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INTERNET PARSHA SHEET
ON VAYISHLACH - 5763

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From: RABBI YISSOCHER FRAND [ryfrand@torah.org] Sent: November 20, 2002 Subject: Rabbi Frand on Parshas VaYishlach "RavFrاند" List - Rabbi Frand on Parshas VaYishlach

A Tale Of Two Philosophies

In this week's parsha we read about the reunion of Eisav and Yaakov after many years of separation. Eisav, responded to the generous gifts that Yaakov sent to him, by saying "I have much. My brother, keep what is yours." [Bereshis 33:9] Yaakov, on the other hand, answered Eisav, "Please take the gift I have given you, for G-d has been gracious with me and I have everything." [33:11]

The Chofetz Chaim (1838-1933) said that this short dialogue sums up the different approaches to the world of Eisav and Yaakov. A person who says "I have much" will be an unhappy person. There is so much out there in the world to acquire, and no one person will ever acquire it all. Our sages say "Every person passes from this world without achieving even half of his desires" [Medrash Rabbah Koheles]. Therefore, someone who is focused on what he does not have will never be happy.

The only person who will be happy in life is the one who says that "I have everything that there is to need." Physically, he realizes that he does not have everything in the world. But the key is knowing that he has all that he needs to have. If he believes he has all he needs to have, he truly has everything.

In conjunction with this thought, Rav Eliyahu Lopian (1872-1970) explained the verse at the end of Birchas HaMazon [Grace After Meals or "bentching"]. The pasuk says, "Dorshei HaShem lo yachseru kol tov" ["Those who seek out Hashem, will not lack any good."] The pasuk does not say that those who seek out Hashem, in fact, _have_ everything, only that they will not be _lacking_. This is the greatest blessing that a person can receive. If a person feels that he has what he needs, he will be happy. If, however, he only feels that he has "a lot," he will always want more than he has.

Rav Lopian gave the following example. A person once took a visitor to his home into the bathroom, and opened up the medicine cabinet. The medicine cabinet was full with prescription drugs. He proudly boasted about the value of the contents of the medicine cabinet. "Look, I have thousands of dollars worth of valuables here." The other person looked incredulously at his host and thought to himself, "Big deal. I have a medicine cabinet and all I have inside of it is aspirin."

Who is happier in this example - the person who has thousands of dollars worth of medicine, or the person who does not need the medicine? This is the difference between "I have much" and "I have all".

We Are Still Suffering From Yishmael's Resentment

The very end of this week's Parsha [Bereshis 36:43] contains a type of verse that we typically read through without giving it a second thought: "The chief of Magdiel and the chief of Iram; these are the chiefs of Edom by their settlements, in the land of their possession -- he is Eisav, father of Edom."

What lesson can we learn from this pasuk? Who ever heard of the chief of Magdiel or the chief of Iram? What is their significance?

Although the meaning of such a passage escapes us, it did not escape the likes of Rav Yitzchak Hutner (1907-1980), zt"l.

In the late summer of 1970, Rav Hutner was returning to New York from Eretz Yisrael when Palestinian terrorists hijacked his return flight and two other jets. The planes and passengers sat on a hot runway in Jordan for over a week, while the PLO negotiated for release of Palestinian prisoners being held in Israeli prisons. When Rav Hutner emerged from that experience, he spoke publicly about the ordeal. Among other things, he explained the difference between the descendants of Eisav and the descendants of Yishmael. Rav Hutner said that even though both of them have persecuted Jews and we have suffered miserably and horribly at the hands of both of them, there is a difference between the two cultures. The descendants of Eisav never thought of taking our land. The Torah clearly spells out that the descendants of Eisav were given Mt. Seir [Devorim 2:5]. Eisav knew that he had his own land to the East of the Land of Israel. Although Eisav's descendants killed us and tortured us, they never wanted our land -- because they had their own inheritance. Yishmael, however, was thrown out of Avraham's home without an inheritance [Bereshis 21:10]. This profoundly affected the development of history. Yishmael still feels as if we have his land. Magdiel and Iram had their own settlements, in the land of their own inheritance. They had their own land, and so they did not have their eyes on ours. But the pasuk regarding the children of Yishmael says, "These are the sons of Ishmael and these are their names by their open courtyards (Chatzeirehem) and their strongholds (tirosam)" [Bereshis 25:16]. They are nomads. They are left with tents and refugee camps. They may have hundreds of thousands of square miles in the Middle East, but they do not have what they think is their land. They think that "their" land is a small piece of real estate called Palestine and they continuously want it "back."

The whole trouble stems from this point. Eisav received his inheritance - Mt. Seir. But G-d ordered Yishmael sent out of the house of Avraham without an inheritance, causing the inheritance to go only to his younger brother Yitzchak. This is something that Yishmael has never gotten over. Unfortunately, this is something he will never "get over" until the end of days. He is always going to want to take back the land that he thought should have been his rather than Yitzchak's. Unfortunately, we are still suffering from this resentment to this day.

