איש תם יושב אהלים

Yaakov was a wholesome man, abiding in tents. (25:27)

Onkeles interprets *ish tam* as *g'var shlim*, perfect/whole man; and *yosheiv ohalim* as *meshamesh bais ulfana*, served/studied in the house of Torah study. Yaakov *Avinu* achieved perfection in that his *neshamah*, soul, filled his entire body; he essentially became a totally spiritual (spiritually-oriented) person. Yaakov expunged whatever negative spiritual forces that might have existed within him, to the point that his pure soul was in complete control of his being.

Chazal teach (*Bava Basra* 16a) that Eisav *kofar b'Ikar*, denied the *Ikar*, Hashem; he was a heretic who had no regard for anything spiritual. He believed in nothing. He demonstrated his beliefs (non-beliefs) when he sold the *bechorah*, birthright, because it meant nothing to him. After repudiating the religion, what use would the *bechorah* be to him? *Horav Aharon Kotler, zl* (cited by *Horav Dov Schwartzman, zl*) explains that *kofar b'Ikar* does not refer to Eisav's denial of Hashem, but rather, to his eschewing what is *ikar*, primary/principle/essential in life. He understood the meaning of *ruchniyos*, spirituality, and did not deny its value, but, as far as he was concerned, it was not the *ikar*. It was to him *tafeil*, secondary/ancillary.

Yaakov viewed the primary goal of life, the *ikar*, in its entirety to be spirituality, which was, indeed, his focus in life. All of life revolved around the *ikar: ruchniyos*. Eisav, however, divided his life into moments: one moment of fun; another moment, a good meal; the next, satisfying his physical desires. He had no single primary goal. Each moment was for whatever struck his fancy at the moment. This would occupy him and become the focus of his life – at that moment. Moods powered Eisav's life. Whatever mood he was in at the moment became the center of his attention. He had no *ikar*, no primary goal, guiding objective. It was all about what he wanted to do, when he wanted to do it.

Rav Schwartzman explains that at the onset of one's commitment of service to the Almighty, he must know, acknowledge, affirm to live by the notion that he has an *ikar*, and also a *tafeil*. He lives by – and for – the *ikar*, which is his lodestar and subsumes his entire essence – to the point that he becomes one with the *ikar*. The *ikar* is a life devoted to spiritual ascendance. Yaakov *Avinu* was the *adam ha'shaleim*, perfect man, *g'var shlim*, whose *neshamah* encompassed his essence. He had one *ikar* and he lived by it, unlike his brother Eisav, who lived by his whims. He had no *ikar* other than whatever made him feel good at the moment.

This is a powerful lesson for us. We tend to compartmentalize our lives in such a manner whereby we “make time” for spiritual endeavor alongside our other foci. The problem arises when we have a “conflict,” and a tug of war ensues. One who is focused on a life completely relegated to – and by – the Torah has no conflicts. Ultimately, we can have only one *ikar*.

וַיֵּאָהֵב יִצְחָק אֶת עֵשָׂו כִּי צֵיד בָּפִי

Yitzchak loved Eisav, for game was in his mouth. (25:27)

Yitzchak *Avinu's* love for Eisav has been the topic of many a commentator's pen. The Patriarch achieved an extraordinary level of spirituality. He was a *Navi*, Prophet, having reached a level of *yiraah*, awe of Hashem, that was unparalleled. As the *Olah Temimah*, perfect sacrifice, his devotion to the Almighty was without peer. He was the *Amud ha'Gevurah*, Pillar of spiritual strength. Taking all of this into consideration, we wonder how such a holy, perceptive *tzaddik* could possibly have been blind to Eisav's corruption. Moshe *Rabbeinu* did not

kill the Egyptian until he saw that no righteous person would ever descend from him. Elisha saw that none of the forty-two youths (they were over 20 years old) who degraded a Heavenly prophet would not ever produce a *tzaddik*, and then he cursed them. Yaakov *Avinu* beheld his grandson, Ephraim, and was able to perceive that Yaravam and Achav (two *reshaim*, evil kings) would descend from him. Yitzchak, however, was unable to see through the sham of Eisav. Does this make sense?

