

B'S'D'
INTERNET PARSHA SHEET
ON VAYISHLACH - 5761

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From: RABBI YISSOCHER FRAND ryfrand@torah.org
"RavFrاند" List - Rabbi Frاند on Parshas VaYishlach -
Dedicated This Year Le'eluy Nishmas Chaya Bracha Bas R.
Yissocher Dov - In memory of Mrs. Adele Frاند

I Kept The 613 Commandments, And, Oh Yes - I Did Not Act Like Lavan Either

Yaakov sent messengers to Eisav before their confrontational meeting with the following message: "I have lived with Lavan (Im Lavan Garti), and tarried until now" [Bereshis 32:5]. Rashi cites the famous Rabbinic comment that the word GaRTY (I lived) has the numerical value of 613 (TaRYaG), indicating "I lived with the wicked Lavan, but I observed the 613 Commandments - without learning from his evil ways."

Rav Ruderman (1901-1987) once commented on the apparent redundancy in Yaakov's message to his brother, Eisav. If Yaakov had already sent the message "I observed the 613 Commandments," what indeed is added by further stating "and I have not learned from the evil ways of Lavan?" The Rosh Yeshiva, of Blessed memory, taught that the inference to be drawn is that one can observe the 613 commandments and, nevertheless, learn from the ways of a Lavan. Even within the context of a fully observant life-style, a person can wind up looking like a Lavan. Even when an individual's actions are technically permissible, the person may still be acting like a Lavan. A person can live an indulgent life-style -- one which may not technically deviate from the letter of the Law but one which is totally alien from that which should be representative of a Jewish lifestyle, from the spirit of the Law.

Therefore, Yaakov clarified: "Not only have I observed the letter of the 613 commandments, I have also not learned from Lavan and have even continued to observe the spirit of those laws."

I mentioned this insight from Rav Ruderman in a previous year. I usually do not like to repeat myself from year to year but I was prompted to relate this insight again now as a result of a recent article that I read in the New York Times. The article, "Jews Debate Who Will Define Orthodoxy," included the following paragraph:

"The waters of the Hudson River gently lapped at the bow of the cruise ship sailing under the flag 'The Glatt Yacht' as it slowly pulled away from the noisy shoreline of Manhattan. A couple celebrating a special anniversary got up to dance as the pianist played Billy Joel's 'Just the way you are'. Suddenly a rabbi appeared on the dance floor and tapped the man on the shoulder. He knew right away that the rabbi did not just want to butt into his dance. The Rabbi asked the couple to stop dancing. When they ignored him, the Rabbi walked over to the pianist and ordered him to stop. The boat was eerily silent until the couple sat down. Only then did the music resume."

What is the issue at hand here? The New York Times Page 2 synopsis of all the major stories in the paper defined the issue as whether there is in fact a dichotomy between a person's religious life and his social life. Or as Ari Goldman (the New York Times reporter) wrote, some Orthodox Jews "...draw distinctions between the different facets of their lives..." This means compartmentalization. Yes I am a Jew. I am an

Orthodox Jew, but that stops at a certain point. To quote the person who was embarrassed off the dance floor "The Rabbi's place belongs in the kitchen. Kashrus is in the kitchen. It has nothing to do with the dance floor."

It was just too fortuitous for me to have read this article on the Wednesday of Parshas Vayishlach and not say over the Rosh Yeshiva's comment of learning from Lavan's actions, while ostensibly observing the 613 commandments. The concept that there can be a dichotomy between someone's religious life and his social life, that glatt Kosher applies only to what I put in my mouth but not to what I see or how I act or dress - is wrong. It is a violation of "I have not learned from his evil ways".

A person can be religious and even only eat glatt Kosher, but still learn from the ways of Lavan.

Ba'al HaTurim Links Yaakov's Bribe of Eisav With Mordechai's Advice to Esther

Our Sages say that in preparation for his encounter with Eisav, Yaakov prepared himself with a three pronged strategy: Prayer, Presents, and Battle. The pasuk [verse] describes in detail the magnificent gifts of appeasement that Yaakov prepared for Eisav. Yaakov entrusted the various flocks to his messengers and instructed them to place a distance between each of the flocks as they were being delivered to Eisav, rather than presenting all the sheep and camels to Eisav at once.

The Baal HaTurim comments regarding the words "make sure that there is room between each of the flocks" (v'Revach tasim bein eidar l'edar) that there is only one other place in the entire Tanach where the word Revach is used. The other place is "Revach v'Hatzalah ya-amod l'Yehudim mimakom acher" [Esther 4:14] (Breathing space and salvation will come to the Jews from another source).

What is the connection between these two pasukim? The Baal HaTurim says that this is a sign for all generations regarding dealings with evil governments. We are taught to expect a long and bitter exile, full of persecutions and exterminations. If we hope to achieve breathing space (Revach) and salvation for the Jewish people, we must bear in mind the other mention of 'Revach' in the Torah: the presents that Yaakov gave to Eisav.

The message of the Baal HaTurim is that we should avoid being confrontational. This is not a popular message today. Our modern mentality is "I'm not going to be pushed around. I'm going to show my stuff!" Our patriarch Yaakov only held that option open as a last resort. If the enemy can be bought off or appeased, if they can be flattered, if they can be sweet-talked, whatever the cost - that is the preferred approach. If it can be avoided, do not confront Eisav.

This does not mean, G-d forbid, that in the Land of Israel the Israeli Defense Force should unilaterally disarm or not defend itself. When there is no alternative, we must confront and fight. Eretz Yisroel is in a category by itself. But the classic Jew in Exile is strongly cautioned - do not fight with Eisav unless it is absolutely necessary.

This may seem cowardly. It may seem like we are being (the worst of all insults) wimps! But if it was good enough for Yaakov to look like a wimp, it is good enough for us. If appeasement gets the job done, there is no mitzvah to be a macho man.

Transcribed by David Twersky; Seattle, Washington twerskyd@aol.com Technical Assistance by Dovid Hoffman; Baltimore, MD dhoffman@torah.org These divrei Torah were adapted from the hashkafa portion of Rabbi Yissocher Frand's Commuter Chavrusah Tapes on the weekly portion: Tape # 281, Elective Surgery on Thursdays. Good Shabbos! 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. Project Genesis: Torah on the Information Superhighway learn@torah.org 17

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http://www.torahweb.org/torah/1999/parsha/rsob_vayishlach.html
[From last year]

RABBI ZVI SOBOLOFSKY

Yaakov and Yisrael - A Dual Destiny

Throughout Sefer Bereishit there is great degree of significance associated with names. A name is not merely a way to call someone but, rather, it encapsulates the essence of the individual. Both Avraham and Yaakov received names at birth, yet their names were changed later in life as certain events unfolded. Chazal in Masechet Berachot (13a), draw a distinction between the change in the name of "Avram" to "Avraham" and the change of "Yaakov" to "Yisrael".

Once Avraham received his new name no one was permitted to refer to him by his previous name "Avram", whereas Yaakov is constantly referred to as both "Yaakov" and "Yisrael". Avraham received a new mission, to be "av hamon goyim", a father to many nations, and as such, his previous title, "Av leAram", the father of his own home, is inappropriate. What is it about the name "Yaakov" that it remained alongside "Yisrael"?

