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INTERNET PARSHA SHEET
ON **VAYECHI** - 5767

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Rav Soloveitchik ZT"L

Notes (Volume 3)

Notice These are unapproved unedited notes [of R.Y.?] of classes given by Rav Soloveitchik. ... (Rav Soloveitchik did NOT write these notes.) [Thanks to David Isaac for typing these notes]

Lecture delivered by Rabbi Soloveitchik on Saturday evening, January 13, 1979 Parsha "Vaychi"

I shall discuss a few insights in today's Sedra of "Vaychi" and will discuss a few lines from the previous Sedra of "Vayigash". We find in Chapter 50 - sentence 16 that the brothers appealed to Joseph following Jacob's death: "forgive I pray the transgression of your brothers -- take no revenge -- show them love, etc." Actually, Jacob never said it. It was fabricated and made no sense. Before his death "Avicha Tzivah" (father did command). The word Tzivah means turning over authority. It is the final and last message which a person addresses to his friends before his death. Thus, Tzivah is synonymous with "Tzavoh" -- a will. We find it at the end of Moshe's life when he turns command over to Joshua. Rambam identifies "mitzvah" also with Tzavoh (in Torah Sh' Bal Peh) - a mitzvah is a command or the will of G-d. In today's Sedra, Jacob's last wish to his children, assigning their historic role is also called "Tzavoh". He assigned the role to each child; his place was assigned in Knesseth Yisrael. Thus, also with Joshua "qualify him to take the leadership which was Moshe's till then!" It is the final address to a survivor. Here with Jacob, after the change he gathered in his feet and expired.

In today's Sedra, we find the first time where the language of the Torah is not prose but poetry. Later, we find poetry in Sedras "Bishalach" (the song at the sea) "Hazinu" (the song which Moshe admonished the people before his death) and V'zos Habrach (the final blessing to the Tribes). Here, the prophecy is written in poetic category.

What is the general message which today's Parsha addresses to us? Of course, it touches the very foundation of our existence. We find the principles which guided our leaders and teachers to perpetuate "Yehadus" (Faith). But the main message I believe is not merely the Kabbalistic concept but it conveys the idea of Knesseth Yisroel -- not as much Am Yisroel (Am Yisroel would be merely the people collectively whereas Knesseth represents the different viewpoints, the individualistic complexities of the

nation). Rambam says that Knesseth Yisroel is a community which is contradictory with various approaches and aspects. The word "Kallah" (bride) denotes "Klal". You mention the bride, all her qualities -- the culmination of everything good. The same applies to Klal Yisroel. Knesseth Yisroel is all inclusive, contradictory but not afraid of contradiction. On one hand, the Torah displays greater tenderness than a mother to her baby. On the other hand, Torah is so stern and requests such discipline. All ideas are good but not identical. What is meant by the prayer "Ose Sholom Bimromov" (He creates peace on high)? There is reconciliation of contradictions. This is Knesseth Yisroel. It is very committed to "Yehadus" and is not taken aback at a contradiction of ideas.

This is what "Birchas Yaakov" (the blessings of Jacob) describes. It did not excommunicate a single Tribe. Actually, the Torah does not record all which Jacob told them. Undoubtedly, he told them much more than is written. But he blessed every one of them -- each blessing in accordance with each man's talents. There is no use in blessing a man contrary to his particular talents (such as blessing one to be a great scholar if it is obvious he doesn't have much of a memory). In describing Yehuda as a "lion," he realized his strength but commanded him he should use it at the proper time. Shimon and Levi -- the way they acted particularly in Schem, was wrong but they should use their zeal for constructive purposes. According to the situation that may arise. When a community is in distress, we must have zeal to save it. Thus, we find with the "Chashmonoyim". What did he address to Shimon and Levi? They should be zealous when necessary but be careful. If they hadn't killed the residents of Schem, what would have been the situation? It would have resulted in complete assimilation. "Anshe Shlamim Haym" (they are simple people). They (Schem) expected the Children of Jacob to become completely integrated and eventually would be swallowed up (won't their cattle and possession be ours?). Thus, in their war it was the important element of surprise. Thus, they weren't so horrible in their concept. With Joseph (advocating his death) they were completely wrong. Thus, Jacob admonished them: "Zeal must be employed correctly".

Then he came to Yehuda. The capabilities, courage and heroism granted to him by the Alm-ghty should be utilized in the proper time. To Joseph, he blessed him to utilize his beauty for the proper cause. Also, in this fashion, he blessed each Tribe.

Why was Pharaoh so excited about the arrival of Joseph's family? He had a simple theory! Joseph was a great administrator in all ways and saved Egypt. There is a genetic code there! Why not have twelve geniuses and especially the father? They were very gifted, each one excelling in this particular area - one in commerce, one in courage, one in personality. They excelled as the animals of the field but for "Bnai Yaakov", they should turn their talents into a great experience. What is the conclusion drawn from Knesseth Yisroel? It can only come into reality if all the twelve people, unique singular personalities, excelling in different areas (those 12 who couldn't agree on any subject) should combine and resolve their contradictions and forge a great community. Thus, the American Jew is full of contradictions but this is what he is supposed to be. When a Jew concludes the Shmomo Esrei and steps backwards, he declares "Oseh Sholom" - (create peace) in the transcendental world (Bimromov) - but may it become a reality in our world. It is peace in the metaphysical and philosophical sense. Hence, Joseph cannot touch his brothers for once he touches them and disrupts the "Shvotim", there will be no Knesseth Yisroel. It will vanish and disappear. "Ovicho Tzivo Lifnay Moso" (father delivered the message before his death to all of us). "Stop fighting, stop quarreling, stop combating! Persecution will lead to annihilation. It will all be terminated and lost. "Our father's oration was "Ono Sono Pasha Avichah" - forgive your brother's sin. It was a crime but brotherhood should prevail. After hearing this Joseph cried, 'Why'? "Because your behavior determines the future of Knesseth Yisroel. This is why he felt moved to cry. The future of the Jews was entrusted and dependent upon him. It was a great responsibility.

2nd Insight

This is not homoletical but far more. What was Reuven's sin? He disrupted his father's couch. After the death of Rachel, instead of arranging his couch in Leah's tent as might seem logical, Jacob arranged it in the tent of Rachel's handmaid, Bilha. Rashi declares that the reason he did so was because Benjamin was an infant and Bilha as handmaid took over the motherhood. Wishing to be close to the infant, Jacob moved his couch into her tent. Reuven misunderstood the action and declared, "Must a maidservant also be a rival to my mother Leah?" And he moved Jacob's couch into Rachel's tent. Thus, Reuven sinned on account of moving furniture. It wasn't such a terrible crime. Many was the time that Leah cried and with Rochel's death, Reuven expected better things. Actually, it was Reuven who saved Joseph from death. It was his good intentions. Yehuda was responsible for the selling. Now Yehuda passes with flying colors and Reuven is given credit for nothing. Why? What is important is that Reuven made one mistake and thus indirectly became responsible for "Mechiras Yosef", the selling. If Reuven had not rebelled publicly, the brothers never would have had the "Chutzpa" to think of killing a brother and fooling a father. But by his thoughtless action, Reuven disrupted and split the camp of Jacob. He caused dissension. His rash action precipitated rashness on the part of his younger brothers. "If he can disrupt, so can we."

The question is: where was Reuven during this selling? He had gone off to repent, to fast, to offer prayers, to say "Anaynu" (answer me). Why did he wait so long? Why did he choose just this time to pray and repent? Because it was not until just that moment when he saw and understood his brothers actions and realized that their boldness was the result of his example that he realized his sin. At that very moment, he went to repent.

"Vayomer Yosayf El Echov - Onochi Mays, Vaylokim Pokod Yifkod Eschem." And Joseph said to his brothers, I die but G-d will surely remember you! This "Pokod Yifkod" was a password which Jacob entrusted to Joseph, Joseph to his brothers and they to the heads of their families. It was a password by which he let them know that there shouldn't be a false redeemer, a false hope. Consequently, it was entrusted only to the heads, not to the common man. Joseph told them, "I don't know when it will be. I don't know who the redeemer is who G-d will send. It may take a few years or many years; it may come tomorrow. But come he surely will. First, three is the Tzavoh (the will) - then "V'alitem Es Atzmo - Sai Mizeh" (You shall carry my bones up from here). Interesting is it that the same "Posek" is related in Sedra "B'Shalach" - Chapter 13, line 19 of Chumash Shmos. "etc, V'Haalitem Es Atzmosi Mizeh Itchem." (And you shall take my bones hence with you.) We find that in Sedra Vaychi, Joseph telling the brothers that his bones shall be carried up, but in B'Shalach the word "Itchem" -- with you -- is added. Chazal declares that, in fact, all the skeletons of the brothers were taken up from Egypt at the departure.

Why did Jacob make Joseph take an oath? Why was it of such great importance? There is a great bond between the land where a person is buried and the living. The whole Exodus would have lost its dramatic appeal if all had left and Jacob was left buried there. Therefore, when Joseph felt he was dying, he didn't say "Itchem" (with you). They felt like immigrants but he didn't. The people would have felt he considered himself part of the Egyptians. When Moshe explained it, he said, "Itchem". Joseph was part of you -- not an Egyptian. He was well aware that he was a stranger

When Joseph had to ask Pharaoh about burying his father, to leave for a couple of weeks, he had to ask thorough courtiers, although he was second to none in the government. "He spoke to the house of Pharaoh" -- he used a messenger. Apparently, he wasn't sure of himself. Yes, he had accomplished miracles but socially he wasn't equal. He was an Ivri (Jew) not Mitzri (Egyptian). If Egypt was good enough to feed and to become prosperous in, why wasn't it good enough for a grave. He was afraid to speak directly, to prepare Pharaoh for the request. The same situation occurred in France in 1948, when Edmund Rothschild died and requested previously that he be buried in Israel. DeGaulle declared, "I thought he was a good Frenchman. Isn't France good enough to be buried in?" The

conclusion is that "Goyim" don't understand. DeGaulle acted such as Pharaoh. It shows that the origin of the Jew is something else.

Thus, Moshe said "Itchem" -- he revealed the secret. Joseph could have been buried royally in a pyramid as was befitting a ruler in Egypt but he didn't want this. "After 80 years in Egypt, he is still part of Israel. Therefore "Itchem".

3rd Insight

Today's Haftorah, the death of King David is a continuation of the Haftorah of Sedra Chayesora (where David made known the choice of successor). It is really one Haftorah. What is the common denominator with the Sedra of today? It is the business of succession. Abraham handed down the succession to Yitzchak and was contested by Ishmael. With David, father selected a son and it was contested by another son. The challenger loses and the one chosen succeeded. Sholomo challenged, Adoniyahu contested! Adoniyahu was supported by the great leaders of his time. David decided in favor of Shlomo and Shlomo sat on the throne. What do we find in Vaychi? There is no contesting here. But here we find the last message of Jacob to Joseph such as David to Shlomo.

There are two wills, the material and the spiritual. The material is inherited and automatically but not necessarily the spiritual. No one can get the spiritual unless chosen by the predecessor. We can understand this but there is a special question. The Haftorah of "Chaye Sora" should have started with the matter of succession but there is the funny story of the "Shunamith" the unknown girl who was chosen as a companion to David in his final years. Why should we be informed of the strange story of the "Shunamith"? What is the significance?

The people supported Adoniyahu! The whole Tribe of Yehuda supported Adoniyahu. This is how David became King because he was supported by the people of Yehuda. Shlomo only had Noson the prophet and the security guard -- and for Adoniyahu it was tantamount to Coronation. They would have proclaimed him King on the spot and it would be the end of the contest. Their policy was simple! They knew that David wouldn't support Adoniyahu and so they tried to isolate David -- that no one should approach him. He knew nothing of it and only found out when BasSheva came in to him at the advice of the Prophet. They declared David sick, not to be disturbed. The girl (Shunamith) ministered to him and was instructed none should enter. The inner clique hired her just for this purpose. Thus, Adoniyahu will be Melech (King).

But they made a mistake about her. If she kept out BasSheva, Adoniyahu would be king. The miracle was that she admitted BasSheva. The entire turn of events was due to this strange girl; she kept out the others and let in BasSheva and it determined the Kingdom. Adoniyahu was a warrior and Shlomo was a "Chocho" -- scholar but not warrior. David took the advice of Noson and BasSheva. Adoniyahu lost -- Shlomo won. Interestingly, we find another great woman called "Shunamith" -- at the time of Elisha the Prophet. Thus, "Shunamith" was the "Sheliach", the messenger of the Almighty.

Lecture delivered by Rabbi Soloveitchik on Saturday night, January 20, 1979

I shall elaborate on two "psukim" of last weeks Sedra (which is very important in understanding that which follows. The brothers were afraid that with the death of Jacob, Joseph's attitude towards them would change. "Chazal" says that it did change. It says that the brothers saw that their father is dead. It was a strange statement; he was dead. But what they saw was that his attitude was cooler in relationship to them. They sent a messenger declaring, "father commanded don't take revenge, etc." As explained, this never occurred. Father never made such a statement. Joseph answered, "Do not worry, Am I in G-d's stead?"

This answer, "Hasachas Elokim Oni." (Am I in G-d's stead) is hard to understand. We find this expression also with Jacob in reference to Rachel during his time of childlessness. This type of statement is out of context. I have two answers to this question. What Joseph says, "Hasacha" is not in regard to their petition per se which incidentally was in place and justified.