L'hisadein b'ahavascha quotes the *Arizal*, who says that Shmaya and Avtalyon were *geirim*, converts, who became *Tanaaim*. Rabbi Akiva and Rabbi Meir, both descendants of *geirim*, all descended from Eisav! *Pesach Eliyahu (Tikunei Zohar)* teaches that the *Malchus Peh*, “Kingdom of the Mouth,” which is a reference to *Torah She'Baal'Peh*, the Oral Law, descended from Eisav. This is alluded to by the *pasuk*, “Yitzchok loved Eisav for game was in his mouth.” The Patriarch loved his irreverent, contemptuous son, because – despite all of his flaws, of which he was well aware – the Oral Law, which is implied by the “*peh*,” mouth (*piv*), the monarchy of *Mishnah* and *Talmud*, would descend from him. This was cause for maintaining his “loving” relationship with Eisav.

Yes, Yitzchak knew quite well what type of person his son Eisav was. He put on a show, feigning to be a *tzaddik* who was meticulous in his tithing. Yitzchak was not fooled. Eisav went out of his way to honor his father, to show him ultimate respect. Once again, Yitzchak was not moved to the point that he would overlook Eisav's many faults. These “shams” of faith and observance, however, reinforced Yitzchak's resolve to hold on to Eisav, because, if he let go, an Oral Law might not have existed.

There was once a *chassid* who made a point of spending time in the court of the *Gerrer Rebbe, zl*, the *Bais Yisrael*. The man would visit the *Rebbe* bedecked in full *Chassidic* garb, act and speak like a *chassid*. While he “talked the talk,” however, he only purported to “walk the walk.” In his home, he acted far from *Chassidic*. From his quick change out of his *Chassidic* garb, to his lifestyle that in no way resembled *Chassidus*, the man was a total sham artist. The *gabbai, Rebbe's aide/sexton*, was bothered by the man's insolence. He felt that the man's behavior was insulting to the *Rebbe*.

The *Bais Yisrael* replied, “I know quite well who this man is and how he acts when he leaves our court. Yes, it is all a masquerade. I, however, approve of his disguise. His malingering has a positive side. Imagine if he were to come to me with the ‘truth,’ ‘*Rebbe*, I no longer want to be observant. I want to enjoy a life of freedom and abandon. The Torah's restrictions are suffocating me. I want to renege Torah and *mitzvos* from my life.’ What could I do for him? He, his wife, and their children would all become *chiloniim*, secular Jews – not just for now, but for future generations! Listen, as long as he sends his children to *yeshivos, chadorim*, and *Bais Yaakovs*, I will have at least saved the children. Now you know why I love his brand of deception.”

Why was Eisav *zocheh*, did he merit, that the greatest scholars associated with the Oral Law were his descendants? The *Chasam Sofer* posits that Avraham *Avinu's mesiras nefesh*, devotion and self-sacrifice, evinced during *Akeidas Yitzchak*, the Binding of Yitzchak, demonstrated his commitment for *Torah She'B'Ksav*, Written Law. He heard the command to slaughter Yitzchak directly from Hashem, which is the Written Law, through which Hashem speaks directly to us. Yitzchak's acquiescence to be sacrificed represents *Torah She'Baal'Peh*, since he listened to his father, who was also his *Rebbe*.

Because Yitzchak was to be the repository through which the Oral Law was to be transmitted to future generations, the bequest would be through him. Yitzchak saw a glimmer of hope beneath Eisav's veneer of evil. He showed extraordinary respect to his father, which *Horav Pinchas Friedman, Shlita*, explains, prompted Yitzchak to manifest special favor to him. He felt that by “keeping the door open and the light on,” he was preserving whatever good Eisav might harbor within him. Heaven recognized Eisav's performance of the *mitzvah* of *Kibbud Av* – a *mitzvah* that acknowledges parental/mentor authority, which happens to be the foundation of *Torah She'Baal'Peh*. Eisav's observance of that

one *mitzvah* incurred his father's favor and merited that his future progeny be the expositors of the Oral Law.

**עקב אשר שמע אברהם בקלי וישמר משמרתו מצותי חקתי ותורתו
Because Avraham hearkened My voice and safeguarded My charge,
My commandments, My statutes and My laws. (26:5)**

In his commentary to the above *pasuk*, *Sforno* makes an important point. He notes that Hashem promised Yitzchak *Avinu* to multiply his offspring, grant his descendants the Land and bless them – all because of His oath to Avraham *Avinu*. We see here (explains *Sforno*) that *z'chus Avos*, merit of others (his father, Avraham *Avinu*) is invoked when Hashem speaks to Yitzchak. Not so with Avraham (who did not have *z'chus Avos*) or Yaakov. This is because, before Yitzchak was inspired to call upon the Name of Hashem (after Gerar), when Avimelech came to him and said, “We saw that G-d is with you... you are now the blessed of G-d” (Ibid. 26:26,28,29), he had practiced his faith in private. He did not develop a student following. Once *z'chus Avos* was invoked, he no longer experienced the hardships of envy and quarrels that had previously hounded him. Yaakov *Avinu* never had to rely on *z'chus Avos*, because, from his youth, he dwelled in the tents (*Yeshivah*) of Shem and Ever, studying and teaching knowledge of G-d to the students who had come there to learn.