The dual name "Yaakov-Yisrael" reflects two aspects of Yaakov's life. He entered the world behind his brother, grabbing his heel, being stepped on by Esav. The name "Yaakov" is synonymous with all the difficulties he would endure while dealing with his brother. When Yaakov was victorious in his fight with the angel, who Chazal interpret to be the Angel of Esav, Yaakov was given a new name, "Yisrael", meaning, one who has overcome his foes. There are times when he was victorious and as such referred to as "Yisrael", yet he endured many hardships, and was constantly reminded that he was also "Yaakov".

The most poignant expression of this appears in Bereishit (46:1-2) when Yaakov was traveling to Mitzrayim to see Yosef. It was the highpoint of his life, going to greet his son that for 22 years he had thought was dead. The Torah describes the triumphant Yisrael going to Mitzrayim: G-d appeared to him and called him "Yaakov, Yaakov", you are going to galut, your descendants will be enslaved. This is the beginning of a dark chapter in the history of the Jewish people. You may be personally experiencing the emotions of "Yisrael", but be aware that this is the beginning of the period of "Yaakov".

The duality that exists within "Yaakov" repeats itself throughout the history of his descendants. The Sefer haChinuch, in Mitzvah 3 explains that the prohibition of eating the gid hanasheh is symbolic of our entire history. Yaakov is victorious in his struggle against Esav, but he is wounded in battle.

Esav succeeded in injuring Yaakov's leg even though he could not defeat him. This is true throughout Jewish history. Ultimately the Jewish people will emerge victorious from all of its struggles, but there will be costly sacrifices along the way. We are constantly wounded as a people yet we survive and prosper and will ultimately emerge from exile.

"Maaseh avot siman lebanim," - the lives of the forefathers foreshadow events in the lives of their descendants. Just as Yaakov emerged from his battle with Esav victoriously, so should we merit redemption from our exile, and reach the heights of Yisrael.

From: torahweb@torahweb.org

Subject: Chanukah Yom Iyun SUNDAY

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Location: Cedarhurst Shul: Young Israel of Lawrence Cedarhurst
Address: 8 Spruce St. (corner of Broadway and Spruce) Speakers:
Rabbi Mordechai Willig - 8:30 pm Rabbi Herschel Schachter - 9:15

pm

Location: Bergenfield Shul: Beth Abraham Address: 396 Westminster Ave. Speakers: Rabbi Mayer Twersky - 8:00 pm
Rabbi Michael Rosensweig - 8:45 pm

The shiurim are open to all members of the community.

From: Shlomo Katz[SMTP:skatz@torah.org]

Hamaayan / The Torah Spring Edited by Shlomo Katz

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Vayishlach

Sponsored by Mr. and Mrs. Moshe Cohen in memory of his mother, Malka Rivka bat R' Avraham Chaim a"h

The Edeson family, in memory of their fathers Joseph N. Edeson and Nathan Salisbury a"h

Today's Learning: Yevamot 10:8-9 Orach Chaim 345:11-13 Daf Yomi (Bavli): Nazir 60

We read in this week's parashah of Yaakov's return from his exile in Charan. The Torah relates (33:18), "Yaakov arrived intact at the city of Shechem." Rashi explains: "Intact in body, for his limp was healed; intact with his wealth, despite having given Esav a large gift; intact with his Torah learning, for he did not forget it during his years in Lavan's house."

R' Menachem Mendel Schneerson z"l (1902-1994; the Lubavitcher Rebbe) explains that Yaakov's exile and return foreshadow three aspects of our own exile and future return. First, Yaakov returned intact in body. An important part of our exile is our self-sacrifice for G-d, and our afflictions in exile result from Hashem's putting us to a test in order to arouse that power of self-sacrifice. We are assured, however, that we will return from exile intact with our bodies. Indeed, once the Jewish people accomplish their divine service in exile, all their afflictions will become completely nullified, for in truth, they were never real - they were nothing but a test.

Second, Yaakov returned intact with his wealth. While in exile, the Jew is expected to descend from his intrinsically holy level and don mundane garments in order to transform the world and elevate it with him. In doing so, the Jew makes an investment in the world - himself. However, this descent is not permanent, and the Jew is assured that he will return to his former "wealth."

Finally, Yaakov returned intact with his Torah learning. One might fear that making the descent just referred to will cause him to forfeit whatever spiritual accomplishments he has achieved. However, we are assured that this will not occur. (The Chassidic Dimension p. 38, based on Likkutei Sichos Vol. XV, p. 265)

"For with my staff I crossed the Jordan . . ." (32:11)

Rashi cites a midrash stating that when Yaakov fled to Lavan's house, he struck the Jordan river with his staff and it split.

Why isn't that miracle mentioned expressly in the Torah the way the splitting of the Yam Suf is mentioned? Indeed, why are many miracles -- for example, Avraham's surviving the fiery furnace -- not mentioned in the Torah?

R' Chaim Friedlander z"l (Mashgiach of the Ponovezh Yeshiva in Bnei Brak; died 1986) explains that there are two types of miracles: "hidden miracles" ("nissim nistarim") and "revealed miracles" ("nissim geluyim"). We are surrounded by hidden miracles, yet we don't recognize them, precisely because they happen so often and because they do not involve significant deviations from the laws of nature. Hidden miracles can remain hidden because their primary purpose is to save a deserving person from some trouble. In contrast, a revealed miracle occurs primarily in order to enhance a person's emunah / faith.

Miracles whose primary purpose is to aid a tzaddik do not need to

be recorded for posterity; thus, Yaakov's splitting the Jordan and Avraham's salvation from the furnace are not expressly mentioned in the Torah. Only miracles whose purpose was to strengthen our emunah are recorded.

In this light, says R' Friedlander, we can understand why the gemara (Shabbat 21b) answers the question, "Why is there Chanukah?" by focusing on the miracle of the oil, not even mentioning the military victory over the Greeks, while the "Al Ha'nissim" prayer focuses on the battle and does not mention the miracle of the oil. The military victory was a hidden miracle. [It is not necessarily miraculous when the weaker nation wins, especially if the weaker nation is defending its own homeland.] Yet, the miracle of the military victory is the miracle for which we are thankful, not for the miracle of the oil, and therefore only the military victory is mentioned in our prayers.

On the other hand, the miracle victory alone would not have justified establishing a holiday; only a miracle with a long-lasting spiritual message could justify that. This is why the gemara's question, "Why is there Chanukah?" is answered by focusing on the miracle of the oil. The miracle of the oil shows us G-d's strength and strengthens our own faith, thus helping us realize that the military victory was miraculous as well. (Siftey Chaim: Moadim Vol. II, p.4)

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From: RABBI BEREL WEIN rbwein@torah.org Subject: Rabbi Wein - Parshas Vayishlach

There are certain confrontations in life that are seemingly unavoidable. Yaakov flees from his parents' home in order to avoid confronting Eisav over the matter of the birthright that Yaakov purchased from Eisav and the blessings that Yitzchak bestowed on Yaakov. But after twenty years of separation and avoidance of Eisav, Yaakov now confronts Eisav, not knowing what Eisav's response to Yaakov's gifts and flattery will be. But Yaakov knows that there is now no escaping the confrontation and he therefore steels himself for it with gifts to Eisav, with prayer, and with even preparations for conflict. Eisav cannot be permanently finessed. He demands answers and policies and Yaakov cannot ignore him permanently.