Regarding a sin, the law requires a confession of guilt and the promise that it will no longer be repeated in the future. This regards sins between man and G-d; confession and forgiveness. Concerning sins between man to man, in addition to confession to G-d there must be "mechilah" (asking for pardon) towards the man. Still, it is not the same text. On Yom Kippur, we employ both means. Towards man we ask "mechila"; to G-d we say "Al Chet". That which we say to G-d we do not say to man. There are two different approaches and categories. I speak differently to G-d than the way I speak to man. When I approach someone for "mechila" before Yom Kippur, I don't say "Ono, Slachno". This is only for G-d when man is completely dependent and G-d completely independent. The forgiveness of G-d is one of the Thirteen Attributes belonging only to G-d. To fellow man, I speak differently -- "I did wrong, please forgive me!" But to say 'Slachno' would be idolatry. It is two vocabularies - two dictionaries. "Vidu" is total surrender. "I am wrong, G-d is correct. Nothing mitigates my sin - it's wrong!" How did the "shvotim" (tribes) approach Joseph? "Ono - Sono." They used the language reserved for G-d. They used the language of "Vidu". Joseph answered them: "This is not the way to approach me. Address yourself to G-d; I shouldn't be present. "Yira" (fear) is only to Hashem Elokecho (your G-d). As far as I am concerned, "Yira" is wrong. "Hasachas Elokim Oni?" It shows Joseph's humility!

I believe there is another answer -- more sophisticated but first I must discuss another problem. We all know there is a lot of trouble with "Ayin Tachas Ayin, Shain Tachas Shain" (eye for an eye, tooth for a tooth). Chazal has unequivocally ruled that it means monetary compensation -- not as it appears. In Torah Sh'Bal Peh (Gemoro) when Rabbi Tarfon began to discuss the implication of the matter, he was stopped immediately. The Gemoro was instantly cut off. Never was there a scholar who interpreted it literally. Gemoro says, "stop the discussion" and decides it must be cleared up. It means definitely monetary compensation. So, why does Torah write it that way? It should be "Kessef Tachas Ayin" etc. (Money for an eye, money for a tooth). The Rambam answers this question. The quintessence of the statement is such: If I say "Kessef Tachas Ayin", I could take the most precious gift which G-d gave and then merely pay damage if I become angry. There is the recent case of a Jewish father who in his anger towards a psychiatrist who advocated institutionalizing of a mental child, premeditatedly shot the doctor in his eyes and blinded him. With "Kessef Tachas" he could have paid him money and that would be all. If it read "money" it would become a cruel manner - not a criminal one. There would be no human perception. To kill is criminal enough but to take away vision is sub-human. Is a million dollars "Tachas" for eyes? Would there be an equivalent? Also, can we compare eyes? What -- how does one see compared with another such as an artist. So we cannot say, "Kessef Tachas". How about "Ayin Tachas Ayin" (actually eye for eye)? Is a human court capable of measuring pain, tragedy, suffering? This there is neither! What Torah means is: "He is deserving of losing an eye and to go through some suffering but there is no implementation. It may demand it but we cannot implement this. No court can impose this.

The brothers said, "Lu Yistamaynu" -- we have fear that he will torture us. "V'Hoshayv Yoshiv" and he will turn the evil on us just as we did to him - by selling him into slavery. "I would like to see you in prison for years -- taken away from such a wonderful house a wonderful father. But I cannot measure it, I cannot do it. You'll never understand what I went through. Instead, "Hasachas Elokim" -- am I in G-d's stead. I cannot do "Ayin Tachas Ayin" - only G-d can do exactly. Therefore, there is no retaliation!

Third "Posek" or insight

Sentence 24 and Sentence 25 of the final Chapter of Vaychi seem redundant. The first declares: Joseph said to his brothers, "I die but G-d will surely remember you and bring you out of this land to the land which he swore to Abraham, Isaac and Jacob." Sentence 25 reads, "And Joseph took an oath of the Children of Israel saying, 'G-d will surely remember you and you shall carry my bones up from hence!'" It seems superfluous - it is written twice. The first sentence is no request, no demand. He told them,

"You are very well established in this land but don't forget, "You are strangers. Remember you belong to the house of Abraham. This is not your land; you will go back." Who could consider himself more Egyptian than Joseph? He saved not only what we know as Egypt today but the entire Middle East and "Chazal" says it included Lebanon. "I do not know when the call will come but when it comes be ready to go. I don't know how you will be treated, perhaps very well but remember to be ready to go. Why did Joseph want to be buried in Eretz? It was not necessarily to be buried near his ancestors (as his father) but in Eretz. "When it should happen do not rebel - join the redeemer.

In today's Sedra we read two Haftorahs. The Misnagdim read from Isaiah, the Chasidim from Jeremiah. In Jeremiah, Egypt is not mentioned. So what is the common theme with the Sedra? Moshe didn't want to accept the assignment and neither did Jeremiah. It took seven days for the Alm-ghty to convince Moshe. What is the common theme with our Haftorah (Isaiah)? The people didn't listen when the Prophet came with the word of G-d. But I think there is something more. In "Yitzias Mitzraim", not all left. Chazal says that four out of five didn't leave and remained behind. There were agnostics, atheists who didn't need Abraham and his ways. In the days of Moshiach, every Jew will be picked up. None shall remain behind. "You will be picked up every individual. You won't have to be coerced. The Messiah with his great personality will attract the people. Those who didn't join Moshe will join Moshiach. This is the common motif of the Haftorah and Sedra. It is not merely the motif of Mitzraim; it will be complete redemption.

Joseph's oath was carried out! His bones were extricated! There is one commentary which says his remains were in a royal pyramid, others say it was in the Nile. On the night of the Exodus when all were ready to leave. Moshe was nowhere to be found. Where was he? He was the only one who remembered, the only one who sought out Joseph's remains. In "Shir Hashirim" (Song of Songs), which is an allegory, we find, "Bikashti Balaylos" - (I was searching for the man I wanted most -- asking the night watchman). Finally, Moshe came, bearing the "Aron" the coffin, on the night of redemption.

What is so paradoxical about this? Moshe was a great man, he shouldn't forget. But the paradox is: It shows the Shvotim -- in spite of its schisms and quarrels and splitting the house of Jacob. Who of them hated Joseph the most? It was Shimon and Levi who declared, "Kill him." It was animal hostility! It is strange but usually hatred is carried on from generation to generation. "He who father hated, I may well hate without really knowing why. What is anti-Semitism? It is handed down hatred. It is that which they cannot understand but carry on the hatred. It is inherited hatred from generation to generation. Therefore, who should have been more prejudiced about Joseph than Moshe? His great grandfather Levi called Joseph "vain - proud -etc." Yet it was Moshe who searched for the coffin, and took "Atzoth Yosef" into his tent for 40 years. He did not entrust it to anyone else. He didn't hand it over and treated it with reverence. In his "brocho" to Joseph before his death, Moshe said, "Blessed of the L-d be his land. Let blessings come upon the head of Joseph!" Moshe realized the wrong which had been done. Thus, in Mitzraim the people become completely unionized, pursued the same way of life with unity. Had not Moshe united them, Yitzias Mitzraim wouldn't have occurred. We are accused of being too clannish. If we don't care, who will care? You are supposed to support anyone but especially your brother -- who becomes poor. All was dependent if Bais Yaakov will become reconciled. Bereshis and Shmos are books of reconciliation. We find this message in Haftora Viyigash (Ezekiel "It will become "One nation".

from TorahWeb.org <torahweb@torahweb.org> subject Rabbi Hershel Schachter - Regarding Mesirah
<http://www.torahweb.org/mesirah/>

Editor's Note: the following is a follow-up article to the shiur available at <http://www.torahweb.org/nobodyTalks.html>

Rabbi Hershel Schachter Regarding Mesirah

The prohibition of mesirah is well known among religious Jews. The severity of this issur becomes ever so clear when we read in Shulchan Aruch that a mosser is dino ke'akum with respect to writing a sefer Torah (Yoreh Deah 281:3) and with respect to shechitah (Remah ibid 2:9). Even if the mosser is otherwise an observant individual, and is meticulous in fulfilling his religious duties, because he demonstrates his rejection of the unity of all of Klal Yisroel (by his act of mesirah), he is treated as an akum (see Rambam, Hilchos Teshuva 3:11 and Nefesh Horav pg. 235).

If, however, one is guilty of a crime, and according to the law of the land deserves a prison sentence, or will be put to death, even though according to Jewish law his punishment would not be as severe, this is not mesirah (see Ritva to Bava Metsia 83b; Dvar Avraham vol. I pg. 8). One would still not be allowed to hand this individual over to the civil authorities because this is the equivalent of returning aveidas akum, which is usually not allowed. In an instance of avoiding a chilul Hashem, just like we would be obligated to return the aveidas akum, so too we would be obligated to hand over this individual (see Rama, Choshen Mishpat 388:12).

If the non-Jewish governmental authorities know that one Jew is concealing information about another Jew in order to save him from punishment, the Shulchan Aruch (Choshen Mishpat 28:3) considers this a situation of chilul Hashem. Similarly, for many generations it was the practice that if a gneiva had occurred, and suspicion had fallen on the Jewish community, rather than allow that suspicion to hover over the entire community, the roshei hakehol, with the permission of the rabbonim, would inform the non-Jewish authorities who might possibly be the real ganav (Be'er Hagola, Choshen Mishpat 388:12).

Even if one is guilty of a crime and deserves a punishment according to the laws of the land, but due to anti-semitic attitudes he will probably suffer more than if he were a non-Jew; or, the (state) prison conditions are such that he will suffer at the hands of the other inmates (or at the hands of the guards) in a manner that is not proscribed by law, then turning the offender in would constitute mesirah, since his added suffering will be shelo kadin. However, mesirah is permitted in situations where one is a public menace (see Shach to Choshen Mishpat 388, 59), or if one is physically or psychologically harming another individual (for example, in instances of sexual abuse of children, students, campers etc., or spousal abuse) (see Shach to Choshen Mishpat 345, 45).

The Jewish community does not have the ability to investigate these types of cases. Wherever there are raglayim ladavar that there seems to be a problem, the proper government agencies should be contacted to investigate.

Just as in other areas of halachah, one should consult a competent moreh horaah when faced with such a shayla. Just because one is knowledgeable in Yoreh Deah vol. I or one delivers a good pilpul shiur on sugyos in Nashim or Nezikin, it does not necessarily follow that that individual will be qualified to pasken on hilchos mesirah - lehakel or lehachmir.

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VAYECHI 5757 & 5762

A. Summary

1. Yoseph's Promise; Yoseph visits Yaakov on his deathbed. Yaakov, then 147 years old and near death, sent for Yoseph and made him promise that he would bury him in Canaan (the resting place of his fathers), rather than in Egypt. Sometime later, Yoseph was informed that Yaakov was ill and went, along with his sons Ephrayim and Menasheh, to visit him.

2. Yaakov blesses Ephrayim and Menasheh. Yaakov told Yoseph that Ephrayim and Menasheh would be counted among Yaakov's own sons and would each head a Tribe. Yaakov kissed, hugged and brought close to bless Ephrayim and Menasheh, placing his right hand on Ephrayim (the younger) and his left hand on Menasheh (the elder). Yoseph thought that Yaakov had mistakenly reversed the order of his hands and tried to correct them. However, Yaakov refused to change the position of his hands, predicting that while Menasheh's descendants would be great, Ephrayim's would be even greater.

3. "Birchas Yaakov" (The Blessings of Yaakov). Yaakov called each of his sons to his bedside, blessed them, prophesied about each Tribe's future and described each Tribe's special attributes and characteristics.

4. Yaakov Dies. After instructing his sons to bury him in the Cave of Machpelah, Yaakov went to his bed and "returned to his people".

5. Yaakov Is Buried. Yoseph fell upon Yaakov's face and wept. The Egyptians mourned Yaakov's death for seventy days. With Pharaoh's permission, Yaakov, along with his brothers and their households and the elders of Egypt, returned to Canaan to bury Yaakov in the Cave of Machpelah.

6. Yoseph Reassures His Brothers. On the return trip to Egypt, Yoseph's brothers feared that, now that Yaakov was dead, Yoseph would seek retribution and so they sought his pardon. Yoseph reassured them that he would not seek revenge, assuring them that he would continue to support them and their children.

7. Yoseph Dies. Before Yoseph's death, Yoseph made the Children of Israel promise to take along his remains with them when Hashem returned them to Israel. Yoseph died at 110 and was placed in a coffin in Egypt.

B. Divrei Torah

1. Lilmode Ul'Lamed (**Rabbi Mordechai Katz**)

a. "And He Lived". Why isn't the word "death" used in connection with Yaakov? In fact, the Parsha, which recounts Yaakov's death, is entitled "Vayechi" ("and he lived"). Taanis 56 teaches that there are two deaths -- a physical death and the end of one's influence and impact on the world. For many people, the two are simultaneous. However, in Yaakov's case, he accomplished so much during his lifetime that his influence and impact survive even to this day. We should strive to accomplish something worthwhile during our lives so that our achievements will live on.

b. Ephrayim and Menasheh. Ephrayim and Menasheh were singled out during the blessing of the sons for two reasons: (a) they were the only members of Yaakov's family born in "golus" (exile); despite the competing temptations of golus, they remained true to Hashem's principles; (b) they are emulated for their lack of envy for each other (e.g., Menasheh was not jealous that Ephrayim received a greater blessing).

c. "Achdus" (Unity). The Ari HaKodesh comments that when the two "yuds" of Hashem's name are written together, the letters can't be erased. However, if one "yud" is higher than the other, it is not the name of Hashem and can be erased. The reason for this is that the two "yuds" must not be rivals and must consider themselves equal; only then do they symbolize Hashem. Similarly, two Jews can evoke Hashem's spirituality only when they work together harmoniously, and not when one considers himself above the other. Egotism leads to destruction and rivalry and hatred

can only cause the downfall of B'nai Yisroel. It is when Jews are united and accept each other as equals that B'nai Yisroel can thrive and flourish, and bring credit to Hashem and His Torah.