Although *z'chus Avos* is a fundamental concept in Judaism, it is only invoked regarding Yitzchak. Avraham had to develop his own merits, which he did via his outreach. Yaakov, as a student and mentor in *yeshivah*, also reached out. Yitzchak, however, practiced his *avodas ha'kodosh*, service to Hashem, in private, prioritizing his own spiritual self-development over his outreach obligations. As a result, he required the merits of his father, Avraham, for his own preservation. Once, he, too, called out in the Name of Hashem, he became worthy of Hashem's blessing.

Horav Yaakov Yitzchak HaLevi Ruderman, zl, derives from *Sforno* that *harbotzas Torah*, disseminating Torah, to others (individuals and to the masses) is the foundation of *kiyum ha'olam*, existence of the world. *Limud Torah*, study for the purpose of one's own spiritual development, is a mainstay of the Jewish faith, but unless one exemplifies *lilmod u'le'lamed*, to study and teach, reaching out to others, he does not completely execute the *mitzvah* to perfection. Yitzchak *Avinu* certainly spent his life learning and praying, but, until he reached out to others, he was unworthy of receiving Hashem's blessings in his own right. He required the support of his father's merit.

What about the time lost out from one's personal advancement? Outreach requires time and exertion. While the exertion can be overlooked, but the expenditure of time is a fundamental expense that cannot be ignored. The *Rosh Yeshivah* quotes the *Chasam Sofer* in his commentary to *Bereishis* (18:17,18), where Hashem says that He will divulge to Avraham *Avinu* what He plans to do to Sodom. The reason that Hashem gives is: I love him because he commands his children and household to follow in Hashem's ways. What does one thing have to do with the other? That Avraham believes in educating his family does not necessarily warrant that he should receive a heads-up, forewarning, concerning Sodom's imminent destruction. The *Chasam Sofer* explains that Avraham did not achieve (on his own) the plateau of *Nevuah*, prophecy, achieved by such *Neviim* as Yeshayah, Yirmiyahu and Yechezkel, who perceived events that would occur to nations other than *Klal Yisrael*. This was not due to Avraham's spiritual deficiency (in comparison to these later *Neviim*), but rather, due to a lack of time during which he could focus his thoughts and comprehension on spiritual matters through which he would achieve the *madreigah*, level, of *Nevuah*.

Thus, Hashem said, “How can I hold back from Avraham what I am about to do? The only reason that he did not achieve *Nevuah* on his own is that he was busy reaching out to a pagan world to bring people closer to Me.” Avraham cannot be deprived and left out in the dark just because he was actively engaged in disseminating Hashem's word.

Incredible! The *Chasam Sofer* teaches us (as the *Rosh Yeshivah* presents it) that what a person (who is a Torah disseminator) loses out (in spiritual advancement) because he is involved in outreach,

Torah dissemination, in its various, multifarious forms, Hashem will ultimately grant him as a gift. One does not suffer a spiritual setback or regression due to his devotion to teaching others. On the contrary, the *Chasam Sofer* was once queried by a young Torah scholar whether he was permitted to interrupt his Torah study to teach a group of youngsters who were in need of a *rebbe*. The saintly *Chasam Sofer* replied, “One hour teaching students is equivalent to many hours of personal Torah study. You will merit greater Torah erudition by learning with students.” (As I have reiterated time and again: not everyone is suited for teaching. Obviously, the *Chasam Sofer* was speaking to an individual who was talented and, thus, able to inspire these children to learn and continue learning. Teaching is a skill and also a holy mission, which demands commitment coupled with love in order to catalyze positive results.)

Harbotzas Torah requires immense inner strength to overcome the difficulties the *Satan* presents before us. The challenges come in various forms, of which financial remuneration will probably rise to the top. I have yet to see a successful *mechanech*, educator, however, relinquish his mission only due to money. Truthfully, the challenges in the field of *harbotzas Torah* are probably not much different than in any other profession, but only someone who is jaded would trade away the satisfaction one has after having successfully navigated a lesson, a class, a semester, and the good feeling knowing that precious Jewish lives have been changed.