In the Torah reading of Vayishlach, Yaakov successfully disarms Eisav by showering him with gifts and compliments. He does not really have a serious discussion with him about their outstanding differences. Yaakov is convinced that Eisav will react negatively to his placing all of their differences out in the open. Therefore, Yaakov employs diverse tactics to really avoid Eisav once more. Eisav knows that he is being had but chooses to let the matter rest temporarily. In the long history of the Jewish people, Yaakov has consistently attempted to avoid dealing directly with Eisav. Whether Eisav too, in the guise of Roman Emperor or Christian Pope or German Kaiser or Russian Czar or Commissar, Yaakov always attempted to appease Eisav and not confront him. This was always the political policy of the Jewish community and our survival is certainly indicative of its soundness. But there has arisen over an Eisav in a different guise who will not be put off with gifts and blandishments, who demands the confrontation that Yaakov dreads and postpones. This guise of Eisav may be entitled "modernity". It is the modern world of democracy and freedom, of new ideas and constantly advancing technology, of not only freedom of religion but freedom from religion as well. What does Yaakov have to say to this new Eisav? The main problem in Jewish life over the past two centuries is exactly that - how does Judaism, the Jewish people, the individual Jew, confront the problems raised by modernity?

There is a section of traditional Jewry, which until today emulates the tactics of our father Yaakov and avoids confrontation with the modern world. It simply attempts to shut that world out from its life and society. This approach has met with varying degrees of success and has not been universally adopted, even in the Orthodox Jewish world. At the other end of the spectrum there has been an attempt by a section of Jewry to embrace and include the ideas of modernity and even the life style and attitudes of the modern world into its Jewish life. This trend has also experienced many failures and problems and has many times been overwhelmed by the modern world to the detriment of its Jewish component. There are now and there have been till now, many attempts to find a middle ground between traditional Judaism and the ideas of modernity and behavior of the modern world. But, the truth be said, no universal successful formula for confronting the modern world has as yet been formulated by the descendants of Yaakov. Meanwhile, the modern world and its ideas are ripping gaping holes in the fabric and population of the Jewish people. Not everyone can and/or should divorce one's self from the modern world swirling about us. And, again, not everyone can successfully reconcile a Torah life-style and commitment to the realities of the modern world. One thing, though, is clear and that is that the traditional Torah way of life should be given priority in Jewish affairs, both public and private.

David Ben Gurion came to see Rabbi A.Y. Karelits (Chazon Ish) in the beginning years of the State of Israel. He asked the venerable rabbi, "How shall we live together in our new state? Who should give way to whom?" Rabbi Karelits responded by saying that the Talmud posits a case where two camels meet on a narrow road. One is laden with cargo and the other is not. The Talmud's decision is that the loaded camel has the right of way. The traditional, even isolationist, world of Jewry is laden with the load of 3,400 years of Judaism and Jewish life. It certainly is entitled to appreciation, recognition and support, if not even to the right of way.

Shabat Shalom. Rabbi Berel Wein

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From: riskin@lists.virtualjerusalem.com

Subject: [riskin] Shabbat Shalom: Parshat Vayishlach by RABBI SHLOMO RISKIN

Shabbat Shalom: Parshat Vayishlach (Genesis 32:4-36:43) by Shlomo Riskin

Efrat, Israel-Who is the real Jacob? Is he the "whole-hearted man, a dweller of tents," or a scheming deceiver who cheats his brother, deceives his father, and takes advantage of his uncle? An investigation of a difficult - and even mysterious passage - in this week's torah reading will provide an interesting insight into the most significant of our Patriarchs, Israel our Grandfather.

"Jacob remained alone. A stranger [ish] wrestled with him until just before daybreak (Genesis 32:25).

"This awesome and eerie wrestling match presents a number of questions. First of all, how can one remain alone if he is engaged in a wrestling match; it takes two to wrestle.

Second, who is this 'stranger' called 'ish' in the Torah? Many of the commentators identify this mysterious 'ish' as none other than the guardian angel of Esau. Was this then a struggle with supernal, other-worldly forces, an occult wrestle with the power of Evil and anti-Semitism? The Bible usually does not record such supernatural events.

Third, what is the real root-meaning of the Hebrew "va'ye'avek," and he wrestled. Rashi quotes Menachem Ben Serek who suggests the root

of the word is 'avak,' or dust, an inevitable by-product of two fighters in the field. Citing two Talmudic prooftexts, Rashi posits a different meaning --'vayeavek' expresses the idea that Jacob 'fastened himself on' the stranger, a form of joining. Interestingly enough, Nachmanides cites a number of verses where the alef and the chet interchange, so that the word 'va'ye'avek' (and he wrestled) bears a striking resemblance to 'va'ye'avek,' which means 'and he embraced.' Does this then mean that Jacob 'embraced' the anonymous person (ish)? The context certainly doesn't suggest it. But perhaps Nachmanides is suggesting that during this night at the river, Jacob didn't merely wrestle with the individual in the traditional sense; instead two opposite emotions and actions surfaced simultaneously: wrestling and embracing. What reinforces this idea is that in the very next chapter, when the two brothers finally meet after their long separation, Esau is so excited that he "... ran toward (Jacob), and embraced him." (Genesis 33:4).

And fourth, after the wrestling match and after Jacob and Esau finally confront each other in the flesh, Esau seems perfectly ready for a rapprochement and it is Jacob who is reluctant. Esau says, "Let us take our journey, and let us go together, and I will go before you (Genesis 33:12)," to which Jacob responds, "My lord knows that the children are tender, and the flocks and herds with young are with me, and if men should overdrive them all the sheep shall die". (Genesis 33:13) In fact, when Jacob adds that he will eventually meet "my lord in Seir," Rashi comments that Jacob has no intention of ever meeting Esau at all during this lifetime. He is suggesting that they can only get together when "G-d will judge Mount Se'ir - in the days of the Messiah. Why is Jacob loathe to effectuate a real brotherly reconciliation?

To answer these questions, we should to re-examine the story of what happened when Isaac and Rebecca become the parents of twin sons. Tragically, each parent has his and her own favorite, creating an inevitable imbalance in the family. "Now Isaac loved Esau because he did eat of his venison; and Rebecca loved Jacob." (Genesis 25:28) This is not necessarily the occasion to query why Isaac felt drawn to Esau. Perhaps the rather passive son of the illustrious and dominating Abraham - remember that Isaac was brought a wife, was taken to the akedah, and acquiesced when he was banished by Avimelekh, - is drawn to the more aggressive and ambitious Esau. Often fathers (unfairly) look to their sons to make up for what they perceive as their own deficiencies. But whatever the reason, it is logical to assume that Jacob was hurt, even devastated, by his paternal rejection - and yearned for his father's acceptance and approval. It is even logical to assume that the wholehearted student desired to adopt some of the aggressive out-doorism and skills of verbal manipulation ("for the entrapment was in his mouth") of his more favored brother.

From this perspective, Rebecca's suggestion that Jacob enter his father's tent dressed in goatskins and disguised as Esau may very well have struck a responsive chord in Jacob's psyche. Finally he has at least the external trappings of a personality which may give him access to his father's blessings and love, which he sorely lacks.

Having dressed as Esau, it's possible Jacob is now making room for a little bit of Esau inside his own being. Actually, the timing could not be more propitious, since he will now be dealing with one of the craftiest men in Haran, his father-in-law Laban. In Haran he learns how to grow a second coat of skin, more aggressive and assertive; Jacob becomes crafty of hand and mellifluous of tongue, effectuating a deal that transfers a good deal of wealth into his own 'bank' account. After two decades with Laban, Jacob has become more Esau than Esau.