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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 # 351, Tefilas Haderech. 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. RavFrاند, Copyright © 2002 by Rabbi Yissocher Frand and Torah.org. Torah.org: The Judaism Site <http://www.torah.org/> Project Genesis, Inc. learn@torah.org 122 Slade Avenue, Suite 203 (410) 602-1350 Baltimore, MD 21208

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RABBI MICHAEL ROSENSWEIG

PARSHAT VAYISHLACH - THE PRINCIPLED PURSUIT OF PRINCIPLE

One of the central episodes in Parshat Vayishlach is the story of Dinah's ordeal and the subsequent attack against the family of Schechem by Shimon and Levi that it engendered. The Torah records Yaakov's unequivocal displeasure with the radical solution they promulgated. While they defended their actions with principled conviction(34:7), - "ki nevalah asah be-yisrael...ve-khen lo yeiaseh", arguing that justice and family honor more than justified their behavior, it appears at first glance that Yaakov's harsh critique(34:30)- " akhartem oti le-havisheini be-yoshev ha-aretz...va-ani metei mispar ve-neasfu alai ve-hikuni ve-nishmadeti ani ubeiti" is rooted primarily in a sense of vulnerability and fear of isolation, purely pragmatic considerations. Shimon and Levi's succinct, yet powerful rejoinder (34:31)- "vayomru ha-kezonah yaaseh et ahotenu"- suggests that they dismissed Yaakov's objections precisely on the grounds that a commitment to lofty principle justified even jeopardizing the security of the fledgling Klal Yisrael.

However, their interpretation of Yaakov's motivation in this matter appears to be untenable. Yaakov's use of sharp language such as "akhartem oti" and "lehavisheini", which according to a group of commentators (see, for example, Rashi, Seforno) implies an accusation that the brothers were guilty of compromising Yaakov's values and of tarnishing the idealistic image of Klal Yisrael, belies a purely pragmatic orientation. It is noteworthy that the passage of time did not dull the severity of Yaakov's condemnation of their actions notwithstanding the fact that the pragmatic consequences he feared never really materialized. Yaakov's entrenched disappointment in his two sons is reflected in the harsh words he directs to them in his final communication in the context of his parting prophecy to all the shevatim in Parshat Vayechi (49:5-7). The tenor and timing of his final evaluation reflects a profound and idealistic rejection of their values, as reflected primarily in the Shechem incident. Moreover, it is simply inconceivable that Yaakov Avinu, whose unique and ambitious blend of qualities (tiferet) qualified him as the bechir ha-avot and father of the shevatim would compromise idealistic values for the sake of security and condemn those who were willing to sacrifice for justice and loyalty. It was precisely Yaakov's courage and integrity in confronting and overcoming various formidable obstacles, including saro shel eisav, that earned him the title "Yisrael". How, then, are we to comprehend the debate between Yaakov and his two sons. Our understanding of the issues depends, in part, on the distinctive perspectives of the Rambam and Ramban.

According to the Ramban's analysis of this episode, Yaakov condemned the conduct of Shimon and Levi because it contravened the halachic norm. Ramban (34:13) argues that the obligation of "dinim", one of the seven Noachide laws whose neglect warrants the death penalty (Sanhedrin 56b), constitutes an obligation to establish a comprehensive system of civil law that parallels our own system of Choshen Mishpat. Ramban concludes that neglecting to prosecute individuals who violate the law, such as Shechem, does not constitute a sufficient violation of this comprehensive obligation to justify administering the death penalty. While Shechem and his cohorts had violated Dinah and compromised the dignity of Yaakov's family, the brothers response was not halachically justified. According to this perspective, Yaakov's outrage stemmed from his dedication to halachic principle even in the face of personal humiliation.

Rambam (hil. Melakhim 9:14) limits the Noachide duty of "dinim" to the prosecution of other Noachide offenses. He, thus, concludes that the citizens of Schechem who refused to take action against Schechem were halachically liable to the punishment of death, as Shimon and Levi insisted. Ramban challenges this view precisely because Yaakov's condemnation of his sons' initiative is puzzling if they were compliant with the halachic norm. Yaakov had previously proved himself to be fearless in pursuing his halachic-spiritual obligations. Even if he was personally reticent, why would he castigate his children who were admirably implementing Divine law? Indeed, some of the commentators have struggled to justify Yaakov's stance according to Rambam's scheme (see, for example, Radvaz, ad loc.).

A close reading of the pesukim in both Vayishlach and Vayechi may reveal several clues regarding Yaakov's position. The Torah contrasts the initial reactions of Yaakov and his sons. When Yaakov first confronts the highly disturbing evidence ("ki timei et Dinah bito"), we are told that he responds with silence(34:5)-"ve-Yaakov shama...vi-heherish Yaakov ad boam". Given his sense of outrage and of personal violation, his suppression of any external expression of anger or emotion undoubtedly reflects the attribute of "gevurah" (kovesh et yizro). As a matter of principle, Yaakov felt

compelled to consult with the shevatim and to consider the long term implications of any action that might affect the destiny of Klal Yisrael, as well as the potential consequences for the reputation of Klal Yisrael and the system of halakhic values it embodies (chillul Hashem). His sons, on the other hand, react immediately, viscerally, and reflexively(34:7) - "u-benei yisrael bau min ha-sadeh ke-shamam, vayitazvu ha-anashim, vayihar lahem meod". It is interesting that Yaakov relates initially to Dinah as the personal victim of this crime and is still able to put the long range interests of Klal Yisrael ahead of personal or family considerations, while his children first perceive the matter in terms of its impact upon "bat Yaakov" and ("nevalah asah be) yisrael", and yet are unable to assimilate the broader potential implications of their actions! Later, when they, too, shift their focus to the personal aspect of this violation (34:14, 25, 27, 31), they are completely oblivious to the broader issues. Yaakov's condemnation of Shimon and Levi projected that the security and reputation of Klal Yisrael are not merely pragmatic matters, but themselves constitute significant values and ideals. The fact that the brothers acted on a matter of such gravity without more serious deliberation, and without even consulting Yaakov, their father and the ideal mentor of Klal Yisrael, presents a striking contrast with Yaakov's own reticence to even respond "ad boam". The implications of this breach of authority and hierarchy was disturbing, indeed.