The challenges do not necessarily come from without. The *Rosh Yeshivah* relates a conversation that he had during the nascent days of *Ner Israel* with a distinguished lay person, himself a *talmid chacham*, distinguished Torah scholar, G-d-fearing and highly respected. The man asked how the *yeshivah* could possibly succeed. A *yeshivah* requires large sums of money for maintenance. Where would he obtain the funds to run the *yeshivah*? *Rav Ruderman* replied with a *Tosfos* in *Meseches Shabbos* 21b that asks what difference did it make (*halachically*) that one jug of oil was discovered untainted, with the seal of the *Kohen Gadol*, High Priest intact? *Chazal* rule that when a gentile moves a jug of oil (or anything), the contents become *tamei*, *tumas hesit*, ritually contaminated, as if moved by a *zav*, a man who had an abnormal body emission. This was a special rabbinic decree issued against a gentile who moves a vessel. The *Rosh Yeshivah* observed that had the Jews of that time asked *Tosfos*' question, there would not have been a *Chanukah*, because they could not even have lit the *Menorah* the first night!

When one builds a *yeshivah* (when one commences to be *marbitz Torah*), many questions and many naysayers will arise. Ignore them! One must do what he sets out to do and pray for *siyata diShmaya*, Heavenly assistance. Otherwise, he will be left standing with one major unanswered question: Why did you not make the *yeshivah*?

הקל קול יעקב והידים ידי עשו

The voice is Yaakov's voice, but the hands are Eisav's hands. (27:22)

Chazal derive from the above *pasuk* that when the voice of Yaakov *Avinu* prevails – when Torah is studied and his descendants are engaged in prayer – the murderous hands of Eisav have no power against us. When we slack off and weaken our vocal power, Eisav and his minions are strengthened. When we read the *pasuk*, however, the implication is different. It almost appears as if Yaakov lives by his voice and Eisav by his hands – and there is no counterbalance, such that one rises and the other falls. Furthermore, the word *kol* (*ha'kol*) the voice, is written *chaser*, missing the *vov*, almost as if this is a weakened, less-than-vigorous voice. The next *kol* (*ha'kol kol Yaakov*) is written full, with the *vov*. Is the Torah implying something by varying the spelling?

The *Maor Va'Shemesh* explains that our vocal power has gradations that are based upon the surrounding *kedushah* and *taharah*, sanctity and purity, that are infused in and around our learning and *davening*. There is learning and there is learning with passion, or, as we might call it, *bidechilu u'rechimu*, with fear and love, with pure concentration and complete devotion. In the latter case, the mind is free of all extraneous thoughts, such that one knows that he is standing before the Almighty. His service is not a burden that he will cast off as soon as he quickly concludes his recitation. It is a labor of love. Such

vocal power destroys the forces unleashed by Eisav's hands. When the voice of Yaakov is complete (with the *vov*) then the hands of Eisav are no match for it. In contrast, when the *Kol Yaakov* is lacking – missing the *vov*, weak, insipid, dispassionate, sans *yiraas Shomayim*, fear of the Almighty, its power is inadequate to vanquish the power of Eisav's hands.

The *pasuk* has a dual meaning: when the *kol* is missing/weak, the hands of Eisav are powerful; when the *kol* is full and strong, then Eisav's hands will not hurt us.

הקול קול יעקב והידיים ידי עשו

The voice is Yaakov's voice, but the hands are Eisav's hands. (27:22)

Yitzchak *Avinu* sensed a contradiction. The manner in which the “son” who stood before him spoke was gentle, pleasant and respectful. Hence, he assumed that it was Yaakov who stood before him. On the other hand, once he felt his hairy arms, he thought it was Eisav. Alternatively, the power of Yaakov's voice was in his ability to plead with Hashem through the medium of prayer. Eisav was a “hands on” man; he lived with his hands – plundering and murdering. Nothing stood in the way of his hands. One question that weighs heavily on the reader: If Yitzchak questioned the identity of the son who stood before him; if he was uncertain whether it was Yaakov of Eisav, why did he acquiesce to give the blessing? Once he perceived that before him stood someone who appeared to be a fraud, comprised of Yaakov's voice and Eisav's hands, Yitzchak should have refused to bless this individual.