Two events bring Jacob back to his old self. First of all, although he may have grown comfortable in his quasi-Esau role, he doesn't want his most beloved son Joseph to be so different from Abraham and Isaac. "And it came to pass when Rachel had given birth to Joseph that Jacob said unto Laban, 'Send me away that I may go unto mine own place, and to my country (Genesis 30:25).'"

The second event takes place when he realizes that instead of dreaming about ladders connecting heaven and earth, he's dreaming about the "stock market" - "...flocks that were streaked, speckled and grizzled." In his dream an angel says to him, "Lift up now your eyes... for I have seen all that Laban does unto you..."(Genesis 31:12) The angel reminds him of the vow that he made when he poured the oil on the monument of the stones. Living with Laban, Jacob's true personality had been kept hidden, under lock and key. But the time has come to go home. "Now arise and get you out of this land and return to the land of your birthplace ." (Genesis 31:13) Jacob must return to his true self.

But returning to his father's land as the old Jacob is not as simple as it sounds. The extra skin, the Esau-like qualities that cling to his personality, will have to be expunged before he can even step on the soil of the land of Israel. Jacob understands that he is a personality divided within himself and the real Jacob must emerge victorious.

Now we should be able to get a better idea of what it means that Jacob remained 'alone.' At the moment that he is ready to have the final struggle with the guardian angel of Esau, the spirit and nature of Esau, he is alone with himself. What he is about to do must be done alone. Jacob has an Esau inside him, and the task at hand is nothing less than exorcizing Esau's spirit, thereby restoring his original self as "the wholehearted (naive) man, dweller of tents;" he must restore his original dream of a ladder connecting heaven and earth with ascending and descending angels.

That he triumphs earns him the right to be given a new name, Yisrael. As we know, the name Yaakov is the name of the brother who grasps onto Esau's heel in order to overtake him --overtake him at his own game: it even has the nuance of "deceiving." Yaakov (Jacob) is in a perpetual struggle with Esau, the struggle ends only when Jacob, standing alone, dramatically wrestles with his innermost self and succeeds in exorcizing Esau from himself. Yaakov then becomes Yisrael. And once Jacob has finally rediscovered his authentic self, he cannot complicate matters by teaming up with Esau on any level. Just as he remained alone on that dark night by the side of the River Jabok, so must he remain alone with his family as he forges the children of Israel to whom he bequeaths the personality and the dreams of a seeker of the Divine!

Shabbat Shalom

You can find Rabbi Riskin's parshiot on the web at:
<http://www.ohrtorahstone.org.il/parsha/index.htm>

Ohr Torah Stone Colleges and Graduate Programs Rabbi Shlomo Riskin, Chancellor Rabbi Chaim Brovender, Dean

From: Ohr Somayach[SMTP:ohr@ohr.edu]

* TORAH WEEKLY * Highlights of the Weekly Torah Portion
 Parshat Vayishlach

For the week ending 19 Kislev 5761 / 15 & 16 December 2000

NOT BY MIGHT

"Therefore the Children of Israel shall not eat the thigh sinew (32:33)."

The spirit of Esau will not conquer Yaakov during their struggles throughout the long ages of darkness, but will hamstring him, prevent him from standing firmly on two feet. Yaakov will be unable to stroll through history. This lack of stability is necessary in order to open our eyes. If Yaakov had stood like Esau at the head of his four hundred warriors and had not been conquered, the role of Hashem would not have been visible. The prohibition of this sinew teaches a lesson, and since the lesson is food-related, it will be constantly impressed on us. This commandment reminds us that we are not dependent on submission to Esau for our survival. Strength for Yaakov (Israel) lies in higher factors which cannot be weakened by Esau's military might.

If Yaakov does fall, he falls not because he is not equal to Esau in material power, but because he has not understood how to retain the protection of his G-d. If Israel stands, we stand not because of our strong material power, but because our G-d bears us aloft on the "eagle wings" of His Almightyness. This is the message meant for the nation when it finds itself beaten, "Don't seek the cause of your calamity in a small military budget, nor in your failure to acquire the latest weapons, technology nor even in poor negotiation techniques. Instead return to G-d to ensure your future!"

THE HOUSEWIFE AND THE CAT

"And Yaakov was very frightened and distressed" (32:7).

Rashi comments that Yaakov was frightened lest he or members of his family be killed, and he was distressed, that he might be forced to kill others. Rabbi Moshe Feinstein asks: Why was Yaakov distressed that he might be put in a position of having to kill Esav or one of his four hundred wicked companions? Wasn't this an opportunity to rid the world of evil -- a reason to rejoice, and not to be distressed?

Rabbi Feinstein answers with the words of Beruriah to her husband Rabbi Meir (Berachot 10a): "Better to pray that evildoers repent, than to pray that the wicked die." There is an inherent danger in using undesirable methods to achieve desirable goals -- that one can become tainted by the means. Rabbi Chaim Brisker pointed out that there are two kinds of zealots in the world, who are comparable to a housewife and a cat. Both the housewife and the cat want to rid the house of mice. The only difference is that the housewife hopes that there will never be another mouse to eliminate, and the cat hopes there will be many more. Before we are zealous to attack the evils of the world, let us make sure that we are acting as housewives and not cats.

Sources: * Not By Might - R. S.R. Hirsch * The Housewife and the Cat - Adapted from Rabbi Zev Leff in Shiurei Binah

From: Yeshivat Har Etzion's Israel Koschitzky Virtual Beit Midrash [SMTP:ye@vbm-torah.org] Subject: SICHOT61- 08: Parashat Vayishlach Student Summaries of Sichot by the Roshei Yeshiva Parashat Vayishlach SICHA OF HARAV AHARON LICHTENSTEIN SHLIT"A

Ya'akov and Yisrael Summarized by Matan Glidai
Translated by Kaeren Fish After Ya'akov asks the angel
(with whom he has fought all night long) to bless him, the angel tells him:

"Your name will no longer be called Ya'akov, but rather Yisrael, for you have striven with G-d and with men and you have prevailed." (32:28)

He is given a similar message from G-d Himself, later on in the parasha: "Your name Ya'akov - your name will no longer be called Ya'akov, but rather your name will be Yisrael" (35:10). What is the meaning of this repetition? Why does G-d tell Ya'akov something that he has already been told by the angel? We may suggest that in order to give the message greater validity and importance, it is uttered by G-d Himself. Rashi's understanding (32:28) would seem to go further than this: the angel informed Ya'akov only that sometime in the future G-d would change his name:

"... Eventually G-d will reveal Himself to you at Beit El and will change your name, and there He will bless you, and I shall be there and I shall consent."

But we may explain the repetition a different way, in light of the difference between the words of the angel and those of G-d. There are two differences between the verses: i. The angel says that Ya'akov will no longer be called Ya'akov, but rather ONLY Yisrael, while what seems to arise from G-d's message is that he will still be called Ya'akov: "Your name Ya'akov - you will no longer be called..." The opening

words, "Your name Ya'akov," seem to suggest that his name will still be Ya'akov, but that he will also be called Yisrael.

ii. The angel gives a reason for the change in name: "for you have striven with G-d and with men and you have prevailed," while G-d gives no reason.

The gemara (Berakhot 12b) records a disagreement between the Sages and Ben Zoma concerning whether there will be any commemoration of the exodus from Egypt in the messianic age. The Sages maintained that the exodus would still be remembered then, since it is an event that will never be forgotten; it would simply pale into a secondary status in light of the future redemption. As a parallel they bring the example of Ya'akov, who was told, "Your name will no longer be called Ya'akov, but rather your name will be Yisrael." The message is "not that 'Ya'akov' will be uprooted, but rather that 'Yisrael' will be primary, and 'Ya'akov' secondary."