Furthermore, the Torah emphasizes that the brothers used the device of "mirmah"(trickery) (34:14), even as Schechem was depicting Klal Yisrael as "sheleimim hem itanu" (34:21), which Rashi and Ramban interpret as a reference to sincerity and magnanimity. According to some commentators, it is this duplicitous methodology that Yaakov refers to when he charges the brothers of having sullied his (and by extension, Klal Yisrael's) reputation for idealism (akhartem oti), generating a chillul Hashem (le-havisheini) whose impact might endure far beyond this particular episode. [Ramban in Vayechi (49:5-6) also notes that chillul Hashem motivated Yaakov's critique.] The ironic fact that brit milah, the unique symbol of Klal Yisrael's special devotion, commitment and sanctity, and the obligation introduced initially to distinguish the Noachide and Israelite codes is the duplicitous mechanism that was used to avenge for the Noachide breach may also have contributed to Yaakov's ire.

Yaakov Avinu rejected Shimon's and Levi's brand of idealism, notwithstanding their sincerity and piety, because he believed that principle had to be pursued with a broader vision, through principled methods, and in a more idealistic manner. Yaakov, according to Rambam's scheme, projects the principle that halachic conformity alone is not always sufficient to justify radical conduct when other halachic principles and values are at risk. [Compare Ramban, beg. of Kedoshim's view of naval be-reshut ha-Torah.] In his final remarks to Shimon and Levi in Vayechi, Yaakov precisely emphasizes his rejection of immediate violent solutions - "Shimon ve-Levi ahim kelei hamas mekheireiheim" and distances himself from the approach of secrets and plots ("besodam al tavo nafshi"). He refers obliquely (Rashi- 49:5) to the fact that Shimon and Levi's Shechem methodology ultimately led also to the misguided persecution of Yosef ha-Zaddik. It was necessary to channel the concentrated, narrow idealism of Shimon and Levi in a more constructive direction by diffusing it throughout the nation ("ahalkeim be-Yaakov ve-afizeim be-yisrael") so that it could contribute in a more balanced framework. Yaakov's wisdom and balance reflected by his ability to apply a principled approach even to the pragmatic world earned him the name and special stature of Yisrael - "ki sarita im elokim ve-im anashim va-tukhal".

From: Menachem Leibtag [tsc@bezeqint.net] Sent: Thursday, November 21, 2002 1:20 PM To: Reg; Lite; NEW Subject: [par-new]Parshat

Va'yishlach - shiur

RABBI MENACHEM LEIBTAG

Mazel Tov to my brother in law Merrick Birkental, upon his engagement to Traci Hammes!

Mazel Tov to my student Sammy Groner (Silver Spring), upon his engagement to Rachel Berger (New Rochelle).

This week's shiur is dedicated in commemoration of the yahrzeit of Reuven ben Moshe A"H, 17 Kislev 5757

THE TANACH STUDY CENTER [http://www.tanach.org] In Memory of Rabbi Abraham Leibtag Shiurim in Chumash & Navi by Menachem Leibtag
PARSHAT VA'YISHLACH -

FROM YAAKOV TO YISRAEL - Part One

Was Eisav really planning to wipe out Yaakov's family with his four hundred men? Or, was his intention all along simply to welcome his brother back 'home'? When Yaakov crossed the Yabok River (with his wives and children), was he planning a secret escape? Or, was Yaakov's intention all along to confront his brother face to face? And finally, when G-d sent a "mal'ach" to struggle with Yaakov on that fateful evening - was His intention to bless Yaakov at this critical time, or to thwart Yaakov's planned 'escape'? When one reads Parshat Va'yishlach, it is difficult to find precise answers to these (and many other) questions. In Part One of this week's shiur, we attempt to answer these questions while suggesting a reason why the Torah's account remains so vague. Based on that analysis, Part Two will discuss the deeper meaning of Yaakov's name change to Yisrael.

INTRODUCTION When we study Sefer Breishit, our goal is usually to find the underlying meaning (or message) of each story. However, the more difficult it becomes to understand what happened in a specific story, the more difficult it becomes to uncover its message. Therefore, before searching for meaning, the first step of Chumash study should be to attempt to determine what happened. However, when we encounter ambiguity in a certain narrative, we can also entertain the possibility that its vagueness may be intentional, and hence its message may lie in that ambiguity. With this in mind, we begin our shiur by taking into consideration the events that lead up to Yaakov's encounter with Eisav in both Parshat Toldot and Vayetze. With that background, we will study what transpires in Parshat Va'yishlach, in search for meaning in both its details and in its ambiguities.