2. In the Garden Of The Torah (the **Lubavitcher Rebbe**, Rabbi Menachem M. Schneerson, z'tl)

a. Light In Darkness. Why were Yaakov's best years spent in Egypt, not Canaan?: (i) the Alter Rebbe, z'tl notes that even before Yaakov arrived in Egypt, he sent Yehudah ahead to Egypt to establish a yeshivah; when one studies Torah, one comes closer to Hashem, allowing one to live with true and genuine vitality, even in Egypt; (ii) the thrust of Yaakov's life was to draw close to Hashem through Torah study; yet, he didn't stay in the tents of Shem and Even (the leading house of study in Canaan) -- rather, his life encompassed a variety of circumstances and challenges, allowing him the opportunity to prove that the connection he established through Torah study was genuine; and (iii) not only did Yaakov study, but he involved his children and grandchildren and was thus able to extend the holy atmosphere of Canaan to Egypt.

b. Yaakov Still Lives in Each of Us. Yaakov's connection to Hashem was perpetuated beyond his mortal lifetime. Regardless of one's conduct or level of observance, every person remains a Jew and shares a connection to the entire Torah and Yaakov's spiritual legacy. As the Torah teaches, "the Torah which Moshe commanded us is the heritage of the congregation of Yaakov". This is Shabbos Chazak (the "Shabbos of Reinforcement") since we declare "Chazak, Chazak, Vinischazaik" ("be strong, be strong and may you be strengthened") as we complete Beresheis. Through the awareness nurtured by this Parsha -- i.e., that we all have been granted a heritage of life expressed through a connection with the Torah, and that there will come a time when this connection will blossom -- we can acquire the inner strength to confront our challenges.

3. Growth Through Torah (**Rabbi Zelig Pliskin**)

a. Unity creates love and love creates forgiveness. Yaakov called his sons together to achieve "Achdus" ("unity"). Only when there is unity among the descendants of Yaakov can there be redemption.

b. Work to not act impulsively. Yaakov told Reuven that he was "unstable as water and would not have pre-eminence". The Torah's metaphor shows us that, just as water flows quickly, so is the behavior of someone who acts impulsively. If we don't weigh the consequences of our behavior, we can make many harmful mistakes and cause much damage.

c. All traits must be utilized in appropriate amounts. In talking about Shimon and Levi, Yaakov said "I will divide them among the rest of Yaakov and spread them among Israel". The Chasam Sofer explains that while Shimon and Levi overreacted with violence for Dinah's benefit, the other brothers did nothing. By "spreading out" their anger among the other brothers, Yaakov was ensuring that they would all have this trait in the proper amount. To be a complete person, every trait must be used, although we must look to the Torah to clarify the right time, place and amount for each trait.

d. Power over oneself is real power. Yaakov said: "Yehudah is a lion's whelp, from the prey, my son, you have gone up." Rashi notes that Yehudah elevated himself in two ways -- by stopping his brothers from killing Yoseph and by publicly embarrassing himself to save Tamar. Rabbi Yeruschem Levovitz cites the Kuzari that righteous is one who rules over himself and his impulses; such a person is worthy of being a ruler over others, because he will rule with the same righteousness with which he rules himself, and is why Yehudah merited being the Tribe of the future Kings of Israel (and Moschiach).

e. True peace of mind comes from being able to accept all circumstances. About Yissachar, Yaakov said: "And he saw that rest was good, and the land that it was pleasant, and he bowed his shoulders to bear." Why was the Torah given at Mt. Sinai (in the wilderness) and not in the calm and peacefulness of Israel? Rabbi Levovitz noted that this is teach us that true

peace mind -- the state in which one must be to accept and study Torah -- doesn't come from physical comforts, but from an awareness of one's ultimate life goals. When you focus on this, you are constantly traveling toward your goal and will never be overly disturbed or broken. Yissachar, the Tribe devoted to Torah study, "bowed his shoulders to bear" -- i.e., by training himself to bear any difficulties, he was able to reach the highest level of peace of mind in all situations.

4. Love Thy Neighbor (**Rabbi Zelig Pliskin**)

a. True kindness is helping someone without any ulterior motive. Yaakov told his sons "If I have found favor in your eyes . . . seal me with kindness and truth and bury me not in Egypt". Rashi comments that kindness to the dead is true kindness, for one who does such kindness doesn't look forward to any payment. Whenever we do something for others, we should emulate this kindness and have their, not our own, benefit in mind.

b. Smile at others. Yaakov blessed Yehudah that "your eyes will be red with wine and your teeth white with milk" (i.e., the land will be fertile so that it would produce an abundance of wine and milk). The Talmud teaches that "teeth white with milk" can be read to mean that when one shows his teeth (by smiling) to another, it is better than giving him milk; while milk nourishes the body, a smile enters the mind and body.

5. Kol Dodi on the Torah (**Rabbi David Feinstein**)

Soliciting Hashem's Help. Why does the blessing of the sons state that Hashem should "make you like Ephrayim and Menasheh", rather than may you "grow up" (i.e., work hard on your own) to become like Ephrayim and Menasheh? Chazal teach that even the most righteous person needs help from Heaven in overflowing measure. For example, if someone decides not to keep his store open on Shabbos, he must make that decision himself. He can, however, ask Hashem to make it easier (e.g., to send him more customers during the week). This principle teaches us the intent of the blessing which Yaakov suggested for his descendants. In the blessing of the children, we aren't asking that Hashem "make" our children into righteous people since this can only be accomplished through their own hard work; rather, we are asking that Hashem help them in whatever ways He can, operating through the natural processes of the world. The fact that Ephrayim and Menasheh -- who grew up in conditions least favorable for spiritual greatness -- grew up to be such righteous people shows that Hashem must have given them more than the usual help to achieve their aspirations, a wish we have for our children.

<http://www.chief Rabbi.org/>

Covenant & Conversation

Thoughts on the Weekly Parsha from

Sir Jonathan Sacks

Chief Rabbi of the United Hebrew Congregations of the British Commonwealth

[From 2 years ago - currently 5765]

<http://www.chief Rabbi.org/tt-index.html>

Vayechi The White Lie

Is it permitted to tell a white lie? If a murderer is at large, brandishing a gun, and his intended victim takes refuge in your house, are you obligated to tell the truth when the would-be killer knocks on your door and asks, "Is he here"? Immanuel Kant, the greatest philosopher of modern times, said Yes. We should always tell the truth, whatever the circumstances and consequences. Judaism says No. Not only is it permitted to tell a white lie to save a life. It is also permitted to do so for the sake of peace.

The sages derived this from two episodes, one in this week's sedra. Jacob has died. The brothers fear that Joseph will now take revenge for the fact that they sold him into slavery. They devise a stratagem:

They sent word to Joseph, saying, "Your father left these instructions before he died: 'This is what you are to say to Joseph: I ask you to forgive

your brothers the sins and the wrongs they committed in treating you so badly.' Now please forgive the sins of the servants of the G-d of your father." When their message came to him, Joseph wept. There is no evidence that Jacob ever said the words attributed to him. The sages therefore assumed that what the brothers said was a lie. They concluded that "It is permitted to change [to tell a white lie] for the sake of peace." They derived the same principle from a second source as well.

When three visitors came to Abraham in his old age and said that in a year's time Sarah would have a child, Sarah laughed, saying to herself: "After I am worn out and my husband is old, will I now have this pleasure?" G-d tells Abraham that Sarah disbelieves: "Why did Sarah laugh and say, 'Will I really have a child, now that I am old?'" Tactfully, He omits reference to Sarah's remark about her husband being old. This too served the sages as proof of the rule.

Both sources are necessary. If we only had the evidence of Joseph's brothers, we could not infer that what they did was right. Perhaps they were wrong to lie. And if we only had the evidence of G-d's words to Abraham, we could only infer that a half-truth is permitted [G-d does not say anything false; He merely omits some of Sarah's words], not an actual falsehood. Putting them together, the rule is established. Peace takes precedence over truth.

To understand a civilization, it is necessary not only to know the values and virtues it embraces, but also the order of priority among them. Many cultures value freedom and equality. The difficult question is: which takes precedence? Communism values equality more than freedom. Laissez-faire capitalism values freedom more than equality. They share the same ideals, but because they assign them different places in the ethical hierarchy, they result in completely different societies.

Truth and truthfulness are fundamental values in Judaism. We call the Torah "the law of truth." The sages called truth the signature of G-d. Yet truth is not the highest value in Judaism. Peace is. Why so? For this, there are two reasons.

The first is the extraordinary value Judaism attributes to peace. The nineteenth century historian, Sir Henry Sumner Maine, said: "War is as old as mankind. Peace is a modern invention." He had much evidence to support him. Virtually every culture until modern times was militaristic. Heroes were mighty men of valour who fought and often died on the field of battle. Legends were about great victories in war. Conflict (between the G-ds, or the elements, or the children of light against the children of darkness) was written into the human script.

Against this, the prophets of ancient Israel were the first people in history to see peace as an ideal. That is why the words of Isaiah, echoed by Micah, have never lost their power:

He will judge between the nations and will settle disputes for many peoples. They will beat their swords into plowshares and their spears into pruning hooks. Nation will not take up sword against nation, nor will they train for war anymore. This vision of a world at peace was not centuries but millennia ahead of its time.

At the same time, Judaism took a more subtle view of truth than did the philosophers of antiquity. In logic, a sentence is either true or false. There is no third alternative. In Judaism, by contrast, truth is many-faceted and elusive. Of the disputes between the schools of Hillel and Shammai, the Talmud says, "These and those are the words of the living G-d." Some believe that, though now the law is in accord with the school of Hillel, in the Messianic Age it will follow the view of Shammai. Ultimate truth forever eludes us. Maimonides held that we can only know what G-d is not; not what He is. "If I could know G-d," said one sage, "I would be G-d."

There is such a thing as truth in the eye of the beholder. The school of Hillel held that one should always say at a wedding, "The bride is beautiful and gracious." But what if she isn't, asked Shammai? Will you tell a lie? In the eyes of her husband, she is beautiful, answered Hillel.

Truth matters, but peace matters more. That is Judaism's considered judgement. Many of the greatest crimes in history were committed by those

who believed they were in possession of the truth while their opponents were sunk in error. To make peace between husband and wife (Abraham and Sarah) and between brothers (Joseph and Jacob's other sons) the Torah sanctions a statement that is less than the whole truth. Dishonesty? No. Tact, sensitivity, discretion? Yes. That is an idea both eminently sensible and humane.

from **Rabbi Yissocher Frand** <ryfrand@torah.org date Jan 4, 2007 2:11 PM subject Rabbi Frand on Parshas VaYe'echi "RavFrand" List - Rabbi Frand on Parshas VaYe'echi Blessings Are "Between Man And His Fellowman"

Yaakov Avinu heard that his beloved son Yosef was coming to see him. Despite the fact that he was very sick -- indeed, on his deathbed -- he strengthened himself and sat up on the bed. [Bereshis 48:2] The Daas Zekeinim m'Baalei haTosfos writes that he did not want to bless his son and grandchildren lying down so that people should not say it was a "deathbed gift" (matnas schiv m'rah) and that he was not of clear mind at the time.

The Rosh Yeshiva of the Chevron Yeshiva analyzes this teaching. Rav Simcha Zissel asks, "Who cares whether or not people thought Yaakov was lucid or not at the time he gave blessings to Yosef and his children?" The mechanics of a Tzadik's blessing [that of a Holy person] is that G-d hears the blessing and by virtue of the "influence" the Tzadik has in Heaven, the blessing is effective. As long as G-d knows "what the story is," so to speak, it should be irrelevant what anyone else thinks regarding the state of mind of the Tzadik when he uttered the blessing.

Rav Simcha Zissel says we learn from here that there is a difference between a prayer (Tefillah) and a blessing (Beracha). When we pray, it is strictly a dialogue "between man and G-d." A blessing, however, is "between man and his fellow." A blessing only works if the recipient has the faith that the person who is giving him the beracha has the power and will and desire to give that blessing. Ultimately, the one who blesses is not the One who is dispensing the beracha. He is only a conduit. But the recipient needs to have faith in him.

When a person goes to a Tzadik or a great person for a beracha, there needs to be an implicit trust between "blessor" and "blessee". If the recipient feels that the "blessor" is "out of it" or is somehow not worthy or capable of giving a proper blessing, then it won't count.

It is for this reason, Rav Simcha Zissel says, that Yaakov Avinu had to sit up on his bed -- so that it not be said that it was the blessing of someone lying on his deathbed (matnas schiv m'rah).

Every Rule Has Its Exception

Yaakov Avinu told Yosef that his children -- Menashe and Ephraim -- would have the status of Yaakov's own children, Reuven and Shimeon. They would be considered like sons. Yaakov positioned Menashe opposite Yaakov's right hand, thinking that his firstborn should receive the "stronger" blessing. However Yaakov crossed his hands, placing his right hand on Ephraim who was at his left side and placing his left hand on Menashe who was at his right side. [Bereshis 48:13-14]

I saw an insight in the name of Rav Yaakov Kamenetsky, zt"l. The Gemara says [Shabbos 10b] that a person should never show favoritism among his children, because the entire incident of the sale of Yosef and its entire aftermath -- leading to the exile in Egypt -- all came about because Yaakov showed favoritism to his son Yosef. If there is anyone who should have learnt his lesson from the pitfalls of such favoritism, it is Yaakov. Why does Yaakov appear to be making the very same mistake all over again on his deathbed? Was he not showing favoritism to Yosef's grandchildren over his other grandchildren, just as he had showed favoritism to Yosef over his other brothers those many decades earlier? Why is he now saying: "All other grandchildren are only grandchildren, but these grandchildren are like children?" History seems to be repeating itself!