A little further on in the gemara (13a) we are told, "Bar Kapra taught: Anyone who calls Avraham 'Avram' transgresses a positive command, as it is written, 'And your name will be Avraham.' R. Elazar said: He transgresses a negative command, as it is written, 'And your name will no longer be called Avram.'"

Further along the gemara questions why no such transgression exists in the case of Ya'akov's name, and explains that G-d Himself calls Ya'akov 'Ya'akov' at a later time (Bereishit 46:2). We need to understand why this prohibition exists in the case of Avraham but not in the case of Ya'akov.

We may understand the difference in light of the context of the change of name. Avraham's name changed in the context of the brit mila (Bereishit 17). Avraham's circumcision was in effect a process of conversion. Until that point he was a gentile from the point of view of his lineage, and prior to Yitzchak's birth G-d wanted him to convert in order that Yitzchak would have a Jewish lineage. Conversion is in fact a re-birth. This is true both halakhically (in principle, he may marry female relatives) and also fundamentally - the convert exchanges all his values and forgets everything that he previously believed in. The change in name symbolizes a similar idea: Avraham became a new person. It is therefore obvious why we should not refer to Avraham by his previous name, which expresses what he was prior to his conversion. In Ya'akov's case, on the other hand, the change in name represents not the creation of a new person but rather simply the addition of another aspect of his personality; therefore he was still called Ya'akov and there is no prohibition involved in referring to him thus.

We may understand the difference between Avraham and Ya'akov in a different way. The gemara (Berakhot 13a) explains that "Avram" means "father of Aram," while "Avraham" means "father of the whole world." We may understand this as a blessing - "Until now you have been a sort of patron to Aram; today you become a patron to the entire world." But it appears that this change has a much deeper significance. The mishna (Bikkurim 1:4) teaches that a convert brings his first fruits to the Temple but does not recite the traditional recitation over them, since he is unable to say "the land which you gave TO OUR FOREFATHERS." The Jerusalem Talmud quotes the opinion of R. Yehuda, who maintains that a convert should indeed recite this phrase, since G-d says of Avraham, "The father of a multitude of nations have I made you." This means that "previously you were the head of a household of Aram; from now onwards you are the father of all nations." The Rambam, in his responsum to R. Ovadia the Proselyte, explains that what R. Yehuda means is that it was Avraham who taught the world monotheism, bringing many to believe in G-d, and therefore anyone who converts to Judaism in any generation is considered a disciple of Avraham and a member of his household. "The father of a multitude of nations" is not simply a title, but rather a declaration that Avraham is considered the father of all converts. (One practical outcome of this is that converts are able to pray with the

words, "Our G-d and G-d of our fathers.") Thus the change in Avraham's name had religious significance. The pagans believed that there were many divine representations in the world, each responsible for a different sphere: Aram had one god, Babylonia had another, etc. So long as Avraham was "father of Aram," one could be led to think that G-d, of whom Avraham was the earthly representative, ruled only over Aram and not over any other countries. When his name was changed to Avraham - "father of a multitude of nations" - it became clear that G-d ruled the entire world. Thus Avraham's new name in fact was intended to express monotheism. Although this idea is still not universally accepted, the time will come when "every creature will know that You are its Creator." In light of all of the above, it is clear why such a serious transgression is involved in calling Avraham "Avram:" it is almost an expression of paganism.

The change in Ya'akov's name has a completely different significance. The name Ya'akov hints at the "simple man who dwells in tents" - the straightforward student with complete faith, a person inexperienced in life's complications and someone unlikely to cope in the wide world; someone who has had no taste of struggle and battle. The name "Yisrael" is the complete opposite: "For you have striven with G-d and men and you have prevailed." This is a person who has faced adversity, struggled and emerged victorious; a person who has learned the intricacies of trickery at the hands of Lavan and nevertheless ended up in a stronger position; a person who has been strengthened by all his trials and tribulations; an experienced man with the power to prevail even over an angel.

The change in name is perceived differently by G-d and by the angel (the guardian angel of Esav). The latter perceives strength as the most important asset in life. He regards Ya'akov with admiration because he has accumulated so much experience of battles and victories; in contrast, he regards the Ya'akov of old with scorn - the miserable, powerless, inexperienced man he once was. It is no wonder that the angel blesses Ya'akov that he should no longer be called Ya'akov, but rather only Yisrael. It is as if the angel is telling him, "May your unfortunate past be forgotten, and may people look only at your present situation - at your power and strength." Clearly, too, he is reluctant to accept that he has lost the battle. To the simple Ya'akov he points out that the battle took place on the playing field of power and strength; he has lost, but to a person of great strength: "for you have striven with G-d and with men, and you have prevailed."

G-d, on the other hand, perceives the change in name from another perspective. It is clear to Him that the name Ya'akov is not to be cancelled, nor is it to be scorned. Simplicity and studiousness are of great importance, while power is a secondary characteristic. Experience and strength can certainly add, but one should not concentrate on them alone. Clearly the name Ya'akov will continue to exist, and there is no prohibition involved in calling Ya'akov by this name. Although the gemara in Berakhot (13a) implies that the name Yisrael is primary and the name Ya'akov secondary, the Midrash Rabba (78:3) suggests the opposite - that "Ya'akov" remains primary, and "Yisrael" is an addition of secondary importance.

The same idea applies to us. There are many people who follow the perception of Esav's guardian angel, regarding a simple Jew who studies as an outdated, exilic specimen. Many regard power and strength as more important characteristics, perceiving the greatness of Am Yisrael not in its heritage and its culture but rather in its military strength, in the many wars in which it has emerged victorious and the many battles which it has survived. We need to understand that this is not the case. Strength, power and physical survival are obviously important, but the most important ideals are service of G-d, study of Torah and simple faith.

(Originally delivered on leil Shabbat Parashat Vayishlach 5752 [1993].)

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From: Menachem Leibtag [SMTP:tsc@bezeqint.net] Subject: PARSHAT VAYISHLACH - abs
THE TANACH STUDY CENTER [http://www.tanach.org] In Memory of Rabbi Abraham Leibtag
ABSTRACT FOR PARSHAT VA'YISHLACH
'Re-assembling' Parshat Vayishlach