Horav Moshe Bick, zl, posits that Yitzchak loved Eisav. After all, he was his son – a son who had serious issues – but no less a son. Yitzchak was a firm believer in extracting the good from the bad, as *Yirmiyah HaNavi* states: *V'im totzi yakar mizollel k'Fi tihiyeh*, “If you bring forth an honorable person from a glutton, then you will be like My own mouth” (*Yirmiyah* 15:19). Hashem told *Yirmiyah* that if he succeeds in transforming figurative gluttons into righteous penitents, his wishes will be fulfilled. In other words, the concept of *yakar mizollel* exists; the right person under optimum circumstances can transform the life of an irreverent sinner. Yitzchak saw the concealed good within Eisav, and he was bent on gleaning it out. Yitzchak's understanding of the concept of *Sur meira v'asei tov*; “Turn from evil and do good” (*Tehillim* 34:15), encouraged him to transform the evil into good. When Yitzchak observed Eisav performing the *mitzvah* of *Kibbud Av*, honoring his father, and meticulously separating *maaser*, tithing, he had hope for his errant son.

Thus, when Yaakov dressed in the guise of Eisav, and came before Yitzchak, the Patriarch thought that Eisav stood before him. The voice that seemed to be Yaakov's was not a problem, because Yitzchak believed that Eisav had repaired his ways and was in the process of repenting. He was now a new person, Yaakov-like. When he heard the Name of Hashem emanating from Yaakov's mouth, he thought that before him stood a fully-repentant Eisav.

As an aside, in the glossary to *Rav Bick's sefer, Chayei Moshe*, the writer (not certain if this gloss is from *Rav Bick* or from the editor) explains that the concept of transforming bad to good is neither a simple process, nor is it appropriate for everyone. It means dealing directly and, at times, intimately with evil. This is a *madreigah*, spiritual plateau, that is not accessible to everyone. One who is not suitably prepared and spiritually-rooted can quite possibly sustain spiritual impairment. One should sufficiently distance himself from evil. Only the *tzaddik gamur* -- complete, perfect, righteous person -- who is sustained by the *sitra d'yemina/kedushah*, side of holiness, such as one who is a *tzaddik ben tzaddik*, whose father was also a righteous person, is permitted to attempt this challenge (of extracting *yakar mizollel*). This is in opposition to the *sitra achara*, “other” side, referring to the realm of evil or impure forces.

Thus, Yitzchak, who was a *tzaddik ben tzaddik*, could allow himself the luxury of reaching out to Eisav. Rivkah *Imeinu*, however, whose pedigree was on the murky side, was a *tzadekes bas rasha*; she focused on Yaakov and distanced herself from the evil represented by Eisav. This is alluded to when the Torah says: *Va'yee'tar Yitzchak*

l'Hashem l'nochach ishto, “Yitzchak entreated Hashem opposite his wife” (Ibid. 25:21), which *Rashi* interprets to be in the sense that Yitzchak and Rivkah stood at opposite sides of the room when they prayed to Hashem. Now, we may understand their opposition differently. Yitzchak was from *sitra d'yemina*, and Rivkah was to his left in the sense that her lineage was not as spiritually refined as his. This all goes to show that not everything is as it seems. People have underlying reasons and motives which are often beyond our level of comprehension.

Va'ani Tefillah

וכל החיים יודוך סלה – V'chol ha'chaim Yoducha selah. The totality of life shall praise You. Selah.

Horav Shimon Schwab, zl, interprets *v'chol ha'chaim* as the totality of life, which is not only the literal translation, but, more importantly, the practical one. Obviously, only one who is alive can (of his own free will/choice) praise Hashem. The act of *hoda'ah*, thanking/praising, is a function of life. Therefore, to say that all the “living” praise Hashem is a given. By adding the prefix *hay*, *ha'chaim*, the meaning changes from living to life, thus rendering the meaning to be the totality of life: the good and (what appears to be) the bad; health; sickness; wealth; poverty; joy; sadness. The entire gamut of life's experiences all merge together to praise Hashem. Every living person, in whatever situation he finds himself, with whatever challenges he faces, physical and emotional, all come together to praise the Almighty. When people who are in the midst of a grief-invoking experience still express their praise to Hashem, they fulfill the *Rabbinic* dictum, “A person is obligated to bless Hashem for the (what appears to be) bad as he does for the good.” We are to express this love of Hashem under all circumstances, good or bad, since everything that comes from Hashem is inherently good – even if we, with our limited cognition and perception, can neither understand nor see it.