And if it is not bad enough that Yaakov is not concerned about the jealousy between the cousins — what about sibling rivalry? Even between Menashe and Ephraim, he singles out the younger son Ephraim for clear favoritism!

Rav Yaakov Kamenetsky offers an amazing chiddush [novelty] in raising children: The rule is that a person should never show favoritism among children. But the Rule of Rules is that “to every rule there is an exception.” Rav Yaakov insists that there are exceptions to the rule that one should not show favoritism to any of his children. There are some times that one child requires more time, more effort, or more concern than another child.

Anyone who has more than one child knows that different children require different things. When selecting automobiles, there are “high maintenance vehicles” and “low maintenance vehicles.” The same thing applies with children. Some children are “low maintenance children”. They go to school, they behave, they make their bed, they brush their teeth, they are respectful — everything wonderful! However, some children are just the opposite.

Rav Yaakov Kamenetsky says that when a person sees that for whatever reason, be it physically, emotionally, psychologically, or just natural disposition — one child requires more than another, the parent has to do what he has to do for whatever that child needs. One has to try to explain it to the other children and hope and pray that they will understand.

A person should not do this capriciously or without reason. That is the point of the previously cited Gemara. For whatever reason, the calculation Yaakov made vis a vis the favoritism he showed Yosef was in error. But Yaakov now saw clearly that Ephraim and Menashe had to be treated differently than the other grandchildren.

Why did they need to be treated differently? The other grandchildren grew up in a support system. They all had uncles and aunts and cousins. They all had a Zeida (grandfather). They had a reinforcing family environment. Ephraim and Menashe were out there alone, two children in Egypt. They were the only Jews in town. It's like trying to raise a Jewish family in Great Falls, Montana. There is nobody there. Kids that grow up in Great Falls, Montana are different than kids who grow up in Baltimore, Maryland.

This explains the special treatment given to Yosef's children over the other grandchildren. What about the special treatment given to Ephraim over Menashe?

Rav Yaakov Kamenetsky explains that Menashe was called Menashe “ki nishani es kol amali v'es kol beis avi” [Bereshis 41:51] (because G-d had made me forget all my hardship and all my father's household). He was a child that represented “the Old Country”. When Menashe was born, Yosef was still sensitive to all that he had gone through. This child was a throw-back to my father's home. But Ephraim was given that name “ki hifrani Elokim b'erezt onyee” [41:52] (G-d has made me fruitful in the land of my suffering). He was a child of the new world.

Ephraim needed to be handled differently than Menashe. If he was not given this special kind of treatment, Yaakov Avinu suspected that something could happen to him. He therefore made the calculation and said that Ephraim had to be given added support. Consequently “he crossed his hands.”

Justice has to be uniform, but chinuch (education; child-rearing) does not have to be uniform. It CANNOT be uniform. The Nesivos HaMishpat expands on a drasha found in Bava Basra [8b]. The Gemara there homiletically interprets the pasuk in Daniel [12:3] “And they that be wise shall shine as the brightness of the firmament; and they that turn many to righteousness like the stars for ever and ever.” The Gemara says the first half of the pasuk refers to judges; the latter half refers to teachers of young children.

The Nesivos Hamishpat develops this thought: The judge is compared to a bright monochromatic light because Justice is the same for everyone. But the teachers of young children are compared to stars. Stars have different colors. There are blue, orange, and yellow stars. Likewise different lights must be shone onto different children. One cannot use the same methods of illumination for every child. The teacher (and all parents are teachers),

unlike the judge dispensing justice, cannot dispense his teachings uniformly to all students. Chinuch has to be tailor-made.

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These divrei Torah were adapted from the hashkafa portion of Rabbi Yissocher Frand's Commuter Chavrusah Tapes on the weekly portion: Tape # 531, Burial In Eretz Yisroel. Tapes or a complete catalogue can be ordered from the Yad Yechiel Institute, PO Box 511, Owings Mills MD 21117-0511. Call (410) 358-0416 or e-mail tapes@yadyechiel.org or visit <http://www.yadyechiel.org/> for further information.

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from Rabbi Goldwicht <rgoldwicht@yutorah.org> date Jan 4, 2007 6:44 PM subject Parashat VaYechi 5767

WEEKLY INSIGHTS BY **RAV MEIR GOLDWICHT** Parashat VaYechi

At the end of sefer Bereishit, we find Yaakov Avinu's last words before his death, in which he describes the history of Me'arat haMachpeilah, which Avraham purchased from Ephron haChiti. Have Yaakov's sons never heard of Me'arat haMachpeilah? Were they unfamiliar with its history? Why does Yaakov end his life with this history lesson?

Additionally, as the funeral procession travels toward Eretz Yisrael, Yosef escorts it to the eastern bank of the Jordan, where they wait for a week. Afterwards, they enter Eretz Yisrael and travel to Chevron, where they bury Yaakov. Why does Yosef first lead the funeral procession to the eastern bank of the Jordan, rather than traveling from Mitzrayim to Chevron directly?

The answer to these questions is as follows: In the 17 years that Yaakov spent in Mitzrayim, he realized how comfortable and complacent his children were becoming, as the final passuk of Parashat VaYigash testifies, “And Israel dwelled in the land of Egypt, in the land of Goshen, and they took possession of it (va'ye'achazu bah) and were fruitful, and multiplied exceedingly” (Bereishit 47:27). Before his death, Yaakov Avinu wanted to teach his family that the true achuzah, the true possession, is not Goshen, but Eretz Yisrael. Reviewing the history of Chevron and Me'arat haMachpeilah was the way to teach this lesson.

Chevron was where Avraham Avinu made the initial connection to Eretz Yisrael. He paid 400 silver shekel for Me'arat haMachpeilah, which Rabbeinu Ephraim on the Torah, one of the Tosafists, explains corresponded to the dimensions of Eretz Yisrael — 400 parsah by 400 parsah. By taking possession of Chevron, Avraham was really taking possession of all of Eretz Yisrael. Ephron's statement of “and all the trees therein” is another code that the purchase of Chevron represents the purchase of something greater, as planting trees is the first thing we are to do when we enter Eretz Yisrael.

In Chevron, Avraham made connected to Eretz Yisrael. In Chevron, Avraham connected to Hashem, through the brit milah. (Chevron is therefore called Kiryat Arba, because four tzaddikim—Avraham, Avner, Eshkol, and Mamre—were circumcised there.) In Chevron, Avraham connected to the previous generations—Adam and Chava. This is the true place of achuzah, and this is the lesson Yaakov wished to remind his children before his death.

For this very reason, Yosef brought the entire procession to the eastern bank of the Jordan, teaching his family that even though, in the future, some of the tribes would dwell on the other side of the Jordan, they must recognize that it is the wrong side of the Jordan, and the true Eretz Yisrael is on the western bank of the Jordan.

Practically speaking, the lesson of Yaakov is that we must not make ourselves too comfortable in the Exile. We must rather feel as if we have just arrived. This is attested to by the first passuk of Shemot, “And these are the names of the Children of Israel coming (haba'im) to Egypt,” which speaks in present tense (haba'im) rather than in past tense (sheba'u), which would have been more appropriate. The navi Yeshayah confirms this: “Haba'im yashresh Yaakov, yatzitz ufarach Yisrael” – those who view themselves as arriving recently (haba'im) in the Exile will take root and blossom.

If we follow in the footsteps of our father, Yaakov, we will merit the fulfillment of, “Your name shall no longer be called Yaakov [as in haba'im yashresh Yaakov, representing the Exile], but it shall be called Yisrael [as in yatzitz ufarach Yisrael, representing growth in Eretz Yisrael]” – and we will merit the ingathering of the exiles and the complete Redemption, speedily and in our days.

Shabbat Shalom!

Meir Goldwicht

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From: Michael Rosenthal [webmaster@koltorah.org] Sent: Friday, December 01, 2006 1:21 PM To: Kol Torah Subject: Kol Torah Parashat Vayeitzei - Estate Planning- Health Care Proxies and Living Wills KOL TORAH A Student Publication of the Torah Academy of Bergen County Parashat Vayeitzei 11 Cheshvan 5767 December 2, 2006 Vol.16 No.11

**Estate Planning- Health Care Proxies and Living Wills
by Rabbi Chaim Jachter**

(assisted by Martin M. Shenkman, Esq.)

Introduction Proper estate planning includes drafting a health care proxy and a living will. It is essential for every Orthodox Jew to sign a health care proxy and (possibly) a living will to insure that he will be treated in accordance with Halacha regarding various medical issues. These issues include medical care administered towards the end of life, definition of death, organ donations, autopsy, burial, and other important matters. The Halachic approach to these issues differs greatly from what is generally accepted in American society. Moreover, since many disputes exist regarding these Halachot, steps must be taken that allow one's Rav to render a decision on these matters. Rav Feivel Cohen (in a Shiur delivered to the Council of Young Israel Rabbis) stated that he himself signed a health care proxy, setting an example for all of us to follow. Failing to sign a Halachically approved health care proxy and (possibly) a living will may make it difficult, or even impossible, to assure that one's health care decisions will be made in accordance with Halacha. I thank attorney Martin Shenkman for his assistance in the preparation of this essay. I assume sole responsibility for any errors that might be contained in this discussion.

Medical Care Administered Towards the End of Life Halacha absolutely forbids any form of active euthanasia. The Shulchan Aruch (Yoreh Deah 339:1) rules that anyone who hastens death is guilty of murder. One must take great care not to hasten the onset of death when rendering care to individuals who are very close to death (Gosseis). For example, if touching the Gosseis would hasten death, it may be inappropriate (ibid). Dr. Abraham S. Abraham (Nishmat Avraham Y.D. 339:3) writes that one may not administer routine hospital procedures to a Gosseis, such as taking blood pressure and temperature, if these procedures will not help him, because routine procedures may hasten death. If there is no benefit, such procedures cannot be justified Halachically. Indeed, Rav Hershel Schachter stated (at a symposium sponsored by the Orthodox Union in 2006) that it is never permissible to remove a ventilator from a patient (also see Teshuvot

Tzitz Eliezer 13:89 and 14:81 regarding the propriety of placing a patient on a ventilator that is attached to a timer that will go off automatically and will need to be restarted).

Withholding Medical Treatment Halacha, generally speaking, also forbids passive euthanasia. The Shulchan Aruch (Yoreh Deah 336:1) writes that one who withholds medical treatment is guilty of murder. Nevertheless, Halacha might allow for passive euthanasia in extremely limited situations. The Rama (ibid.) writes that one may remove an impediment to death. He specifically permits asking someone to stop chopping wood if the noise is keeping a deathly ill individual from dying. The Rama permits this because “this is not an action, but only removing an impediment [to death].” Accordingly, although Halacha forbids withholding medical treatments, one might be permitted to eliminate impediments to death in certain limited circumstances. Obviously, it is extremely difficult to distinguish between these two categories. Dr. Abraham S. Abraham (Nishmat Avraham Y.D. 339:4) cites the following guidelines from Rav Shlomo Zalman Auerbach in this regard: We must distinguish between treatments which fulfill a person's basic needs or are accepted as routine, and treatments which are not considered routine. For example, Halacha forbids withholding oxygen or nutrition from a patient who is suffering from cancer which has spread throughout the body and is near death, even though the patient is experiencing great pain and is suffering terribly. If he is diabetic, one may not withhold insulin from him with the intention that he die sooner. One may not withhold blood or antibiotics that are necessary for his care. One may not withhold these treatments even if the intention in doing so is not to hasten the patient's death. On the other hand, we are not obligated to administer non-routine and painful treatments, which serve only to lengthen life and do not cure the fundamental problem. This especially applies if the patient objects to such treatment because of the suffering he would be forced to endure as a result. Dr. Abraham adds that if it is a hopeless situation, there is no obligation to revive a patient if doing so will merely serve to amplify the patient's suffering. Rav Moshe Feinstein fundamentally agrees with these guidelines (Teshuvot Igrot Moshe Choshen Mishpat 2:73:1). He cites as a proof a passage in the Gemara (Ketubot 104a) that describes the situation where Rabi Yehuda HaNassi (Rebbe) was gravely ill and suffering greatly. His students persisted in Tefillah which kept him alive but did not cure his illness. Rebbe's maidservant (described in a number of places in the Gemara as a wise woman) threw a glass into the Beit Midrash to disrupt the Tefillah, at which point Rebbe died. The Ran (Nedarim 40 a s.v. Ein Mevakeish) approves of her actions and accordingly concludes that one may pray for the death of a gravely ill person who is suffering greatly and whom doctors are unable to heal (although one must exercise great caution before taking such a dramatic step; a Rav must be consulted before engaging in such a Tefillah). Indeed, Rav Cohen mentioned that many Gedolim, including the Chazon Ish, would not Daven to prolong the life of one who is suffering enormously from an incurable disease. Rav Moshe writes that the aforementioned ruling of the Rama regarding the removal of impediments to death is based on this Gemara and comment of the Ran. Rav Shlomo Zalman (Teshuvot Minchat Shlomo 1:91:24) writes that we withhold these heroic measures if so requested by the patient. He adds that although this is permissible, it is preferable to explain to the patient that Torah philosophy advocates living as long as possible even if one experiences pain, as is indicated in Sotah 20a (and see Rambam Hilchot Sotah 3:20) and the Mishnah (Avot 4:22) that states, “One hour of Teshuva and good deeds in this world is better than all of the world to come.” See, however, Rashi's comments to Shemot 15:5 s.v. Kemo Even, Teshuvot Igrot Moshe Yoreh Deah 2:174:3, and Rav Hershel Schachter's Belkvei HaTzon number 34. We should note, however, that although Rav Moshe and Rav Shlomo Zalman agree (Rav Mordechai Willig told me that he agrees with this approach; see though, Rav Hershel Schachter's opinion cited in Tradition Summer 2000 page 46) that nutrition and oxygen should never be withheld from a patient, sometimes providing hydration and

nutrition may actually harm that patient (Dr. Beth Popp made this point at the Orthodox Union symposium). Thus, it is essential that a Rav consult the patient's doctors and consider their input before rendering a decision.