In Parshat Vayishlach, Yaakov makes his triumphant return to Canaan, having survived his dreaded confrontation with Esav. If we were to plan the itinerary for this trip, we would have sent Yaakov immediately to Bet-El, to fulfill his vow to erect a "House of G-d" upon his safe return (28:22), and then to Chevron, to reunite with his parents whom he hasn't seen in twenty years. Instead, we find that Yaakov proceeds to the city of Shchem and purchases property (33:18-19), appearing to settle down. He lives there for some time, as evidenced by the incident of Dina's abduction and her brothers' attack on Shchem that occurred during Yaakov's stay in the area. Clearly, Dina could have been no younger than twelve when this occurred. Now considering that Dina was Leah's seventh child, and Leah married Yaakov only after the seventh of his twenty years of service to Lavan, Dina could not have been older than five years of age upon Yaakov's return to Canaan. Therefore, Yaakov and his family must have lived in Shchem for several years before Dina's abduction, and yet only thereafter does Yaakov go to Bet-El - only after G-d tells him to! (35:1) - and then to Chevron to see his parents (35:27). What's going on? As it would be difficult to understand why Yaakov would have acted in this manner, we suggest that Chumash may have intentionally recorded certain events in this Parsha out of chronological order. Our theory posits that indeed Yaakov did return immediately to Bet El - after his first 'short stop' in Shechem where he bought some property and built a "mizbayach" (see end of chapter 33). In other words, from the end of chapter 33, the narrative should really continue with 35:9, i.e. the story of Yaakov's ascent to Bet-El, where G-d changes his name and grants him the blessing of Avraham; after which Yaakov erects the "matzeyva" once again. This would explain why 35:9 begins, with "G-d appeared to Yaakov once again upon his return from Padan Aram." If this revelation took place in the order of the text, meaning, many years after Yaakov's return to Canaan, why would the Torah describe this event as occurring "upon Yaakov's return"? Rather, Yaakov entered Canaan and proceeded straight to Shchem just as his grandfather, Avraham, had done upon entering Canaan (12:6). Likewise, Yaakov builds an altar in Shchem, just as Avraham had. While in Shchem, Yaakov purchases property as an investment for the future. Then, at this point in the narrative, we must insert the 'displaced' segment when Yaakov goes to Bet-El, fulfills his vow of building a monument, and goes to his parents in Chevron, where he spends the next several years. At this point, we suggest that Yaakov then moved with his family back to his property in Shchem, to settle down. However, his sons' attack on Shchem forces him to flee. G-d therefore commands Yaakov to find refuge in Bet-El, just as he had when he fled from Esav: "Go, ascend to Bet-El and make there an altar to the G-d that appeared to you when you fled from Esav" (35:1). Of course, our approach demands an explanation as to why the Torah deviated from chronological sequence. The simplest answer would be to suggest that once Yaakov buys land in Shchem, the Torah records all of the other events that took place there, even though they occurred later on. [The other answers are beyond the scope of the abstract.]

David Silverberg

From: Jeffrey Gross[SMTP: jgross@torah.org]
Weekly-halacha for 5761 Selected Halachos Relating to Parshas
Vayishlach

BY RABBI DONIEL NEUSTADT

A discussion of Halachic topics related to the Parsha of the week.
For final rulings, consult your Rav.

CLEANING GARMENTS ON SHABBOS

Laundering garments is prohibited on Shabbos for it is a toladah of one of the thirty-nine Shabbos Labors, melaben, Bleaching. While laundering usually entails the use of water and/or cleaning agents, removing dirt from a garment even without them may also fall under the halachic prohibition of Laundering. It is this type of Laundering which is the subject of our discussion.

REMOVING DUST or DIRT PARTICLES FROM A GARMENT

There is a dispute among the Rishonim whether or not removing dust or other dirt particles from a garment is considered Laundering. Some hold that removing any speck of dirt from a garment, even if it is not absorbed into the fabric of the garment but is merely lying on its surface [like a feather or a loose thread], is Biblically forbidden since the garment is being transformed from "dirty" to "clean"(1). A second opinion maintains that removing any dirt, whether it is absorbed into the fabric [like dust] or not, is totally permitted, since a dusty garment is not considered dirty and removing the dust is not considered Laundering(2). A third, middle-of-the road view, holds that only dust which is trapped between the fibers of the fabric may not be removed, while dirt which lies on the surface, may(3).

The basic halachah follows the middle-of-the-road opinion(4), forbidding one to remove dirt that has been absorbed into the fabric(5) while allowing one to remove a feather or a loose thread that has landed on the garment(6) [using one's hands(7) or a soft, dry cloth; a brush may not be used(8)]. Accordingly, one should be careful not to let his clothing fall on the ground and get dusty so that he does not come to desecrate the Shabbos(9). If, however, one's clothes should get dirty from dust, there is a mitigating factor which may permit removing dust from a garment:

Removing dust from a garment is only considered Laundering if the person wearing the garment(10) is particular not to wear clothes in such a condition. In other words, if the garment is so dirty that at its owner would not wear it(11), then cleaning it is considered Laundering. If the garment is not significantly dirty, i.e., its owner would not refuse to wear it(12), it may be cleaned so long as the following two conditions are met: 1.No brush is used. 2.The garment it is not shaken or scrubbed vigorously; it may be gently shaken or lightly dusted only(13).

QUESTION: Can anything be done to a dusty garment [that is significantly dirty] whose owner has no other suitable clothing and is embarrassed to be seen publicly in such a dirty garment?

DISCUSSION: The poskim permit one to ask a non-Jew to remove the dust(14). While generally one may not ask a non-Jew to do anything that a Jew is not permitted to do on Shabbos, in this case he may, since as stated above, there are opinions who maintain that it is even permitted for a Jew to remove dust from a garment on Shabbos. [It is questionable, though, if one may instruct the non-Jew to use a brush(15).]

If a non-Jew is not available and the owner is embarrassed to be seen in public wearing a dusty garment, some poskim permit a Jew to clean the garment, provided that it is cleaned in an unusual manner, e.g., with one's elbow(16).

REMOVING A STAIN FROM A GARMENT

Halachically speaking, there are two types of stains: 1) a wet stain which is absorbed into the fabric of the garment, e.g., a ketchup stain; 2) a stain which is made when a piece of dirt or food falls on a garment and hardens there, leaving a stain(17). There are different rules for each of these stains:

A WET STAIN WHICH IS ABSORBED INTO THE GARMENT:

A stain which is absorbed into the fabric and can be removed only with water or a cleaning agent is strictly prohibited to be removed on Shabbos. This is the classic Biblical prohibition of Laundering. Even if the stain is so insignificant that the owner will not be deterred from wearing the garment because of it, it is still strictly forbidden to remove it with water or any other cleaning agent.

If no water or cleaning agent is used, then it is permitted to remove the stain if it is insignificant and would not deter the owner from wearing the stained garment. If the stain is significant, however, it is prohibited to remove it if the stain will be removed completely, i.e., it will leave no mark whatsoever on the garment. If, however, the stain is only partially removed - some mark will remain - it is permitted to be removed. Two conditions apply: No brush may be used. The stain may not be scrubbed away; it may only be gently wiped off with a dry cloth or removed by hand, with a knife, etc(18).

DIRT WHICH ADHERES TO THE GARMENT'S SURFACE

A stain which results from dirt or food that has attached itself to a garment can also be removed if it will be only partially removed or when it is "insignificant", as explained earlier(19). It can be removed either by scratching it off or by rubbing the reverse side of the material until the dirt is dislodged.

There is, however, one notable difference between this type of stain and the wet stain which became absorbed into the fabric of a garment. The removal of this type of stain is subject to the laws of "Grinding", a forbidden Shabbos Labor. If the dirt or food has dried or hardened, scratching or peeling it off will cause it to crumble, a Rabbinical violation of the prohibition against Grinding. Therefore: If the garment was stained by mud and the mud has dried, it may not be rubbed off - even if the stain is insignificant or will leave a mark - because of the prohibition against Grinding(20).

If the garment is stained by unprocessed food which grows from the ground, e.g., fruits and vegetables, it may not be removed because of the prohibition against Grinding. But a stain from food which has already been ground, like baby cereal, may be removed because Grinding does not apply to previously ground food(21).

Beans or potatoes from cholent are not subject to the prohibition against Grinding, since they are cooked so thoroughly that they are considered "previously ground", and the prohibition of Grinding does not apply to them(22).

Even when the prohibition of Grinding applies, it is permitted - when necessary - to ask a non-Jew to remove this type of stain on Shabbos(23).