לעילוי נשמת

הרב שלמה יעקב בן הרב יהודה אריה ל"ל

הרבנית אסתר בלומה בת הרב שרגא משה דיינוס ע"ה

נפטר ל"ו אלול תשע"ז

נפטרה ל' כסלו תשע"ג

In loving memory of

HaRav Shlomo Yaakov Z"l and Rebbetzin Bluma Davis, A"H

From the very inception of the Telshe Yeshiva and the Hebrew Academy of Cleveland, They were pillars of support and active members of their respective communities. They are sorely missed by their many friends and students.

Rabbi Avrohom and Devorah Shoshana, Yosef and Edie Davis and their families

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prepared and edited by Rabbi L. Scheinbaum

Heter Shopping

Rabbi Yirmiyohu Kaganoff

Of course, Esav performed aveiros that were more serious than heter shopping, but...

Reuven, who studies assiduously in a kollel, asked me the following shaylah:

“I recently inherited some money with which I repaid a private loan used to buy our home. Although I always give *maaser* (ten percent) of my earnings to *tzedakah*, I forgot this time, and subsequently asked Rav A what I should do, since I no longer have money for the *maaser*. He told me that I am obligated to pay this money to *maaser* and should consider it a debt that I must pay back gradually, even though this will take years. I then asked him whether I need to perform *hataras nedarim* (the procedure whereby one renounces vows) for my practice of giving *maaser* money, since in the interim I will be significantly behind on my usual *maaser* giving. He told me that he was uncertain about this latter question and that I should ask someone else.

“Subsequently, I approached the son of a prominent posek requesting that he ask his father whether I should perform *hataras nedarim*, telling him the whole story. He returned with the reply, ‘My father said that, in your circumstances, you are not obligated to give *maaser kesafim* from the inherited money.’

“Now, I am a bit confused and I have a new shaylah. I know that one may not ask the same shaylah from a second rav after receiving a ruling. However, I did not ask the prominent posek to rule on whether I must give maaser. May I rely on the answer I received from the second posek absolving me from paying maaser, since the second rav is a greater authority than the first? Does it matter that I was not asking the second rav the same shaylah I asked the first?”

REQUESTING A SECOND OPINION

Before proceeding with surgery or some other major medical procedure, people usually seek additional information and opinions. Similarly, why not ask a different rav his opinion? Possibly, the second rav may even influence the first rav to change his opinion! In order to explain this matter, we must first examine why one may not re-ask a shaylah. This topic is often simply referred to as *chacham she'horah*, lit., a wise man (or Torah scholar) who ruled.

The Gemara (Avodah Zarah 7a) states, “One who asked a shaylah from a Torah scholar and he prohibited, the questioner may not ask a different scholar hoping that he will permit.” This ban forbids not only asking the shaylah a second time, but also prohibits a different scholar from answering the shaylah, as the Gemara states elsewhere (Niddah 20b): “If a Torah scholar forbade something, a different one may not permit it.” Thus, we see that not only is it forbidden to go “heter shopping” after receiving a psak, but also that a rav may not assist someone to “heter shop.”

The Rishonim deliberate why, indeed, one may not re-ask a shaylah. Here are three approaches:

Approach #1: RESPECT FOR A TALMID CHACHAM

Some explain that seeking a second opinion implies that the first rav is incompetent; re-asking the shaylah is an affront to his honor (cited by Ran to Avodah Zarah).

Approach #2: THE RAV DETERMINES

The Rosh (ad loc.) explains that when a rav is asked a shaylah, his ruling makes the item either permitted or forbidden. According to this approach, the rav's ruling determines the halachic status of the item in question, and there is no purpose in asking the shaylah again.

Approach #3: ACCEPTING THE PROHIBITION

A third approach explains that, when submitting a question to a rav, the questioner accepts the rav's decision and considers the item either permitted or prohibited, according to the ruling. Therefore, if the rav rules the item forbidden, the questioner has accepted this decision as binding. Tosafos (Avodah Zarah 7a s.v. *hanishal*) views this as an example of “*shavya anafshei chaticha de'issura* – considering something as prohibited,” even when everyone else knows that it is not. I will clarify this principle with a different case.

A man believes that he is a kohen, although there is insufficient evidence for his assumption. Since most Jews are *yisroelim* and not *kohanim*, his basic status is a *yisroel*, and he has none of the rights of a kohen. Therefore, he may not *duchen*, redeem a *bechor* or receive the first *aliyah* to the Torah. However, since he considers himself a kohen, he must assume the stringencies of a kohen, such as not attending funerals or becoming *tamei* to a corpse in any other way, or marrying a woman prohibited to a kohen. Since he himself believes that he is a kohen, he is *shavya anafshei chaticha de'issura* – he must consider himself prohibited as if he is a kohen.