STAY AWAY - UNTIL I CALL FOR YOU Recall, from the end of Parshat Toldot, that Yaakov ran away from Eretz Canaan in fear that Eisav would kill him. To verify this, let's quote the departing message that he heard from his mother: "Your brother Eisav is consoling himself by planning to kill you. Now, my son - listen to me, get up and run away to Charan - to Lavan my brother. ...Until your brother's anger quiets, and he will forget what you did to him - [then] I will send someone to call you to return..." (see 27:42-44). Neither Rivka nor Yaakov know how long this will take, but clearly - Yaakov plans to stay by Lavan until 'the coast is clear'.

On his way to Charan, G-d appears to Yaakov at Bet-El, assuring him with Divine protection during his journey: "Behold I will be with you, and guard you anywhere you go, and I will bring you back to this land..." (see 28:15).

However, even though G-d had promised to protect Yaakov on this journey, He didn't inform him concerning WHEN to return. So when should Yaakov return home? Based on the events prior to his departure, either Rivka will send for him, or G-d will let him know. But in either case, it can only be after the threat of Eisav's anger is abated. **GOD SENDS SOME 'HINTS'** Even though Rivka never sent for him, some twenty years later (when Lavan's children are out to kill him/ see 31:1-2), G-d appeared to Yaakov, demanding: "Return to the land of your fathers and birth - and [then] I will be with you" (31:3).

Hence, it is no longer any safer for Yaakov in Charan (in fear of Lavan) than it is in Canaan (in fear of Eisav). However, even though G-d commanded Yaakov to return home, He did not inform him concerning how he should deal with Eisav! Parshat Toldot concludes as Yaakov approaches the land of Israel and encounters "mal'achei Elokim" ['angels of G-d'] (see 32:2-3). As this vision parallels Yaakov's original vision of "mal'achim" (when G-d first promised protection - see 28:10-15), it appears that G-d is now telling Yaakov that it is safe to come home.

How about Eisav? Is he still a threat? Note how Yaakov's decision to send messengers to Eisav comes immediately after his vision of G-d's angels at Machanayim! Hence, Yaakov may have understood from his vision of those angels that the 'coast was now clear', and it was safe not only to return to Eretz Canaan, but to confront Eisav as well! This can explain his decision to initiate an encounter with Eisav (see 32:4-5). Now that he plans to return home, he wants to ensure that he will enjoy peace with his brother.

YAAKOV IS CAUGHT BY SURPRISE To Yaakov's surprise, his messengers come back with a report that he definitely did not expect: Eisav, with four hundred men, was on his way to meet Yaakov! There can be no doubt concerning how Yaakov understood this report. Eisav is out for his head! This explains Yaakov's next course of action (see 32:7 -12 "va-yira Yaakov me'od..."). Expecting that Eisav was on his way to kill his entire family, he quickly divides his camp in two (to save at least half of them - see 32:7-8). Then he turns to G-d in prayer. Yaakov's prayer (see 32:9-12) reflects this predicament. On the one hand, G-d told him to return and promised to protect him. Yet on the other hand, G-d never told him to

initiate an encounter with Eisav. Maybe Yaakov was supposed to return to Canaan and avoid Eisav entirely? Maybe that was why G-d had 'inspired' Eisav to move to Edom (far away from Yitzchak and the hills of Hebron)! Had he 'sinned' by sending messengers? Did G-d want him to stay clear of Eisav (and his bad influence)? Note how Yaakov's prayer reflects our discussion. First, his opening appellation: "And Yaakov said: 'The G-d of my father Avraham & the G-d of my father Yitzchak - the G-d who told me - Return to your homeland and I will be with you [i.e. protect you]'" (see 32:10). Note how Yaakov first reminds G-d that it was His idea for him to return, and that G-d had promised to protect him. Nonetheless, if Eisav remains a danger, it must not be G-d's fault, rather his own. Therefore, Yaakov concludes that maybe he has done something wrong, or possibly has 'used up' all of his 'protection' points, and G-d had already provided him with so much ("katonti..." /read 32:11!). Then, Yaakov states his precise fear: "Save me from Eisav my brother, lest he come to kill me, mothers and children alike - but YOU PROMISED me that you would be with me and that my offspring would be numerous like the sand of sea..." (see 32:12-13).

In the final line of his prayer, Yaakov may be 'hinting' that even if he deserves to die, G-d should at least save his children, as G-d had promised to his forefathers. To our surprise, even though Yaakov prayed, G-d doesn't appear to provide Yaakov with an answer! **WHAT SHOULD YAAKOV DO?** Yaakov now faces a predicament. After all, what does G-d want him to do? Should he confront Eisav? If so, should he try to appease him, or should he stand up and fight for what is right? [And it may not be clear to him who is right - for it was Yaakov who stole the blessings!] Should he run away directly to Eretz Canaan? Maybe that is what G-d originally wanted him to do? Maybe only there will he be worthy of divine protection! Alternatively, maybe he should hide his wife and children, and then face Eisav himself? Let's take a look now, and see what he does. After he prays, that evening Yaakov prepares an elaborate 'peace offering' for his brother (see 32:13-20). Hence, it appears that Yaakov has chosen the path of 'appeasement', hoping that his brother will be so impressed that he may change his mind (see 32:20). Nevertheless, there is an interesting detail in these instructions that must not be overlooked. Note how Yaakov instructs his men to leave a gap between each flock of animals. In other words, he wants this 'offering' to be presented very slowly and staged. Then he commands each group to make the same statement: "When Eisav will meet you [i.e. each group] and ask who are you and where are you going and who are these for? Answer him, they are a present from your servant Yaakov - and HE IS RIGHT BEHIND US" [i.e. on his way to meet you as well] (see 32:17-18).