FOOTNOTES:

- 1 Sefer ha-Zichronos, quoted by Magen Avraham 302:4.
- 2 Tosfos, Shabbos 147a and many other Rishonim.
- 3 Rashi, Shabbos, ibid. as explained by Rama and Gra 302:1, and other Rishonim.
- 4 Rama, Shulchan Aruch Harav and Aruch ha-Shulchan strongly recommend that one be stringent and follow this view [but do not absolutely require it]. Chayei Adam and Mishnah Berurah, however, are of the opinion that the basic halachah is in accordance with this view and one may not be lenient.
- 5 In theory, there may be some dust which lies completely on the surface of the garment and is not absorbed into the fabric. In practice, however, this is almost impossible to determine. [See Salmas Chayim, second edition, 283, concerning surface dust on shoes.]
- 6 A minority view rules like the first opinion that even feathers and threads are prohibited; Magen Avraham, quoted by Chayei Adam 22:9 and Kitzur Shulchan Aruch 80:39; Ben Ish Chai, quoted by Kaf ha-Chayim 302:11. See also Aruch ha-Shulchan 302:9 who rules like this view in the unlikely event of a person who is reluctant to wear a garment because of the feathers, etc. See Machazei Eliyahu 44-4.
- 7 Some poskim are concerned with the issue of muktzeh (See Shulchan Aruch Harav 302:3 and Ketzos ha-Shulchan 116:3). To avoid the problem, the dirt can be removed indirectly or via his body; Sha'ar ha-Tziyun 337:7. Other poskim, however, are not concerned with the muktzeh issue; see Chazon Ish 47:21 and Shulchan Shelomo 302:5 and 302:12.
- 8 Beir Halachah 302:1.
- 9 Mishnah Berurah 302:6.
- 10 It remains questionable whether or not another person [who is bothered by the dirt] can clean the garment if the wearer himself is not particular; Beir Halachah 302:1 (s.v. v'hu). See Shulchan Shelomo 302:2-2.
- 11 This is determined by assessing the individual wearer's willingness to wear a dusty

garment on weekdays, even if he would not wear it on Shabbos, Yom Tov or other special occasion; Harav S.Z. Auerbach (Shemiras Shabbos K'hilchasah 15, note 89 and Tikunim u'Milum).

12 While this is sometimes difficult to determine, there are two general guidelines to follow: 1) One would normally be reluctant to wear dark (black or dark blue) clothes which are dusty but not brightly-colored clothing; 2) One would normally be particular not to wear new, or freshly laundered clothes which are dirty, but would be less particular if the clothing were obviously worn or faded.

13 Mishnah Berurah 302:36 and Beir Halachah 302:1 (s.v. yeish) and 7 (s.v..

14 Mishnah Berurah 302:6.

15 Since this may be prohibited according to all views. If the non-Jew uses the brush on his own, to make his job easier, he need not be stopped.

16 Misgeres ha-Shulchan on Kitzur Shulchan Aruch 80:80, quoted by Minchas Shabbos 80:143. See Beir Halachah 302:1 (s.v. lachush) who seems to rely on this only when the garment is clearly not new or newly pressed. See also She'arim Metzuyanim b'Halachah 80:36 who disagrees with this leniency.

17 A third type of stain is one where the food was neither absorbed into the fabric nor dried and hardened; it merely remained on the surface and could be easily flicked off, e.g. a noodle. This type of stain is permitted to be removed according to most poskim quoted earlier, since it is similar to a feather or a loose thread which may be removed.

18 Entire section based on the view of the Mishnah Berurah 302:11 and 36 and Beir Halachah (s.v. dhavi). This is also the view of Da'as Torah 302:7. Note that there are poskim who are more lenient and allow a stain to be removed even when it will be completely removed as long as it is not scrubbed vigorously; see Aruch ha-Shulchan 302:9; Ketzos ha-Shulchan 116:3.

19 See previous note that other poskim are more lenient and permit removing stains as long as they are not scrubbed vigorously.

20 O.C. 302:7.

21 See Rama 321:12.

22 See Shemiras Shabbos K'hilchasah 6:9 and 15:28.

23 Mishnah Berurah 302:36 and Sha'ar ha-Tziyun 44.

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From: RABBI JONATHAN SCHWARTZ Jonathan Schwartz[SMTP:jschwartz@gmail.yu.edu] To:chaburah@hotmail.com Subject: Internet Chaburah -- Parshas VaYishlach

Prologue: What a battle! The Torah speaks of the 12 rounder that took place between Yaakov and the Ish who fought with him until daybreak. At the end, the man hit below the belt wounding Yaakov in the Yerech (loin). Who was this mysterious man? How did he influence Jewish destiny?

Chazal (Midrash Rabba) note that this man was no ordinary man. Yaakov called the place Pniel based on his recognition of seeing something divine. Hence, the rabbis determine that he battled with an angel. And no ordinary angel, rather the angel of Esav. And yet, he appeared as an Ish. What kind of man did this angel look like? The Talmud (Chullin 91a) and Midrash (Berashis Rabba 77:2) offer very different images. According to the various opinions he appeared either as an idol worshipper or as a Talmid Chacham or as a shepherd who tricked Yaakov into remaining alone with him to tend to fair crossing of the sheep but later was nothing more than a bandit. Why the disparity? How can the struggle of Yaakov and Saro Shel Esav be understood with such stark contrasts in image as Talmid Chacham?

The truth is that the battle of Yaakov and Saro Shel Esav takes place on many levels. It is a struggle that presents, at times, one of contrasting views that can lead to violence as a struggle with a Bandit. Yet, at the same time, it can be seen as nothing more than a polemical disagreement. The difficulty is that Halacha Esav Sonai L'Yaakov and when we engage in any religious discourse, intellectual or otherwise, with Esav, the end result is a battle with dirty fighting, one that is below the belt. Hence, Maaseh Avos Siman L'Banim, any actions done by the Avos serve as a historical sign for things that would happen to the children (as explained by Rabbi Soloveitchik Chukas, 1978). And, countless examples of the struggle between Esav and Yaakov have been waged throughout the generations, on many levels violence and even

intellectual. The common goal of Jewish destruction has been present in many of these interactions no matter what the face looks like.

Thus, it becomes incumbent upon the Yotzai Yerech Yaakov, those who came directly from those very loins of Yaakov to emerge as strong reminders that HaKol Kol Yaakov and that Yaakov is destined to win the struggle. From the depths of wound come the strengths of salvation. Alas, Post-War life has created a challenge. No longer do Jewish people identify themselves easily as Bnei Yaakov. They may know they are Jewish but little else. What is our obligation to our brothers? How do we do our best to keep them on as members of the greatest nation - Bnei Yisroel, emerging from the victor in the struggle of Yaakov and Sar Shel Esav? This week's Chaburah examines one issue that emerges from the lack of identification as members of Klal Yisroel. It is entitled:

WHAT'S IN A NAME?

Everyone has a name. The giving of a name is associated with Kedusha and is linked with potential for the future (See Internet Chaburah, Berashis 5760). It is the name that we use when receiving an Aliya to the Torah and use in preparing and signing documents like the Kesuba and Get.

But we have many others names. Often people don't have Hebrew names (if they are born into a family that does not keep the baby naming ceremonies at a Bris or a girl-naming in a Shul when her father receives an Aliya L'Torah.). Alternatively, a name provided during a Bris (or earlier in girls) is totally forgotten and the name utilized is the secular name. In that situation yet another name change takes place. The Halachic implications for such a name change is serious. After all, how does one call such a person to the Torah? How about for an Aliya? In a Kesuba?