According to this approach, when I ask a shaylah, I am accepting the rav's opinion as binding halacha. I cannot change this psak by asking a different rav, even if the second rav is more competent.

HOW DO THESE APPROACHES DIFFER?

According to the first approach quoted, one may not seek a second opinion, because attempting to circumvent the rav's decision slights his honor. However, if one happens to become aware of a differing opinion without attempting to go “over the first rav's head,” one might be permitted to follow the second opinion. This is because, even though asking a shaylah a second time shows lack of respect to the first rav, once one becomes aware that the matter is disputed, the status of the case changes to the general shaylah of what to do when there is a dispute among *poskim*. This general shaylah is beyond the scope of this article.

Thus, according to the first approach, Reuven might be free to ignore the halachic decision of the first rav. Unfortunately for Reuven, most Rishonim do not follow this approach.

Is there any halachic divergence, however, between the Rosh's position that the rav's decision determines the halacha (Approach #2), and that of Tosafos, that the questioner accepts the rav's decision (Approach #3)? The usual way to understand their argument is that according to the Rosh, the decision creates the law, whereas according to Tosafos, it is a stringency that the questioner must observe but it does not become the law. Is there any practical difference between the two positions?

LENIENT RULING

Indeed, there is! According to Tosafos' approach, the first rav's ruling is binding only if he was stringent, but not if he ruled leniently. If the first rav ruled leniently, not only may one ask a second opinion, but also, if the second rav ruled stringently, one is bound to follow the strict opinion. According to the Rosh, the first rav's ruling is binding in either case, since his decision creates the law, and one would not be obligated to follow the second rav's opinion.

HOW DO WE RULE?

The *poskim* dispute whether we follow the opinion of Tosafos or that of the Rosh. The Rama (Yoreh Deah 242:31) and the Taz rule like the Rosh, whereas the Shach (ibid. 59) and the Gra rule like Tosafos.

WHAT IF THE RAV ERRED?

Although the Gemara states that someone who asked a shaylah may not ask a different scholar, hoping that he will be lenient, Tosafos (Avodah Zarah 7a) rules that if one feels that the first rav erred, he may ask a second rav. If the first rav's ruling was clearly an error, his decision is overruled. This is because such a basic error is not considered a halachic ruling at all.

What type of error is overruled?

There are three possible reasons why two *poskim* might disagree:

A. *Machlokes beshikul hadaas* – a difference of opinion.

The most common case is where two *poskim* understand the subject differently, resulting in different rulings. This is not an error but a difference in outlook, and the first rav's verdict cannot be overturned.

B. *Ta'us beshikul hadaas* – an error in judgment

Sometimes the original decision was because the first rav ruled like one side of an earlier dispute; however, accepted practice follows the conflicting view of that dispute. This is considered an error of judgment, *ta'us beshikul hadaas*, since it was based on judging which opinion to follow. The *poskim* dispute whether such an error can be overturned (see Rama, Yoreh Deah 242:31; Shach, ad loc., and Choshen Mishpat 25:14:17).

C. *Ta'us bidvar mishna* – an error in facts

There are instances where the ruling is clearly erroneous. This is when the rav was unaware of information that overturns his ruling, such as where the ruling conflicts with an undisputed statement in earlier *poskim* or is based on inaccurate factual information (see Mishnah, Bechoros 28b). It also includes cases where the rav subsequently discovered that contemporary halachic authorities rule differently from the way he did, and he would have accepted their position, had he known (see Sanhedrin 33a). If, indeed, the first rav erred, his ruling is invalid. Because this is so, one may ask a second rav to investigate whether the first rav's ruling is erroneous (Tosafos, Avodah Zarah 7a).

The Rama (Shu"t #28) discusses such a case. While salting a large pile of meat on Pesach, someone discovered a wheat kernel lying on one piece of meat. The question was whether all the pieces of meat are now *chometz* and must be thrown out, or whether only the piece that actually touched the kernel is prohibited. The rav who answered the shaylah ruled leniently, but a different rav disagreed vociferously. The question was submitted to the Rama for arbitration. What is the status of the meat?