Then, Yaakov repeats this very same command to each group, emphasizing each time that each group should state - "Behold, Yaakov is right behind us..." (see 32:19-20). What are the purpose of these 'gaps' and the repeated message of "Yaakov is right behind us"? Either Yaakov is telling the truth - and the gaps are to slowly 'soften up' Eisav. Or possibly, Yaakov is trying something 'tricky' [again], and the gaps (and the entire offering) are part of a decoy, to stall Eisav's imminent attack, thus providing Yaakov with ample time to run away! [or at least to hide his wives and children]. As we will see, the story that ensues can be read either way.

WHAT DIRECTION IS HE CROSSING? That very same evening, after he designates his offering and the men that will bring it to Eisav, Yaakov takes his two wives, two maidservants, and his eleven children; and crosses the Yabok River (see 32:21-23). [Re: Dina (child #12) - see Rashi on 32:23!] But it's not clear why he is crossing this River, and what his intentions are! Is this simply part of his journey to meet Eisav (as most commentators understand), or possibly (as Rashbam suggests), Yaakov is RUNNING AWAY! If Rashbam's interpretation is correct (see Rashbam on 32:23-25) - then we have a wonderful explanation for the 'gaps'; the message that 'Yaakov is right behind us'; and the need for the Torah's detail of Yaakov crossing the Yabok! They all are part of Yaakov's plan to 'run away' from Eisav, to save his life. [Otherwise, all these details appear to be rather superfluous.] [If Yaakov is 'telling the truth', then we would have to explain that the 'gaps' are to increase the chance of 'appeasement', Yaakov plans to be right behind this offering, and the Torah tells us about the Yabok crossing as the background for Yaakov's struggle with the "mal'ach".]

THE STRUGGLE That evening, as Yaakov crosses the Yabok with his family, G-d sends a "mal'ach" who struggles with Yaakov until the morning (see 32:24-25). It would only be logical to assume that there is a divine

reason for this struggle. If we follow Rashbam's approach (that Yaakov is running away), then G-d's message seems to be quite clear. By keeping Yaakov engaged in battle all night long, G-d is not allowing Yaakov to run, thereby telling him that he shouldn't (or doesn't need to) run away. [See Rashbam 32:25.] In fact, Rashbam claims that Yaakov's injury is a punishment for his running away! [See Rashbam on 32:29.] With this background, we could explain some additional details of this encounter. First of all, this could explain why the angel asks to leave at dawn. If his job was to keep Yaakov from running away at night so that he would meet Eisav; then as soon as dawn arrives his job is over (note that Eisav arrives immediately after sunrise - see 32:31-33:1!). This also explains Yaakov's request for a blessing (which could also be understood as Yaakov looking for the meaning of this encounter). The angel blesses Yaakov by 'changing his name' from Yaakov to Yisrael. Considering that the name Yaakov implies some sort of 'trickery' [see Yirmiyahu 9:3 "ki kol ach akov yaakov"], while the name Yisrael implies the ability to 'stand up and fight' (see 32:28); then this 'blessing' is simply G-d's answer to Yaakov - don't run away, rather encounter your brother! Finally, it explains what happens immediately after the angel leaves. The sun rises, and - sure enough - Yaakov looks up and sees that Eisav and his four hundred men have already arrived [see 33:1]. What should happen now? It's too late to run! As we would expect, still fearing his brother, he tries to save at least some of his family by splitting them into groups (see 33:1). Then, he runs to the front to encounter Eisav directly, bowing down seven times in a last effort to 'appease' his brother [see 33:2-3]. Most likely to Yaakov's total surprise, Eisav greets him with hugs and kisses - in what appears to be a very friendly (and brotherly) manner [see 33:4]. Was it Yaakov's efforts to achieve appeasement that caused Eisav to change his mind, or was Eisav planning all along for this friendly encounter? I suppose we'll never know, as the Bible is intentionally ambiguous in this regard. [Maybe those little dots over "va-yishakehu" (see 33:4) are hinting to something. See Rashi & Radak who quote two opposite opinions in Breishit Rabba (which should not surprise us the least!).] In fact, Ibn Ezra (33:4) claims that the simple "pshat" is that Eisav had never planned to harm Yaakov, as proven by the fact that he cried during this encounter. Eisav even invites his brother to join him on his return trip to Se'ir. Yaakov prefers to travel slowly at his own pace, 'promising' to arrive in Se'ir at a later time (see 33:12-14).