Who Makes the Decision? Rav Shlomo Zalman addresses only a situation in which the patient is capable of making the decision. However, what should be done if the patient is incapacitated and unable to communicate his will? Who decides his fate in such a situation? Rav Hershel Schachter (at the symposium sponsored by the Orthodox Union) stated, based on Teshuvot Igrot Moshe C.M. 2:74:2, that in such circumstances the decision should be made by the patient's family members who would estimate what the patient would want (also see Teshuvot Melamed LeHo'il 2:104). Rav Schachter cautioned, though, that it is very difficult to determine the desire of the patient. Indeed, Rav Zev Schostak (Tradition Summer 2000 p. 50; Rav Schostak is a very experienced chaplain who has dealt with these types of situations for many years) writes, "Regrettably, families all too often project their own fears and guilt when making medical decisions on behalf of their loved one. They feel they can no longer bear the emotional burden of the visits, the financial drain of high-tech medical care on their assets (or potential estate)." In addition, there is great potential for dispute among family members in discerning the patient's will in such a circumstance. The only way to make a good decision about this matter and to avoid family fights (whose effects may last for years) is to draft a document that would state exactly what the individual would want should (Rachamana Litzlan) such a situation arise. In addition, such documents should be reviewed and updated every few years, as people's attitudes about such matters are subject to change. Interestingly, Rav Schachter was asked to share his opinion regarding the case of Terry Schiavo that attracted much attention in the media. Rav Schachter responded that although he was not familiar with all of the details surrounding the case, he was inclined not to trust the husband's claim that she expressed her wishes to have nutrition and hydration withdrawn in case of severe incapacitation. We should add that it is not always simple to obtain accurate medical information in order to make the awesome decision to withhold certain treatments. Many advise that one seek a second expert opinion before signing a "do not resuscitate" (DNR) order. One should not be intimidated by medical staff pressure not to seek a second opinion. Families who have signed a DNR order should also be vigilant (and assertive, if necessary) in insuring that their loved one receives proper care even after the DNR order has been signed. Next week, we shall (Y"Y and B"N) complete our discussion of health care proxies and living wills. We will note that there are some Poskim who dispute the approach of Rav Moshe and Rav Shlomo Zalman.

Important Correction to the Essay Published Two Weeks We noted two weeks ago that in signing the Shtar Chatzi Zachar one need not inform one's children that he has executed this document in order for it to take effect. We must add that although the children need not be informed of the execution of this document, it would appear that the document must be delivered by the testator to someone, such as an Orthodox attorney. In other words, it is insufficient for the testator to simply execute a Shtar Chatzi Zachar and place it among his important papers. He must deliver it to someone trustworthy who will hold it on behalf of the beneficiary of the debt and produce it only if the Halachic heirs challenge the validity of the secular will in Beit Din.

From: Daf Yomi [dafyomi@yutorah.org] Sent: Wednesday, March 15, 2006 2:00 AM

**Daf Yomi for Pesachim 56 - R' DANEIL FELDMAN
Barukh Shem K'vod Malkhuto L'Olam Va'ed**

The Talmud relates the origin of the inclusion of "Barukh Shem K'vod Malkhuto L'Olam Va'ed" in the recitation of K'riat Shma. Ya'akov, toward the end of his life, wished to share with his offspring the date of the future redemption. However, the knowledge left him, and he feared that

this indicated he had unworthy offspring. They reassured him by reciting the sentence of "Shma Yisrael", conveying the message that "just as in your heart there is only One, so too in our hearts there is only One." He responded with "Barukh Shem K'vod Malkhuto". The Talmud then notes that the Rabbis were unsure how to relate to this phrase within Kriat Shma: on the one hand, Moshe did not say it; on the other, Ya'akov did. The resolution was to say it in a whisper.

The Maharam Shick (Maharam Shick al haTorah, Bereishit, pp. 178-180) explains that Ya'akov's statement of "Barukh Shem K'vod Malkhuto" represents his awareness that even at the moment of death, he is not afraid, because the reality of G-d's everlasting glory is reassurance of the eternal good of G-d's creation. The Rabbis were unsure as to whether or not to include this in K'riat Shma, because Moshe had omitted it, due to the fact that the Torah is a book of commandments to be observed in and of themselves, and not due to promise of eternal protection. However, the Rabbis realized that people need the encouragement, and thus instituted that it should be recited quietly. (It should be noted that the Maharam Shick actually explains this passage at least four different ways; see also Maharam Shick al haTorah, Devarim, p. 191; p. 214; and p. 224; see also his extensive discussion in Bereishit, *ibid.*)

From a halachic perspective, the Maharsha explains the concern of the Talmud regarding the insertion of a non-Mosaic sentence into K'riat Shma as a possible slight against Moshe, by adding to his words in a loud voice. The quiet recitation thus minimizes the slight. The Tzlach, however, understands the issue as one of an impermissible "hefsek" (interruption) between Shma and "V'Ahavta", and thus derives from the Talmud's conclusion that a whispered statement does not constitute a hefsek. R. Eliezer Silver (as cited by R. Shlomo Wharman, Sh'erit Yosef, II, p. 43) uses this idea to explain the view of Rashi (Sukkah 38b) that one who is in the middle of the silent Amidah when the congregation is reciting Kaddish or Kedushah should stop and listen quietly, thus answering through the mechanism of *shomea k'oneh*.^{*} Tosafot (Berakhot 21b) objects, noting that if listening really counts as speaking, then even listening would constitute a hefsek. However, according to the Tzlach's position, it emerges that only words spoken out loud constitute a hefsek.

R. Wahrman (*ibid.*, p. 44-5) continues to explain that this view might clarify the position of the Rokeach (Hil. Shabbat, 49) that "v'shamru" on Friday night should be recited quietly. Commentaries debate the permissibility of reciting anything at all at that point in davening, which would constitute an interruption between the berakhah of *gulah* and the amidah (see Tur O.C. 267). Based on the Tzlach, it may be that the Rokeach's position is that a statement made quietly avoids problems of hefsek.

The Arukh HaShulchan (O.C. 25:13) suggests that the Talmud's story may play a role in the halachic practice of donning tefillin. Prevalent Ashkenazi practice is to recite two berakhot on tefillin: "l'honiach" before the "shel yad", and "al mitzvat Tefillin" before the "shel Rosh". Following the second berakhah, "Barukh Shem K'vod Malkhuto L'Olam Va'ed" is then recited. The common explanation of this practice is based on the fact that there is a disagreement among halachic authorities as to whether both berakhot should actually be recited under normal circumstances. Thus, "Barukh Shem" is recited to negate any unjustified invocation of G-d's Name.

The Arukh HaShulchan, acknowledging that the above explanation is standard, offers a completely different explanation. It is indeed unusual for one mitzvah to have two berakhot. Rather, the first berakhah is the "birkat ha-mitzvah" and the second berakhah is a berakha of praise, expressing our gratitude for the special relationship the Jewish people has with G-d. That relationship is represented by the tefillin, which are paired with K'riat Shma*. The story with Ya'akov teaches that the correlate to "Shma Yisrael" is "Barukh Shem"; thus, that phrase is especially appropriate in this context.

The poskim discuss the question of whether “Barukh Shem” is considered an integral part of K’riat Shma. As R. Avraham Weinfeld (Resp. Lev Avraham, 11) clarifies, this question can only be posed on a rabbinical level, as the phrase clearly does not appear in the biblical text. However, he also acknowledges the possibility, debated by authorities, that failing to perform a mitzvah in the manner mandated by the Rabbis can invalidate the mitzvah on a biblical level as well.*

The Magen Avraham (61:11) quotes opinions that one who omits “Barukh Shem” does not need to repeat K’riat Shma, but sides with the view of the Levush that one must repeat K’riat Shma even if Barukh Shem was said but with insufficient concentration. (See also Resp. Iggerot Moshe, O.C. V, 5:3.)

* For more about these topics, please follow the links on the website.

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from Shema Yisrael Torah Network <shemalist@shemayisrael.com>
date Jan 4, 2007 3:28 AM

Peninim on the Torah

by Rabbi A. Leib Scheinbaum

Parshas Vayechi

Ephraim and Menashe shall be mine like Reuven and Shimon... By you shall Yisrael bless saying, “May G-d make you like Ephraim and Menashe.” (48:5,20) Clearly Yaakov Avinu saw something special in Ephraim and Menashe. The mere fact that he elevated their status to that of Reuven and Shimon, granting them Shevet, Tribe equivalency, reflects outstanding achievement on their part. He even made them the symbol of blessing. We wonder why they were singled out for this distinction more than any of the other tribes? After all, they were elevated to Reuven and Shimon status. They were not, however, greater than the original tribes. Why not simply have people bless their children, “May G-d bless you like Reuven and Shimon.”

The Sefas Emes explains that Ephraim and Menashe distinguished themselves in that, although they were originally not like Reuven and Shimon, they, nonetheless, strived to reach the elevated status of the Shivtei Kah, Tribes of Hashem. This was their distinction. They were born a generation after the Shevatim, yet this did not deter them. They worked on bettering themselves until they stood on a spiritual level equal with the Shevatim. This is the essence of every father’s blessing to his son: May you strive to reach higher and higher; may you continue to grow spiritually; may your reach extend beyond your grasp; and may your grasp continue to extend.

Horav Chaim Kamil, zl, derives from here that not only is Yesimcha, “May G-d make you,” a blessing, it is also a mechayiv, an obligation, that compels us to go beyond our natural capabilities and tendencies. Ephraim and Menashe did not blindly accept whatever their natural abilities could have allowed them to be, they endeavored to go higher and farther until they reached the level of the Shevatim. In truth, is this not what every father wants for his child: to be the best that he can possibly be?

The problem is that it is much easier to give up than to surge forward, and quite often we defer to what is easier. We do not realize that working diligently at avodas hakodesh is not just a virtue - it is an obligation. Moreover, as the following story demonstrates for us, diligence in the area of Torah study catalyzes siyata diShmaya, Divine assistance. Rabbi Yechiel Spero relates the following story in his Touched by a Story (3): A teenage student in a yeshivah in Eretz Yisrael was having an extremely difficult time grasping and retaining the Talmud lessons. It was not as if he did not want to learn. He strived every day, looking up to the wonderful role models, the shining examples of bnei Torah and talmidei chachamim, Torah scholars, that attended his yeshivah. He was well-liked and, indeed,

whenever he requested an older student to help him with the Talmud, they always acquiesced gladly, but it was discouraging. The years were going by. His friends were growing in stature and erudition, while he was at a dismal status quo. His rebbe cared for him and gave him extra time and extra help; it was, however, to no avail. He so badly wanted to become a talmid chacham. It was becoming more of a nightmare than a dream.

In desperation, one day, the bachur, young man, asked to speak privately with his rebbe. As soon as he was ushered in to his rebbe’s study, he burst forward in tears, “Rebbe, I can no longer do it! I cannot spend day in and day out studying without accomplishing anything. I want to become a talmid chacham. It is not going to happen.” The young student went on and on, pouring out his years of frustration and failure to his loving and caring rebbe. Finally, he screamed, “I do not want to go on anymore. I do not want to live. I want the pain to end!”

Hearing this, the rebbe took his broken-hearted student in his arms and embraced him, “I know your frustration. Do not worry. It will soon be better.” The rebbe had to seek help for his student. There was no shortage of rabbanim and distinguished Torah leaders in their Torah community of Bnei Brak. They walked together out of the house in the direction of the home of the gadol hador, the preeminent Torah leader of the generation, Horav Yaakov Yitzchak Kanievsky, zl, the Steipler Gaon. Together, they entered the home of the sage to find him pouring over a folio of Talmud. Seferim from which he was studying lay all over his spartan desk. It was an incredible sight to behold. The Steipler looked up from his Talmud and asked how he could be of assistance. The rebbe introduced his student and explained his predicament. The Steipler listened intently and then asked to speak privately with the bachur.

The Steipler took the bachur’s hands in his hands and held them tightly, while he gazed into his eyes with his piercing look. “I would like to share with you an important principle,” the Steipler began. “In order for you to understand the significance of what I am about to say and how true it is, I am going to make a shvuah d’Oraisa, an oath by the Torah, that when you struggle to learn Torah, when you toil to understand a blatt, folio, of Talmud, the Almighty declares to His Heavenly court: ‘At this moment, I want everyone else’s Torah learning put aside. Even the learning of the greatest Torah luminaries are now secondary to the Torah study of this bachur. I want to listen to his Torah!’”

When the bachur heard this powerful statement emanate from the holy mouth of the Steipler Gaon, he stared back in disbelief and amazement. Suddenly, the frustration and pain that had been so much a part of his learning was replaced by new feelings of hope and calm. “Could it really be that my clumsy learning has such an important place before the Almighty? It must be, otherwise why would the Steipler have said so?” He turned to the Steipler and asked in his timid manner, “How does the rebbe know this to be true? Please tell me... I must know how.”