In a lengthy discussion, the Rama demonstrates that one cannot prove that the first rav erred. Therefore, the Rama rules that the meat is permitted, since he contends, like the Rosh, that once the first rav ruled leniently, that is the halacha – unless the ruling was an error. According to the opinion of the Shach, who rules like Tosafos, if the second rav's

opinion is more likely accurate, all the meat is prohibited. This is because the first rav was lenient; if he had ruled stringently, both the Rosh and Tosafos would agree that the first ruling is binding.

(By the way, the second rav who contended that all the meat was forbidden may not eat it, because of shavya anafshei chaticha de'issura. It is beyond the scope of this article to discuss whether he may eat food cooked in the pots used to cook this meat.)

Thus, we can now answer Reuven's original shaylah. Although he would like to follow the more lenient opinion of the second posek, once he asked the first rav, he is bound by this decision and must give maaser. **MAY THE RAV CHANGE HIS MIND?**

We now understand that unless the original rav erred, one cannot follow the opinion of a different rav who disagrees. However, what happens if the rav who originally prohibited the item changes his mind and now feels differently about the issues? Can the rav change his mind from what he originally ruled and change his psak halacha in that case?

Although one might think that this is certainly permitted, if one considers the reasons mentioned above, it is by no means obvious. Once the rav declared the item prohibited, who says that even he can change his ruling? Indeed, many poskim contend that he cannot, unless his first ruling was an error (Shach, Yoreh Deah 242:58), although others rule that he may change his ruling (Ran, Avodah Zarah 7a, Rama, Yoreh Deah ad loc. and Aruch Hashulchan, Yoreh Deah 242:58-60). An authoritative responsum on this subject appears in Shu"t Panim Meiros (#2).

A RECURRING SHAYLAH

What happens if the shaylah recurs? If someone asked a shaylah from a rav and the rav ruled stringently, and now the questioner has the same shaylah again, is the questioner bound to follow the psak he received previously?

The Rama (Yoreh Deah 242:31) rules that the binding decision of a rav applies only to the shaylah just asked. However, if the same shaylah recurs, one may ask the shaylah to a different rav. Also, if the first rav changed his mind and someone subsequently asks him a similar shaylah, he may and should rule differently, reflecting his current opinion.

THE SAUSAGE FACTORY

I found a very interesting halachic discussion about this very point. In the United States of the 1930s and '40s, kashrus supervision was very chaotic. It was not uncommon for a businessman to own both kosher and non-kosher food operations, and, unfortunately, this led to many

scandals when unscrupulous individuals sold non-kosher food as kosher. The Agudas Harabbanim, then the pre-eminent rabbinic organization in North America, issued a ban on the practice of providing a hechsher to a business owned by someone who also owned a non-kosher business.

A new shaylah arose when large conglomerate corporations that owned non-kosher businesses purchased kosher abattoirs or sausage companies. Was the rav who had previously provided the hechsher to the kosher business now required to remove his hechsher, simply because the parent corporation also owned non-kosher businesses, or did the prohibition to give a hechsher apply only to a business whose management or active ownership included non-kosher operations?

The Agudas Harabbanim assembled a beis din to adjudicate the matter. While this beis din was deliberating, someone questioned whether this beis din could debate the subject, contending that the Agudas Harabbanim had previously prohibited this practice in an earlier ruling. Thus, claimed the naysayer, it was a case of chacham she'horah – the issue was already a closed matter and there was no room to reopen the case!

In a teshuvah penned on Tu Bishvat 5694, Rav Yosef Konwitz, who had previously been the rav of Tzfas and at the time was a rav in New York, argued that this is a different shaylah, and that the earlier ruling had covered only the case at hand then (Shu"t Divrei Yosef #10). Although the reasons behind the previous ruling may indeed be brought to bear on this case, the newly created beis din has every right to rule on the new cases and to rule differently from the earlier case, if the dayananim disagree with the earlier psak.

We have now established the basic rules whether the psak one receives can be overturned. The basic rules are:

- I. If the original psak was an error, as defined above, then the psak is not valid.
- II. If it was not an error, then, according to most poskim, the original psak is valid and the rav himself cannot change his ruling on that case. Some poskim contend that the original rav may change his opinion on the original case.⁶
- III. The original psak does not affect subsequent cases, even if they affect the same person and he asks the same rav.

Most importantly, we learn from our discussion that once one receives a psak prohibiting something, one may not shop for a heter to permit it.

לע"נ

שרה משה בת ר' יעקב אליעזר ע"ה
ביילא בת (אריה) לייב ע"ה