THE PAST & THE FUTURE What should we learn from this story? One could follow Rashbam's approach, and arrive at a very 'right wing' conclusion. But if one studies Ramban's interpretation to these events, one would arrive at a very 'left wing' conclusion (i.e. there are times when Am Yisrael must first attempt to appease their enemies in any manner possible). One could suggest that the Bible's ambiguity is intentional, as there are times in Jewish History when a 'right wing' approach is correct, and there are times when a 'left wing' approach is preferable. Similarly, there are times when we must take action, even when we are in doubt in regard to the true intentions of our enemies. While at other times, it may be better to remain passive. Just as life is not a 'fairy tale', neither is Chumash. Nevertheless, we should learn that in every encounter that we face, we must both act (i.e. turn to ourselves) and pray (i.e. turn to G-d). We must make every effort to understand our predicament in order to arrive at the approach that would best follow the path that G-d has set. However, when that path is not clear, we must pray that G-d will not only assist us, but that He should send some sort of an 'angel' to assure that we follow the proper direction. Yaakov leaves this encounter not only limping, but also 'contemplating' and 'wondering'. But he continues on his journey, on his way to Bet-El, ready to face any future encounter with prayer, wisdom, action, faith, and resolve. So too, in the history of the Jewish people; There are times that we must stand up and fight, and there are times that we attempt appeasement. There are also times when we struggle, and remain limping. Yet we continue to pray, to study, to contemplate, and persevere with an unyielding resolve to achieve our goals. shabbat shalom, menachem In Part Two, we'll continue our discussion of Yaakov's name change to Yisrael,

FOR FURTHER IYUN A. Chazal tell us that the "mal'ach" was the "sar shel Eisav" - Eisav's guardian angel. Explain this Midrash, based on the above shiur. If this 'ish' was actually a 'mal'ach', why do you think the Torah insists on referring to him as an 'ish'? [Note the use of 'ish' in Shmot perek bet.] Why, do you think, there is significance in the fact that Yaakov was wounded in this encounter? Why must we remember this encounter whenever we eat meat (mitzvot gid-ha-nasheh)? [Could this relate back to the traits of an 'ish sadeh'?] See Rashbam 32:29. Explain the argument

between Yaakov and his sons regarding their militant reaction to the act of Chamor ben Shchem in relation to the main point of the above shiur.

PARSHAT VA'YISHLACH - FROM YAAKOV TO YISRAEL - Part Two

What's in a name? Well, there must be something important about names in Parshat Va'yishlach, for we find that Yaakov's name is changed to Yisrael; and it happens twice! In Part Two, we attempt to understand why, by considering its connection to the theme of 'bechira' in Sefer Breishit.

INTRODUCTION Even though G-d had also given Avraham a new name (see 17:1-5), Yaakov's name change to YISRAEL is very different. In regard to AvraHAM - a single letter ["heh"] is added to his existing name; in contrast - YISRAEL constitutes an entirely NEW name. Furthermore, 'Yisrael' serves as an alternate name for Yaakov, while the name AVRAHAM becomes a replacement. With this in mind, we begin our study with the two stories that describe Yaakov's name change to Yisrael in Parshat Va'yishlach. Later in our shiur, we will discuss its relationship to Avraham's name change. Recall that we find two instances when Yaakov is named Yisrael: 1) In the aftermath of his struggle at Pni'el, prior to his confrontation with Eisav (see 32:24-30); 2) Later, during G-d's revelation to him at Bet El (see 35:9-13).

We begin our shiur with the second event, as it provides us with a clear thematic connection with the 'bechira' process - the primary theme of Sefer Breishit. Afterward, we will return to Yaakov's struggle with the 'mal'ach' (or 'ish') at Pni'el.

THE RETURN TO BET EL Yaakov's return to Bet El, as described in 35:9-15, could be considered as the prophetic 'highlight' of his return to Eretz Canaan. Recall that this is the very site where he had received his very first 'hitgalut' some twenty years earlier - when G-d first informed Yaakov that he was indeed the 'chosen' son (see 28:12-14). Furthermore, it was at Bet-El where G-d had promised to look after his needs during his journey. [Recall as well from our shiur on Parshat Lech Lecha that Bet El was also the focal point of Avraham's 'aliya', where he built a mizbeiach and 'called out in G-d's Name'.]

Let's take a look at the Torah's description of this 'hitgalut', noting how G-d not only confirms Yaakov's 'bechira' but also changes his name to Yisrael: "And G-d appeared again to Yaakov on his arrival from Padan Aram, and blessed him: You, whose name is Yaakov, shall be called Yaakov no more, but YISRAEL shall be YOUR NAME. Thus He named him Yisrael and G-d said to him: I am KEL SHAKAI, be fertile and increase... The LAND that I have given to Avraham and Yitzchak I give to YOU and to YOUR OFFSPRING to come... (35:9-16).

G-d's confirmation of 'zera' [offspring] and 'aretz' (the Land) echoes His numerous earlier blessings of 'bechira' to Avraham and Yitzchak. [See 12:1-7, 13:14-16, 15:18, 17:7-8, 26:1-5, 28:13.] However, this particular blessing carries additional significance, for it is the LAST time that we find it in Sefer Breishit, thus suggesting that the 'bechira' process has finally come to an end. Therefore, the fact that this blessing also includes Yaakov's name change to Yisrael suggests a thematic connection between this name change and the conclusion of the 'bechira' process! If indeed the 'bechira' process is over, then ALL of Yaakov's children (and grandchildren etc.) are chosen. [In contrast to the children of Avraham and Yitzchak, where only ONE child was chosen.] From this point onward, the children of Yaakov become a nation - and hence the name change to Yisrael. With this background, we must now attempt to understand the significance of specifically this name - YISRAEL. To do so, we must return to the first event when Yaakov received this name, i.e. after he emerges victorious from his struggle at Pni'el.