The sage cited a Midrash in Vayikra that teaches us that Hashem uses keilim shevurim, broken vessels. The bachur thought to himself, “I am a broken vessel. Yet, I am still special to Hashem. He still wants to hear my learning, the learning of a broken vessel.” The young bachur picked himself up, wiped the tears off his face, thanked the Steipler for his words of encouragement and walked to the door with a newly-found resilience borne of courage and hope. He knew now that he would never give up on his learning, regardless of the difficulty. He would persevere and overcome every challenge. After all, Hashem was “rooting” for him. He entered the Steipler’s home a spirited teenager, a boy at risk, ready to throw it all away, and he left as a hopeful, encouraged young man, ready to take on any challenge that was presented to him. What was the key to his successful transformation? He discovered that he was special, that Hashem cared for him. He was now on the road to success, to become the distinguished rosh yeshivah that he is today.

When a person realizes his incredible inner potential and strives to elevate himself beyond his superficial ability, then he follows in the footsteps of Ephraim and Menashe. They ascended to the position of Shivtei Kah

because they never settled, they never gave up. Every hurdle was one more step to climb on the ladder of spiritual ascendancy.

...

Assemble yourselves and I will tell you what will befall you in the End of Days. (49:1)

The word *yikra* with an aleph at the end is usually defined as call, which would render the translation of the pasuk to be, "What will call to you." Horav S.R. Hirsch, zl, explains that Yaakov Avinu was intimating that everything which occurs is to be understood as a call from Hashem. Nothing just happens. It is all part of a Divine master plan, and every occurrence has a profound message in it. It is our function to check our messages and attempt to discern their meaning.

Horav Simchah Wasserman, zl, addresses this question and expounds on the concept of Hashem's Divine call. He cites the pasuk in Shir HaShirim 1:4, *Moshcheini acharecha narutza*, "Pull me after you; we will run." This is similar to the pasuk in Eichah 5:21, in which we ask Hashem, *hashiveinu Hashem eilecha v'nashuvah*, "Return us back to You, Hashem, and we shall return." We ask Hashem to bring us back to Him. What is the meaning of the word *moshcheini*, which means "pull me"? Rav Simchah explains that *meshichah* is a form of *kinyan*, act of acquisition, whereby one demonstrates ownership of an animal. There are two ways to make the animal move: one either hits it with a stick, and it moves; or he calls to it, and it responds to his voice.

During Klal Yisrael's sojourn in galus, the bitter exile, Hashem has brought us back through the medium of a stick, with pain, misery and the many troubles that have visited us throughout history. Prior to the advent of Moshiach Tzidkeinu, at the "End of Days," He will bring us back with a *kriah*, by calling to us. Perhaps this is why so many people have recently returned to a Torah way of life. They have heard the "call."

He blessed each according to his appropriate blessing. (49:28)

Yaakov Avinu gave each son the blessing that was destined for him. Rashi questions the use of the word *osam* (*beirach osam*), "he blessed them." The Torah should have written simply, "Each (man) according to his appropriate blessing, he blessed him." He explains that since Yaakov blessed Yehudah with the might of a lion, Naftali with fleetness of a deer, and Binyamin with the wolf's ability to grab, one might think that he did not include each brother in all of the blessings. Therefore, the Torah emphasizes *osam*, "[he blessed] them." We now wonder why it was necessary for Yaakov to give individual blessings? Why individualize each brother if they are all receiving the same blessing anyway?

Horav Levi Yitzchak, zl, m'Berditchav explains the concept of blessing and how it affects an individual. One would think the more blessings one receives, the better it is for him. After all, how can a blessing hurt? This is not so. A blessing must be suited to the individual who is receiving the blessing. If a person does not possess the *keilim*, vessels/tools, to use the blessing efficiently, then it could very likely have a negative reaction. Conversely, it is possible for a person to merit a blessing even though he is not on the spiritual plateau that coincides with this blessing. How do we reconcile these two opposing features of blessings?

The Berditchever explains that there are two types of *ovdei Hashem*, individuals who serve the Almighty. First is the person who has achieved the depth of understanding and the realization that true pleasure and ultimate joy can only be found when one rejoices in Hashem. When one senses that true pleasure can only be obtained through the medium of serving Hashem, then he does not seek physical pleasure, for he understands that it is only temporary. It does not have the permanence and stability of the spiritual pleasure that he derives in his interaction with Hashem during his service of the Almighty. Why seek a transitory substitute when one can have the real thing?

While this certainly describes a lofty plateau of spirituality and an individual who fulfills this vision is to be commended, an even loftier plateau exists. This is the individual who has completely abrogated the element of pleasure from within himself. He neither needs it nor does he

want any form of pleasure. He does not trust his reaction to it, lest it have a negative influence on him. He wants only one thing: to serve Hashem and to provide a *nachas ruach*, pleasure and satisfaction to the Almighty. He does not want to take; he wants to give. Thus, our first individual is a *mekabel*, taker, even though he takes only that which is of a spiritual nature. The second person is on a loftier plane. He is a giver. He just wants to serve Hashem without seeking any spiritual pleasure from his service.

We now are able to understand the distinction between these two individuals with regard to receiving blessings. One who is a *mekabel*, taker, is able to receive only that which he is capable of containing. If he has prepared himself as a *keli*, vessel for accepting and retaining blessing, he will receive an amount which he can handle. Otherwise, too much can hurt him. The one who serves Hashem as a *nosein*, giver, never takes for himself, and, thus, does not have to prepare such vessels for receiving blessing. He has subjugated all of his will to the will of Hashem. Therefore, whatever Hashem wants for him, he will receive, because the delivery system for his blessing is different. It is not dependent on him.

This is why Yaakov Avinu blessed his sons twice. He first gave each one his individual blessing, attuned and coinciding with his abilities and proclivities. To be able to receive as a *mekabel*, to seek to take only what Hashem has to offer him, is truly a high and noble position - one that few people attain. For that person, Yaakov prepared the blessings on an individualized basis, directed specifically towards the subject's capabilities. There are those unique individuals, however, who take nothing for themselves. They are blessed with boundless blessing, because there will never be an overflow of blessing, since they do not take - Hashem gives them.

... Sponsored in memory of Dov ben Yaakov niftar 22 Teves 5762 by the Schulhof and Winter Families

[From 2 years ago]

From: Yeshivat Har Etzion Office [office@etzion.org.il] Sent: Wednesday, December 22, 2004 6:56 AM To: yhe-parsha@etzion.org.il Subject: PARSHA65 - 12: Parashat Vayeichi YESHIVAT HAR ETZION ISRAEL KOSCHITZKY VIRTUAL BEIT MIDRASH (VBM) PARASHAT HASHAVUA This parasha series is dedicated in memory of Michael Jotkowitz, z"l. <http://vbm-torah.org/archive/parsha65/12-65vayigash.htm>

PARASHAT VAYEICHI

Sponsored by Aaron and Tzipora Ross and family in honor of the *yahrzeits* of our esteemed grandparents Neil Fredman (Shmuel Nachamu ben Shlomo Moshe HaKohen, 10 Tevet), Clara Fredman (Chaya bat Yitzchak Dovid, 15 Tevet), and Walter Rosenthal (Shimon ben Moshe, 16 Tevet).

In loving memory of my grandmother, Szore bath Simen Leib Weinberger, whose *yahrzeit* is on the 18th of Tevet - from those who remember her.

In loving memory of our mother and grandmother, Rachel bat Shlomo Strauss, in honor of her twentieth *yahrzeit*, on the 18th of Tevet.

Rachel's Death and Burial By Rav Yaakov Medan

"So says God: a voice is heard in Rama; it is the sound of bitter weeping. Rachel is crying over her children. She refuses to be comforted for her children, for they are gone. So says God: Withhold your voice from weeping and your eyes from their tears, for there is a reward for your action, promises God, and they will return from the enemy land. And there is hope for your end, promises God, and the children will return to their borders." (Yirmiyahu 31:14-16)

Rachel is one of the four matriarchs of the Jewish nation. Why is she singled out here?

A similar question arises from our parasha, concerning Rachel's burial on the road to Efrat, which is Beit Lechem, away from the burial place of the patriarchs and the other matriarchs: "And I, when I came from Padan, Rachel died by me in the land of Canaan, on the way, with just a short distance left to come to Efrat, and I buried her there on the way to Efrat, which is Beit Lechem." (48:7)

It is not surprising, then, that the midrashim, Rashi, and Jewish tradition throughout the generations have bound these two sources together:

"I [Yaakov] wanted to bring her up [to Chevron] and bury her, but the Holy One, blessed be He, would not let me. As it is written, 'I buried her there (sham)' - what is the meaning of 'there'? By God's word. And why? For it was known and clear to Him that the Temple would ultimately be destroyed, and His

children were going to be exiled, and they would pass by the [graves of the] forefathers and ask them to pray for them, and it would not help them. And while they were walking on the way, they would come and embrace the burial place of Rachel, and she would stand and plead for mercy from the Holy One, saying to Him: 'Master of the Universe! Hear the sound of my weeping and have mercy on my children, or give me my reward [for my treatment of my sister Leah].' Immediately, G-d listened to her prayer. How do we know this? It is written, '...bitter weeping; Rachel is crying over her children,' and then it is written, 'there is hope for your end [promises God], and the children shall return to their borders.'" (Pesikta Rabbati (Ish Shalom), parasha 3)

The midrashim are also in accord as to what special merit Rachel had, which caused G-d to listen specifically to her supplication: the fact that she conveyed the special "signs" to Leah.

The Midrash elaborates on this story, also connecting it to Rachel's special right to pray for her children at the time of the Temple's destruction: "At that moment, the matriarch Rachel leaped before G-d and said: "Master of the Universe, it is known before You that Yaakov, Your servant, loved me very greatly, and worked for my father for seven years in order to marry me. And when those seven years were complete and the time came for my wedding to my husband, my father decided to replace me with my sister for my husband. This was exceedingly hard for me, for it was known to me; I told my husband of it and gave him a sign by which he would be able to distinguish me from my sister, so that my father would not be able to exchange me. Thereafter I regretted it and stifled my desire, and I had mercy on my sister, that she would not be shamed. In the evening, they exchanged my sister for me, and I gave my sister all the signs that I had given to my husband in order that he would believe that she was Rachel. Not only that - I climbed under the bed upon which he lay with my sister; he spoke with her and she remained silent, I answered him each and every time so that he would not recognize my sister by her voice. I performed kindness for her, and was not jealous of her, and I did not allow her to be shamed. And if I, a mere mortal, dust and ashes, was not jealous of my rival and did not allow her to be shamed and humiliated - what of You, living, eternal, merciful King: why are You jealous of idolatry, which has no substance to it? You have exiled my children and they have been killed by the sword, and their enemies have done with them as they please!" Immediately God's mercy was aroused, and He said: "For you, Rachel, I shall return Israel to their place." This is as it is written, "So says God: A voice is heard in Rama, it is the sound of bitter weeping, Rachel is weeping over her children, she refuses to be comforted for her children for they are gone." And it is written, "So says God: Withhold your voice from weeping and your eyes from their tears, for there is a reward for your act..." and it is written, "There is hope for your end, promises God, and the children will return to their borders." (Eikha Rabba, petichta 24)

The problem with this special merit attributed to Rachel is that it is difficult to find in the text any hint of support for the legend of Rachel handing over the secret signs to Leah. Lavan is known to be deceitful and treacherous even if we do not assume that any signs changed hands between Yaakov and Rachel.

A. BABYLONIAN EXILE AND HADRIAN'S CAMPAIGN

Let us return to Rachel's burial on the road to Efrat. From the Pesikta quoted above, it appears that Rachel was buried on the road that was destined to be traveled by the exiles of Jerusalem, following the destruction of the Temple. We can understand this midrash better if we know exactly where Rachel was buried.

Opinions are divided on this matter, because of the contradiction between the verses in Sefer Bereishit (35:16 and 48:7), noting the place of her burial as being in the region of Efrat and Beit Lechem (in Yehuda), and the verse in Shemuel I (10:2), which locates the place of Rachel's burial on the border of Binyamin, at Tzeltzach. The verses in the Book of Yirmiyahu would likewise seem to suggest that Rachel was buried in the portion of Binyamin, since they mention that Rachel's voice is heard in Rama - a well-known city in the portion of Binyamin, north of Jerusalem (today, the site of A-Ram, next to Atarot). In other words, some sources seem to indicate that Rachel is buried south of Jerusalem (the site known today as Rachel's Tomb), while others indicate that she is buried north of Jerusalem, in the portion of Binyamin.

The "southern" view is presented in the Tosefta: "...When you depart from me today... at Tzeltzach" - where do we find that Rachel was buried on the border of Binyamin, at Tzeltzach? Was she not buried at Beit Lechem - in the portion of Yehuda, as it is written, 'Rachel died and she was buried on the road to Efrat' - and Efrat is in Yehuda's portion, as it is written, 'And you, Beit Lechem of Efrat - are too young to be among the thousands of Yehuda?' Rather, he [Shemuel] said to him [Shaul], 'Now, while I am talking to you, they [the men] are at Rachel's tomb. You will go, while they were approaching, and you will meet them on the border of Binyamin, at Tzeltzach.'" (Tosefta Sota [Lieberman edition], 11:13)

Similar views are presented by Midrash Shemuel (14) and, in a different form, in Bereishit Rabba (82, 9). Rashi (Shemuel I 10:2), Radak, and the Metzudot (ad loc.) explain in accordance with the Tosefta, arriving at the "southern" view. Ramban, after visiting Eretz Yisrael and retracting his interpretation which had preferred the "northern" view (48:7), likewise adopted the "southern" view in his commentary (35:16), regarding it as an altogether Jewish tradition. Mention should also be made of the articles by Dr. Yoel Elitzur (Shemaatin 59, and Z. Ehrlich, ed., Lifnei Efraim u-Vinyamin u-Menasheh, 1985), who supported the "southern" view, rejecting most elegantly the proofs against it from the Books of Shemuel and Yirmiyahu.