Perhaps the most important ramification of name changes is in the laws of Gitten (Jewish divorce). Any change in the writing of the name in those situations renders the document invalid and ruins the divorce. Even putting in a line noting that this person called "X" and another other name he might be known by, is not a good means of solving the Get problem in respect to names (See Even HaEzer 129:3). Hence when a person is known by two names, both need to be written into the Get. Which name would come first though, is a deeper question, especially when one name is the Religious name offered at birth while the other is the more commonly used one.

The majority of modern Poskim on the issue (see Sefer Get MeSudar 12:17) seem to side with the opinion of Rav Yaakov Etlinger (Shut Binyan Zion HaChadashos 172). The Binyan Zion notes that a name that is used, even if for the most basic amount (i.e. only when he goes to Shul and he is a "Yom Kippur" Jew) is still called a Hebrew name and is primary. Hence in a Kesuba or a Get, it is this name that should be written since, after all these too, are religious functions.

However, if people don't go to Shul at all, and thus never use their Jewish birth names, what should one do then? The Achiezer (IV, 58) notes that if the name is NEVER used, it should not be used in a Get or a Kesuba. Dayan Weiss (Shut Minchas Yitzchak VII:117) notes that a Jewish name remains active (over a secular one in respect to documents like the Kesuba and Get) only if the person uses that name in signing documents or it is used in shul for "Mee She'Bairachs" or at least some people call that person by the name. If not, the name is considered void. Rav Breish (Shut Chelkas Yaakov III:108) notes that many Jews today do not have active Jewish names. Hence, these names should not be used in Jewish documents.

Rav Moshe Feinstein disagrees. He (Igros Moshe Even HaEzer IV:102) notes that people receive a Jewish name precisely for the purpose of using them in religious functions. If that name is only used at the Bris and the wedding, it is still not to be considered forgotten and should be used in Kesuba or Get or any other religious function. Rav Henkin (Teshuvos Ibra 86) adds that both the Jewish name and the

secular name have separate functions. The Jewish name is for religious functions. The Shem Chol is for Divrei Chol. Primary use of a secular name does not negate existence of a Jewish one. Ergo, in a Get or Kesuba, this name should be used.

The issue comes to a head in respect to Get writing where the use of the wrong name can lead to a Get Pasul. The Tzitz Eliezer (Xi:87) felt that one should be concerned with the potential for seeing a name as forgotten. Ergo, he had all English names included in Get writing (in Hebrew letters) after the use of the Given Hebrew name. However this might not be the proper course of action in the US where we tend to follow the opinion of Rav Moshe and Rav Henkin (See Igros Moshe Even HaEzer I:146).

What is one to do to end the issue of what is a name? Rabbi Chaim Jachter (Dayan in Elizabeth - Techumin 15:p. 300) recommends that we use Hebrew names when speaking to relatives, especially those who don't attend Shul that often. This way, the given Hebrew name will not be forgotten and will be able to be considered primary in preparing documents according to all opinions. HaGaon Harav Yehuda Dovid Bleich Shlita (Chaburos Al Hil. Ishus 5759, Chaburos Yadin Yadin, 5760) added that this system works only for given Jewish names. However, Jewish Hebrew school teachers should be careful not to "provide" Hebrew names to their students who don't seem to have one. Doing so would create a bigger problem that it would solve.

Battala News

Mazal Tov to Ryan Hyman upon his recent engagement.

From: Ohr Somayach[SMTP:ohr@ohr.edu]

The Weekly Daf #357 Nazir 55 - 61 Issue #357 Parshat Vayishlach
Week of 14 - 20 Kislev 5761 / 11 - 17 December 2000 By RABBI
MENDEL WEINBACH, Dean, Ohr Somayach Institutions

HOLD THAT HAIRCUTTER

Does the Torah's command not to remove the payot (sideburns) from the head of a Jew (Vayikra 19:27) apply to the payot of a minor as well?

This is the subject of a dispute between the sages. Rabbi Huna contends that one who removes the payot of a minor is liable for lashes. Rabbi Ada bar Ahaba's position is that since the Torah included both the one giving the haircut and the one receiving it in the plural phrase used in this command, there is an equation made between the two. Since the minor is not commanded in this or any mitzvah, the one giving him a haircut is also not commanded to refrain from cutting his payot.

Tosefot points out that the gemara (Mesechta Bava Metzia 10b) serves as a support for Rabbi Huna's position. This approach is what led to the ruling in Shulchan Aruch (Yoreh Deah 181:5) that one who cuts the payot of a minor is liable for lashes.

Even though we rule like Rabbi Huna on this point, we do not follow his example in allowing his wife to cut the payot of his sons. He based his permission on the fact that the above mentioned passage speaks both of cutting payot and shaving the beard with a razor. Since a woman has no beard and is exempt from the ban on shaving, she is also exempt from the ban on cutting payot, whether they are hers or those of a man. When Rabbi Ada heard of what Rabbi Huna's wife, Chova, was doing, he expressed strong objection; because if Rabbi Huna held that a minor's payot may not be cut, this ban should apply to a woman cutting them as well. He even wondered aloud if Chova would not end up burying her children for such a violation. This slip of the tongue of this sage, says Tosefot, was responsible for what the gemara relates about the premature deaths of Rabbi Huna's children during Rabbi Ada's lifetime.

This incident is the background for the mention in the Shulchan Aruch (ibid. 181:6) of a halachic opinion that a woman should not cut

the payot of a man, even a minor.

One ruling in the aforementioned section of the Shulchan Aruch requires closer examination: Rema cites a ruling that a minor may have his payot cut by a non-Jew. The problem with this -- a problem raised by the commentaries -- is that a Jew cannot ask a non-Jew to do something that he himself is forbidden to do. It is also highly unlikely that Rema is referring to a situation in which the minor went to the non-Jewish barber on his own, because the issue of whether one must prevent a minor from doing something contrary to halacha is discussed in Shulchan Aruch Orach Chaim 243, and it does not belong here.

* Nazir 57b

VIVA LA DIFFERENCE!

A fascinating chapter in Biblical history is cited by the commentary presumed to be Rashi in explaining a point in our gemara.

After Hashem delivered the Canaanite invaders into the hands of the Israelite forces -- led by the Prophetess Devorah and Barak ben Avinoam their general -- Sisera fled for his life and sought refuge in the tent of Yael. Aware that as long as he remained alive there was a serious threat to her people's security, Yael cleverly induced a deep slumber by giving him milk to drink and then set about slaying him.

Yael could easily have taken the sleeping enemy's sword to kill him. Instead she took the peg of the tent and drove it into his temple (Shoftim 4:21).

The reason for this, writes Rashi, is that Yael was cognizant of the Torah command "A woman shall not don a man's garb" (Devarim 22:5), which Rabbi Eliezer ben Yaakov in our gemara explains includes a ban on a woman going to war with the weapons of a man. It is this maintaining of femininity, even in the crucial moment of slaying an enemy, which Devorah praised in her victory song: "She extended her hand to the peg" (ibid. 5:26).

In his "Gilyon Hashas" footnotes, Rabbi Akiva Eiger calls attention to the sources for Rashi's comment. One of them is the Targum of Yonatan ben Uziel on the aforementioned passage. Another is the Midrash cited in Yalkut Shimoni (Shoftim 56) which notes that Yael's action was a personification of the praise which King Solomon gives to the "Eishet Chayil" (Woman of Valor) when he describes one of her attributes as "She extends her hand to the spinning peg" (Mishlei 31:19).

* Nazir 59a

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