THE EVENTS BEFORE THE STRUGGLE Let's consider the events that lead up to this struggle at Pni'el, beginning way back with the story of when Yaakov 'steals' Yitzchak's blessing that was intended for Eisav. Note the progression of events that unfolds: 1. Yitzchak plans to bless Eisav with prosperity and power. 2. Yaakov 'steals' Eisav's bracha. 3. Yaakov must 'run away' TO Padan Aram (in fear of Eisav). 4. Yaakov spends twenty years with Lavan. 5. Yaakov 'runs away' FROM Padan Aram (in fear of Lavan). 6. Yaakov prepares for his confrontation with Eisav. [Note how he plans a total subjugation to his brother.] 7. G-d sends an 'ish' to confront Yaakov. 8. Yaakov meets Eisav, bowing to him seven times beforehand.

While reviewing this progression, note how Yaakov's life was characterized by his need to either employ trickery or 'run away' in order to survive or to attain what he felt was necessary to become the 'chosen son'.

Indeed, Yaakov had become an expert at survival; but appears to have lacked experience in 'frontal combat' - the trait that Eisav was best at. It may have been for this very reason that Yitzchak had originally intended to bless Eisav, for he understood that in order to establish a nation, the traits of an 'ish sadeh' are essential, i.e. the qualities necessary to provide leadership in worldly matters (see shiur on Parshat Toldot). During his youth, Yaakov, the 'ish tam', lacked this character. However, now that it had been determined that Yaakov was to be the ONLY chosen son, it became necessary that he himself develop those traits as well. This may explain why upon his return to Eretz Canaan, G-d initiates a direct confrontation between Yaakov and Eisav. However, when we consider Yaakov's strategy as he prepares to meet Eisav (see 32:13-21), it becomes quite clear that once again he was not quite ready for a frontal confrontation. One could even suggest that Yaakov's plan for his children to bow down before Eisav may reflect his attempt to show Eisav that in reality, he never received the blessing that he had tried to steal. By bowing down to Eisav, Yaakov wishes to show his brother that the 'stolen blessing' of power and dominion over his brother ("hevei gvir le-achecha, yishtachavu lecha bnei imecha...27:29) was indeed awarded to Eisav. Ironically, Yaakov resorts to trickery once again; this time to show his brother that his original trickery used to 'steal' the brachot was meaningless.]

REALISM OR LAZINESS It is precisely at this point in the story that Yaakov's struggle takes place; i.e. AFTER his preparation to bow down to Eisav, but BEFORE the actual confrontation. Let's explain why this may be significant. A controversy exists among the commentators as to whether Yaakov was correct in this total subjugation to his brother. Some hold that Yaakov should have openly confronted his brother while putting his total faith in G-d (see Rashbam on 32:29), while others maintain that due to the circumstances, his timid strategy was appropriate (see Sforno on 33:4). [Note how this 'hashkafic' controversy continues until this very day!] Regardless of the 'political correctness' of his actions, the situation remains that Yaakov is unable to openly confront Eisav. Nevertheless, G-d finds it necessary that Yaakov prove himself capable of fighting should such a situation arise in the future. Yaakov must now demonstrate that his subjugation to Eisav stems from political realism rather than spiritual laziness. He must prove that, when necessary, he will be capable of fighting. [Sooner or later, confrontations with the likes of Eisav will be encountered when establishing a nation.]

Possibly for this reason, G-d must test Yaakov's potential to engage in battle with his enemy BEFORE he meets Eisav. Yaakov finds this struggle difficult, for he is untrained; the contest continues all night until the 'break of dawn'. [Possibly, night represents 'galut'; 'dawn', redemption. See Ramban, al atar.] Although wounded and limping, Yaakov emerges victorious from this confrontation, thus earning his new name: "Your name shall no longer be Yaakov, but Yisrael, for you have FOUGHT with beings divine ("Elokim") and human ('anashim') and TRIUMPHED" (32:29).

Thus, the name Yisrael may reflect the character of one triumphant in battle. Yaakov's new name is significant for it reflects his capability to engage head on in battle. In order to become a nation, this trait - represented by the name 'Yisrael' - is crucial.

WHY TWICE? Yaakov's earning this name from the 'mal'ach' did not appear to be sufficient; for G-d found it necessary to later confirm that name, together with his 'bechira', at Bet El (the very site where he was first promised the 'bechira'). Thus, it appears as though the blessings that Yaakov received throughout that entire episode of his trickery must now be bestowed upon him properly. First, G-d names Yaakov - 'Yisrael', symbolizing the traits of worldly leadership (35:9- 10). Afterwards, G-d confirms the blessing that Yitzchak had given him (28:1-4).