The first source that I know of supporting the "northern" view is the opinion of R. Meir in the Sifri:

"Rachel died and she was buried on the road to Efrat, which is Beit Lechem" - R. Meir says: She died in the portion of Binyamin, her son, as it is written, 'And I, when I came from Padan to Eretz Canaan, on the road, with just a short distance before reaching Efrat, Rachel died by me...' - and Efrat is Beit Lechem, as it is written, 'And you, Beit Lechem of Efrat.' Lest I imagine [that she died] in the portion of her son Yosef, the text comes to teach, 'Behold, it is heard in Efrat, it is found in the field of the forest' - the one who is compared to an animal of the forest. And who is this? Binyamin." (Sifri Devarim 352) ***

Assuming that the Pesikta quoted above and the other midrashim are speaking about Rachel weeping over the children of Israel as they depart into the Babylonian exile after the destruction of the First Temple, we have almost no choice but to accept the "northern" view. To this view, it appears that the midrash connects the place of Rachel's burial with her voice weeping for her children, which is heard specifically in the city of Rama (Yirmiyahu 31:14), and the midrash connects both of these with the description of the camp of the captives who had been exiled by Nevuzaradan from the ruins of Jerusalem towards Babylon, which also bordered on the city of Rama:

"The word that came to Yirmiyahu from God, after Nevuzaradan, the captain of the guard, had sent him away from Rama, when he had taken him along, bound in chains, among all the exiles of Jerusalem and Yehuda, who were being carried away to Babylon." (Yirmiyahu 40:1)

On the exiles' last stop in Eretz Yisrael, in the city of Rama, Rachel - who was buried nearby - prayed for her captive children.

If we adopt the "southern" view, it appears that we are forced to accept the opinion of Prof. Yehuda Elitzur, according to whom the midrash refers to the captives who were taken in Hadrian's campaign, following the failure of the Bar Kokhba rebellion, and who were led away to be sold on the slave market at the great fair of Bothna in Ilanin, north of Chevron. On their way to Ilanin, the captives would therefore have passed by Rachel's tomb at the place where it is identified today, and there Rachel prayed for their return.

It would seem that adopting the "southern" view would lead us to the conclusion that the midrash did not mean in any way to explain the prophecy of Yirmiyahu - for it is difficult to contend that Yirmiyahu prophesied the failure of the rebellion against Hadrian and its results. To this view, what the midrash is really referring to is those same verses in Yirmiyahu describing Rachel's weeping, but for its own purposes: as a commentary on the terrible phenomenon of Jews being sold at slave markets following the failure of the Bar Kokhba rebellion. Obviously, this is a somewhat forced explanation.

If, on the other hand, we choose to adopt the dominant tradition among Chazal - that Rachel's grave is next to Beit Lechem in Yehuda - then we may attribute Yirmiyahu's prophecy to the destruction of the First Temple, which took place in his time. However, we shall have to forego the "reality" - the conceivable historiographic situation. It is not logical that the exiles on their way to Babylon - whose camp of captivity was in Rama, north of Jerusalem, and who were headed north, towards Babylon - would have passed by Beit Lechem of Yehuda, which is south of Jerusalem.

B. EGYPTIAN EXILE FOLLOWING THE DESTRUCTION

The desire to remain within a logical historiographic situation - both concerning Yirmiyahu's prophecy of the destruction of the First Temple and with regard to the accepted tradition concerning Rachel's grave - leads us to an obscure legend, whose source in the writings of Chazal I was unable to find, though it is mentioned in the medieval "Sefer ha-Yashar," among other places. According to this legend, following the sale of Yosef, when the Ishmaelites took him down to Egypt, their caravan passed by Rachel's grave. Yosef left the caravan for a moment and went to cry at his mother's grave; Rachel cried to the Holy One, conveying Yosef's pain at the bitterness of his fate, and promised Yosef that she would be with him in his distress and would plead before G-d until he would be redeemed from his troubles.

This legend can be shown to rest squarely on a comparison of the verse in Yirmiyahu - "Rachel is weeping for her children, SHE REFUSES TO BE COMFORTED for her children, for they are gone" (Yirmiyahu 31:14) - with the

verse describing Yaakov after the sale of Yosef: "All his sons and all his daughters arose to comfort him, BUT HE REFUSED TO BE COMFORTED" (37:35). In general, the maternal image of Rachel fits in well with the mercy that she requests for her son Yosef, for whom she waited so long and who became, at her death, an orphan, his weakness exploited by his half-brothers to treat him as they did.

The legend of the dead Rachel's prayer for her son is quite conceivable, apart from the claim that the caravan of the Ishmaelites passed by her grave. Rachel is certainly buried in the mountainous area on Yaakov's route with his camp from Beit-El to Chevron. In contrast, the Ishmaelites, crossing from Gil'ad to Egypt, via the valley of Dotan, would have used the latitudinal (east-west) road crossing through the Dotan valley in order to pass from the eastern longitudinal (north-south) road - the king's highway, at Gil'ad - to the western longitudinal road - through the land of the Philistines (more or less today's coastal road). There is no reasonable possibility that the caravan passed by Rachel's tomb. Moreover, Yirmiyahu was most obviously speaking about some contemporary event: for what reason would he speak about a historical event, from the period of Yaakov's sons? But without the verses from Yirmiyahu, there is nothing linking the Torah text to the legend. *** Perhaps the

legend of Rachel crying over the sale of Yosef explains the verses in Yirmiyahu that recount the murder of Gedalia ben Achikam, after the destruction of the Temple, when the remnant of the survivors was lost from the land, since they fled after the murder. Let us turn our attention to this story, mentioned briefly at the end of Sefer Melakhim (Melakhim II 25:25-26), and at much greater length in Yirmiyahu (Chapters 40-44). After the destruction, and the exile of Tzidkiyahu and the inhabitants of Jerusalem, the king of Babylon appointed Gedalia ben Achikam as the governor of the small number of survivors who remained in Eretz Yisrael. Gedalia embarked on a process of rehabilitation of Am Yisrael in Eretz Yisrael, and the exiles from the neighboring lands began to return.

The prophet Yirmiyahu foretells success in this endeavor: "If you will dwell again in this land - I shall build you up and not destroy, I shall plant you and not pluck, for I regret the evil that I have done to you." (Yirmiyahu 42:10)

But the rebuilding of the Jewish settlement in Eretz Yisrael collapses and crashes because of the decision by Yishmael ben Netania to murder Gedalia, and Yirmiyahu's prophecies of consolation are not fulfilled because of the decision by Yochanan ben Kareach and his cohorts to flee the land, for fear of the king of Baby because of the murder; they decide to go down to Egypt, taking the survivors (including Yirmiyahu) with them.

The gravity of Yishmael's act arises not only from its disastrous results, but also from the act itself, in which a Jew (Yishmael ben Netania) collaborated with a gentile king (Ba'alis, king of Ammon) in order to kill one of his Jewish brethren - apparently out of personal jealousy, in view of the authority that Gedalia had received from the king of Babylon. We may draw a parallel between the evil deed of Yishmael ben Netania (who killed Gedalia) and of his sworn rival, Yochanan ben Kareach (who took the remnant of Yehuda down to Egypt, in contravention of the prophet's instructions), and the story of the sale of Yosef. The jealousy aroused by the authority vested in Gedalia by the king of Babylon brings to mind the jealousy of the brothers because of Yaakov's love for Yosef and because of Yosef's dreams. Yosef came, in all innocence, to check on his brothers' welfare, his innocence preventing him from seeing the danger inherent in his brothers' hatred for him. Gedalia's innocence likewise prevented him from listening to the warnings of Yochanan ben Kareach; he hosted Yishmael at his table, to eat bread together with him at Mitzpa.

The most striking detail in the comparison between the two incidents is the casting of the victim's body into the pit. Yishmael actually threw Gedalia's body into a pit, while in the story of Yosef this was the original plan, but ultimately things happened differently: "And now, let us go and kill him and cast him into one of the pits, and we shall say, 'A wild beast consumed him' - and we shall see what will become of his dreams." (37:20) "And it was, as they came into the city, that Yishmael ben Netania slew them [and cast them] into the pit - he and the men who were with him." (Yirmiyahu 41:7)

On the other hand, the story of the murder of Gedalia is also reminiscent of Yehuda's suggestion to sell Yosef to the Ishmaelites. The brothers cooperated with the gentile Ishmaelites who came from Gil'ad, just as the Jewish Yishmael collaborated with Ba'alis, king of Ammon, who also ruled, most of the time, in Gil'ad. In the wake of the murder, Yochanan ben Kareach and his men save all the survivors from the hands of Yishmael, but lead them into Egyptian exile. Correspondingly, Yehuda saves Yosef from the horrors of the pit, but sells him to the Ishmaelites who take him down to Egypt; ultimately all of his father's household is drawn into exile after him.

Let us now return to our deliberation as to the meaning of the midrash in its connection between Rachel's tomb and her prayer, and the exiles of Zion at the time of the Temple's destruction. On the one hand, we tend towards the view of most of

the midrashim and most of the commentators, who locate Rachel's tomb near Efrat which is Beit Lechem, south of Jerusalem. On the other hand, we note the implausibility of applying Yirmiyahu's testimony to an event so far removed as the destruction by Hadrian, following the Bar Kokhba revolt, when the captives passed through Beit Lechem on their way to the slave market in Bothna.

As noted above, it is possible that Yirmiyahu's prophecy concerning Rachel's weeping was uttered when Yochanan ben Kareach and his colleagues took the remnant of Yehuda with them down to Egypt, following the murder of Gedalia. Accordign to this approach, the prophet is referring to the last stop by the exiles of Zion in the land, prior to their journey down to Egypt: "Yochanan

the son of Kareach and all the captains of the forces that were with him, took all the remnant of the people whom he had recovered from Yishmael ben Netania, from Mitzpa... they went and stayed in Gerut-Kimham which is by Beit-Lechem, to go towards Egypt." (Yirmiyahu 41:16-17)

While the exiles were staying in Beit-Lechem, south of Jerusalem, Rachel prayed for them just as she had prayed for Yosef, her son, as he was being led down to Egypt after being saved from death.

This view - that Rachel prayed from her grave in Beit-Lechem Yehuda - still faces the difficulty presented by the explicit verse that introduces her prayer, describing the place: "A voice is heard in Rama." Rama is located north of Jerusalem, which is where the captives' camp on its way to Babylon was located!

For a possible answer, let us return to what appears to be the gravest aspect of the story. The brothers, in their conflict with Yosef, exploited the hard-heartedness of the Ishmaelites and the Midianites, who - for monetary gain - were prepared to expand their spice trading to include slave trading; through their offices, the brothers sold Yosef into Egyptian slavery. Correspondingly, Yishmael ben Netania, with the inspiration of Ba'alis, king of Ammon, who ruled in Gil'ad, killed Gedalia. Perhaps the prophet finds it necessary to emphasize, by means of the pit mentioned above, the atrocity of forging a covenant with foreigners against a brother, and against the nation of the murderer: "The pit into which Yishmael cast all the bodies of the men whom he had killed because of Gedalia - was the same pit that King Asa had made for fear of Ba'sha, king of Israel; it was this [pit] that Yishmael ben Netania filled with corpses." (Yirmiyahu 41:9)

The story of the conflict between Asa, king of Yehuda, and Ba'sha, king of Israel, followed the same ugly and inexcusable pattern: "In the thirty-sixth year of the reign of Asa, Ba'sha, king of Israel, rose up against Yehuda, and he build Rama so as to prevent anyone from leaving or coming to Asa, king of Yehuda. So Asa took silver and gold from the treasuries of God's house and of the king's house, and sent to Ben-Hadad, king of Aram, who dwelled in Damesek, saying: 'There is a pact between me and you, and between my father and your father. Behold, I am sending you silver and gold; go and break your alliance with Ba'sha, king of Israel, so that he will depart from me.'" (Divrei ha-Yamim II 16:1-5)

The pit, recalled hundreds of years later for eternal infamy, is the same pit that was dug as part of a war in which the king of Yehuda drew in Ben-Hadad, king of Aram (who appears to have ruled, at that time, also in northern Gil'ad), against his rival who ruled over the house of Yosef. Once again, we find collaboration between Yehuda and a gentile from Gil'ad against Yosef.

The pit in question was at the foot of the city of Rama; it was this place that represented the border and division between the two kingdoms - that of Yosef and that of Yehuda. The voice of Rachel, praying from her grave near Beit-Lechem for the exiles of Zion who were camped there at their final station in the land, is heard as far as Rama - as far as the pit into which Yishmael ben Netania cast the bodies of Gedalia and his men. ***

My assumption, in this section, has been that it is specifically Rachel who weeps over the exiles from Zion as a continuation of her prayer for Yosef when he was sold as a slave, because Bnei Yisrael were exiled for a sin that was similar to what the brothers had done to Yosef. This assumption may explain the midrash describing Rachel's special merit - the merit that causes G-d to listen to her prayer: handing over the signs that Yaakov had given her to Leah, in order that Leah would not be humiliated. In the preceding sections, we questioned this midrash, which appears not to have any source in the text; besides which - Yaakov's mistaken identification of his new wife, on his wedding night, may be explained simply on the basis of the time elapsed since his original encounter with Rachel, without any need to introduce the story of the signs.

Perhaps Chazal viewed the relationship between Rachel and Leah as a prototype of the relationship between siblings, of which jealousy is a dominant element. All that we know of the relationship between the two sisters is that there was jealousy, Leah was jealous of Rachel because Yaakov loved her more; Rachel was jealous of Leah because she merited to give birth to four sons which Rachel remained childless (30:1). Jealousy is an evil trait, and Rachel is praiseworthy for knowing where to place a limit it. After seven years of waiting -

and we must assume that these were likewise years of jealousy and competition between her and Leah - Rachel put aside her jealousy of her sister out of concern lest Leah come to be shamed, and she gave her the secret signs.

The story of the two sisters therefore declares loudly and clearly that even if a person is unable to control the jealousy that he feels, it must still have limits. Tale-bearing about the object of one's jealousy to an 'outsider' (Yaakov or Lavan) in order to bring about his humiliation or punishment, thereby serving one's own purposes, is beyond the bounds of jealousy. The jealous individuals who did not limit their jealousy, and involved foreign parties in their scheming against the objects of their jealousy - like Yosef's brothers at the time of his sale, and like Yishmael ben Netania in the murder of Gedalia - ended up almost destroying the world, and the Jewish nation. Rachel, who makes the heart-wrenching choice to put a limit on her jealousy, is the one who pleads for mercy for those harmed by boundless jealousy - for her son Yosef, and for the remnant of Yehuda being led away to Egypt. Therefore, it is only her prayer that G-d is prepared to hear, promising her hope and repair, with the words, "the children will return to their borders."

C. DESTRUCTION OF THE SECOND TEMPLE AND THE FAILURE OF THE BAR-KOKHBA REVOLT

Perhaps what I have suggested above represents the basis of the midrash concerning the ten martyrs, which teaches that the death sentence meted out to the ten Sages of the Sanhedrin by the Romans, at the time of the Destruction, was a Divine punishment for the sale of Yosef by his ten brothers, as the poet declares: "You will bear the sin of your forefathers." In the words of the Midrash:

"R. Yehoshua ben Levi said: The ten martyrs were killed only because of the sin of the sale of Yosef." (Midrash Mishlei 1)

Chazal point out numerous times that the destruction of the Second Temple came about because of baseless hatred. The beginning of the destruction, and the loss of Israelite independence - as mentioned above - lay with the conflict between the brothers Hyrcanus and Aristobolus, the sons of Yanai, over the kingship, and the involvement of Pompey, the Roman governor, to decide this controversy. Jerusalem was defeated by the siege during the Great Revolt, to a great extent as a result of the internal struggle for leadership between the various groups of rebels. Apparently, the poet believed that the destruction at the hands of the Romans in general, and the death sentence meted out to the Sages of the Sanhedrin in particular, were a punishment for the causeless hatred that existed in the generation of the Destruction. This hatred represented an "adopting of the deeds of their forefathers" - the hatred of the brothers which caused Yosef to be taken down as a slave to Egypt, and therefore the law of "visiting the iniquities of the fathers upon the children" applied to them: that generation was punished for the sale of Yosef (some eighteen hundred years later!). As to our subject: only Rachel, who prevented the development of the jealousy between the sisters and a struggle over the birthright, is worthy of asking for mercy for Bnei Yisrael, and it is therefore she who receives an answer from God.

It seems that the midrash about the ten martyrs, with all its different versions in various midrashim and different lists of the Sages who made up the group, is also talking about both the casualties of the Great Revolt at the time of the destruction of Jerusalem and the Temple, as well as the casualties of Hadrian's decrees following the failure of the Bar-Kokhba Revolt. The causeless hatred discussed above relates, as we have pointed out, mainly to the Roman takeover of the land and the ensuing Destruction, and Chazal also attributed to it the famine in Jerusalem and the destruction of the Temple. We also find an example of causeless hatred in the Bar-Kokhba revolt and the decrees that followed it - and specifically among the Torah sages:

"They said: Rabbi Akiva had twelve thousand pairs of students ... and all died within a short period, because they did not treat one another with the proper respect; and the world was desolate." (Yevamot 62b) Similarly, the death of Bar-Kokhba himself was attributed to his unjustified suspicion of Rabbi Elazar ha-Moda'i, and to the fact that he killed him (Eikha Rabba, 2).

Perhaps we may find in the midrash a connection between the brothers' hatred for Yosef - leading to his sale - and the suffering that came with the failure of the Bar-Kokhba revolt, with Hadrian's decrees, when many thousands of Sages died - including Rabbi Akiva's disciples, as well as the Sages listed as the ten martyrs.

*** The possibilities that we have discussed thus far with a view to explaining Rachel's prayer for the exiles of Zion have focused mainly on explaining the midrash teaching that Rachel was buried away from Ma'arat ha-Makhpela so that the exiles, passing by her tomb, would be able to ask her to pray on their behalf. We noted the possibility that the reference is to the captives' camp that Nevzaradan established in the city of Rama close to Rachel's tomb (in accordance with the "northern" view), after the destruction of Jerusalem during the reign of Tzidkiyahu. We also noted the possibility that Rachel's prayer, recalling her self-sacrifice for the sake of her sister's dignity, is connected specifically with the results of brotherly hatred in the murder of Gedalia

ben Achikam, the Destruction of the Second Temple, or the Bar-Kokhba revolt. But we have yet to deal with two problems with these explanations:

1. As we noted in the first section, there is no necessity to relate the tomb of Rachel on the Efrat road to the misery of the exiles of Zion, nor to Yirmiyahu's prophecy concerning her weeping for her children. Perhaps Rachel was buried on the road to Efrat because of the difficulties of the journey, because Yaakov wanted to bury her in the portion of her son Binyamin, to whom she gave birth before dying, or for other reasons. There is also no necessity to relate Rachel's prayer for the exiles of Zion to the place of her grave, for she could pray for them (as described by Yirmiyahu) even if they did not pass by her grave in an organized, mass fashion. The reliance on the story of Rachel passing the "secret signs" to Leah likewise seems to lack firm support in the text; we have already noted that the legend itself would seem to be hinting at the future, to the causeless hatred that would lead to the destruction of the Second Temple.

2. It is also problematic that it is specifically Rachel, righteous as she was, who prays for the exiles of Zion. Her connection with them is not actually so strong, since three of the thirteen tribes (if we count Efraim and Menashe separately) are not her biological descendants.

In the following sections, I shall propose interpretations, based on different assumptions, which answer the difficulties presented here. In the conclusion, I shall attempt to connect what appears to be the simple meaning of the text with the midrashim of Chazal concerning Rachel's grave.

D. THE DESTRUCTION OF SHILO

Our second question, concerning the relationship between the exiled children and the matriarch Rachel, leads us to propose that Yirmiyahu's prophecy concerning Rachel weeping over her children is actually referring to a tragedy that happened principally to the children of Rachel - Efraim, Menashe and Binyamin. Perhaps the prophet is referring to the destruction of Shilo. The Sanctuary at Shilo served the entire nation, and its destruction - with the capture of the Ark of G-d and the deaths of Eli and his sons - was a national tragedy; it would seem, nevertheless, that it was the three tribes of Rachel who were most affected. The city of Shilo was in the portion of Efraim (or Binyamin); its destruction and burning, the murder of its inhabitants and the violation of its women were, first and foremost, a catastrophe for the children of Rachel. It may be assumed that the deaths of about fifty thousand men in the battles of Eha-Ezer, in the destruction of Shilo, and in the cities that were taken in war by the Philistines were likewise borne mostly by these tribes.

*** The interpretation that we have proposed explains Rachel's connection to the destruction of Shilo, which is the cause of her weeping. We still need to explain Yirmiyahu's connection, in his prophecy, to this weeping, for the destruction of Shilo had happened over four hundred years previously. Indeed, Yirmiyahu recalls at length the destruction of Shilo (in chapters 7 and 26), as a warning of the impending destruction of the Temple.

Moreover, it would seem that G-d chose Yirmiyahu as the prophet of the destruction even before he was born (Yirmiyahu 1:5), because he was a kohen from Anatot. It is possible that he was a descendant of Evyatar, who was a kohen in Anatot, and hence bore the curse of the house of Eli, of which he was a descendant (Melakhim I 2:26-27). If this is true, then Yirmiyahu, bearing the curse of the house of Eli, is chosen in order to illustrate to the nation, on the eve of the destruction of Shilo, the significance of its destruction. At the same time, this would not seem to be sufficient reason to introduce here a prophecy of consolation concerning the destruction of Shilo, and hence it appears that this interpretation cannot stand on its own merit; it requires completion. This will occupy us in the next section.

E. THE EXILE OF SHOMRON

It would seem that the view that remains most closely faithful to the literal text, in explaining Rachel's weeping in Rama, involves an analysis of the entire prophecy of consolation within which Rachel's weeping is mentioned, in chapter 31 of Yirmiyahu.

This prophecy deals with the redemption of Shomron and the bringing up of the tribe of Efraim from the land of the north. Here we may assume that the name "Efraim" is a general reference to the Israelite kingdom of ten tribes, which split from the kingdom of Yehuda; all are subordinate to the tribe of Yosef (or his mother, Rachel). They are referred to throughout the prophecy by the name "Efraim," and their capital is Shomron, in the portion of Menashe. The prophecy in question deals with the return of Efraim and his brethren from exile in Assyria to their inheritance.

The prophecy that we are discussing - in chapter 31 - deals with the return of the ten tribes, but it is a prophecy of consolation, not one of rebuke, and it is therefore placed in the midst of the prophecies of consolation (chapter 29-33). Yirmiyahu tells the nation about the return of Efraim and his brethren to their inheritance after a hundred years of exile, in the merit of Rachel - Efraim's matriarch - who left her young children orphaned and died broken-hearted, knowing that there was no one to care for them. G-d promises her that He will take care of them.

F. SUMMARY

In his prophecy, Yirmiyahu makes use - by God's word - of the ancient dialogue between the matriarch Rachel and God, applying it to a contemporary situation - the renewed rapprochement between the tribe of Yehuda and the tribe of Efraim, upon the return of the ten tribes: "In those days the house of Yehuda will go with the house of Israel, and they will come together from the land of the north" (3:18). Yirmiyahu understands that the dialogue was not a one-time event. It is an ongoing, continual dialogue, and Rachel - who, upon her death, left her sons to the arbitrary treatment of their half-brothers - protects them from any type of trouble after her death, through prayer. In Yirmiyahu's time, her weeping was for Efraim, who had been exiled from Shomron and had not yet returned.

As discussed, it is difficult to find any hint in the text to the story of the handing over of the signs. Perhaps the author of this midrash was inspired in this regard by Ramban's daring commentary on the conclusion of the story of Yosef and his brothers: "It appears to me, in accordance with the literal text, that it was never told to Yaakov that the brothers had sold Yosef; he believed that [Yosef] had become lost in a field, and whoever had found him had taken him and sold him to Egypt, for the brothers did not wish to tell him of their sin... Yosef, righteous as he was, did not wish to tell him, and therefore it is written 'They commanded Yosef, saying: Your father commanded, before his death, saying...' If Yaakov had known of the matter, they would have beseeched their father upon his deathbed to command Yosef himself, for [Yosef] would honor him and not go against his word, such that they would not be in danger and would not need to invent these words on their own." (Ramban 45:27) From the Ramban we learn that Yosef achieved a "tikkun" (repair) for the bad reports that he had brought his father concerning his brothers in his youth. He remained silent and did not tell his father the true story of the injustice that his brothers had done to him. Had he told his father, perhaps Yaakov would have cursed all of Leah's children, rejecting them from sanctity and from inheritance in the land, and would have regarded Yosef and Binyamin alone as his sole heirs and bearers of his heritage. But none of this happened; Yosef remained silent while his brothers, Leah's children, deceived their father for so many years, and he did not shame them before their father.

Yosef learned Torah from his father, but perhaps the ability to remain silent was learned from his mother. Leah deceived Yaakov on their wedding night, just as her children deceived him throughout the rest of his life. Rachel knew and kept silent so that her sister would not be shamed, just as Yosef remained silent so that his brothers would not be shamed. When his brothers quarreled with him, Yosef had the merit of his mother's silence. According to the legend, the merit of her prayer also stood by him when he was sold as a slave. It stood by him again when Efraim returned from the exile of Shomron, as Yirmiyahu prophesies in our chapter. Perhaps Rachel's merit stood by Yosef and all of Israel during the battle between brethren when Gedalia was murdered, when the remnant of Yehuda stayed in Beit-Lechem Yehuda on their way to their exile in Egypt by the hand of Yochanan ben Kareach; in the days of the Destruction of the Second Temple which happened because of brotherly strife, when Am Yisrael was required to pay with ten of its greatest Sages for the sale of Yosef; when they were required to pay with the failure of the Bar-Kokhba revolt for not treating one another with the proper respect, as they passed - on their way to the slave market in Bothna - by Rachel's grave to the north of Beit-Lechem.

Rachel's prayer for Binyamin in the merit of her selflessness for him, and her prayer for Yosef and for all of Israel in the merit of her ability to conquer her natural jealousy - these prayers have stood by Israel throughout the generations, and will stand by them until the end of days, until the prophecy, "The children will return to their borders," will be fulfilled for all the distant exiles of Israel - speedily in our days, Amen!

This shiur is abridged from the Hebrew original. The full shiur can be accessed in the original at: <http://www.etzion.org.il/vbm/parsha.php>.

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