Note the obvious parallel between these two blessings:

| | |
|-----------------------------------|-----------------------------|
| FROM YITZCHAK | FROM GOD |
| (before departing) | (upon arriving) |
| (28:3-4) | (35:11-12) |
| [Go to Padan Aram...] | Yisrael shall be your name] |
| May "Kel Shakai" bless you, | I am "Kel Shakai": |
| make you fertile and multiply, | Be fertile and multiply, |
| to become an assembly of nations. | An assembly of nations |
| | shall descend from you. |

| | |
|-------------------------------|---------------------------------|
| May He grant you the - | .. |
| blessing of Avraham | The Land that I gave Avraham... |
| to you and your offspring | to you and to your offspring |
| that you may possess the Land | to come, I assign the Land. |

This comparison clearly shows that G-d's blessing to Yaakov at Bet El is a precise confirmation of Yitzchak's blessing to him after the incident of the stolen brachot. Hence, we may conclude that the name of Yisrael marks the conclusion of the 'bechira' process, as well as a necessary character to later become G-d's special nation.

THE FUTURE Although Yaakov's worldly traits may lie dormant for several generations, it must be inherent to his character before his 'bechira' receives final Divine confirmation. [Later, Yaakov will bless his two most able sons, Yehuda and Yosef, with the leadership in this realm (49:8-26).]

Throughout the rest of Chumash, the name Yaakov interchanges with Yisrael. This suggests that each name reflects a different aspect of his character. There are times when 'Am Yisrael' must act as Yaakov, the 'ish tam', and there are times when the more active and nationalistic characteristics of Yisrael must be employed. Ultimately, as the prophet Ovadia proclaims, the day will come when: "Liberators shall march up on Har Zion to wreak judgement on Har EISAV; and the KINGDOM shall be that of GOD" (1:21).

Based on this understanding of the significance of the special name of Yisrael, one could suggest a reason for the necessity of the 'bechira' process to continue one generation past Yitzchak. [Or re-phrased, why was it necessary for Eisav to be rejected, given the importance of his worldly traits?] Our original assumption, that both the traits of an 'ish sadeh' and an 'ish tam' are necessary in order to establish a nation, remains correct. Nevertheless, it is important that they are not perceived as equally important. As we explained in our shiur on Parshat Toldot, the fundamental character of Am Yisrael must be that of an 'ish tam' (Yaakov).

Only once that characteristic becomes rooted, the traits of an 'ish sadeh' can be added. Had Eisav been included in 'Am Yisrael', our perception of the relative importance of an 'ish sadeh' may have become distorted. A disproportionate emphasis on 'nationalism' and strength - despite their importance - would have tainted mankind's perception of G-d's special nation. In the formative stage of our national development, our outward appearance as 'Yisrael' must stem from our inner character as 'Yaakov'.

We must first speak with the 'voice of Yaakov' (see Rashi 27:22), only then may we don the 'hands of Eisav'.

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From: chrysler [rachrysl@netvision.net.il] Sent: November 21, 2002 To: Midei Parsha Subject: Midei Shabbos by RABBI ELIEZER CHRYSLER - Parshas Vayishlach Vol. 10 No. 8 This issue is co-sponsored in honour of the Bar Mitzvah of Yedidyah Refeol Chrysler n.y. May he grow up to be a G-dol b'Yisrael in Torah and Yiras Shamayim and give nachas to his parents, grandparents and Klal Yisrael. - - - and in honour of the engagement of Jeremy Segal to Miriam Lipsey n.y. May they be zochech to build a Bayis Ne'emon b'Yisrael.

Parshas Va'Yishlach They Defiled Our Sister (Part 1)
The Torah describes how Shimon and Levi attacked Sh'chem, and ransacked it, adding that it was "because they defiled their sister". Who is "they", asks the Torah Temimah? It was Sh'chem the Prince who had abducted Dinah, so why implicate an entirely innocent community? To quote the Gemara in Pesochim 'Tuvya sinned, and Zigud receives lashes?' The Torah Temimah cites the Rambam in Hilchos Melachim, who rules that all gentiles are obligated to establish law-courts to judge matters pertaining to their seven Mitzvos. And he goes on to explain how all the people of Sh'chem deserved the death-sentence, because they saw what Sh'chem did and were fully aware of it, yet they did not judge him (or even rebuke him - Or ha'Chayim).

And he connects the Rambam with Chazal, who say in Shabbos, that someone who is able to rebuke the people of his town, but fails to do so, is taken to task as an accessory to the crime. And since Sh'chem's sin resulted in his death-sentence, it therefore follows that the entire town, which should have stopped him from sinning by rebuking him, was now guilty of the same sin as he was, and deserved the same punishment. The Rambam however, takes the Rambam to task. First of all he argues, if the inhabitants of Sh'chem were guilty of abducting Dinah, why was Ya'akov angry with Shimon and Levi? If for whatever reason, he was afraid to carry out the law, he should if anything, have been pleased that his sons fearlessly pursued the course of justice?

In addition, he argues, the Mitzvah of Dinim (incumbent on all B'nei-No'ach), entails basically the establishing of civil laws, based mainly on the ideas set down in Parshas Mishpatim, not to steal, not to murder, not to

cheat or to withhold workers' wages, and so on. And that was something which the people of Sh'chem had not transgressed.

He concedes that the Mitzvah incorporates the setting up of law-courts, only that in itself, he explains, does not carry with it the death-sentence, Why not? Because it is an Asei (a positive Mitzvah), and it is specifically the contravention of Mitzvos Lo Sa'aseh (negative Mitzvos) that carry the death-penalty, as Chazal have said (of the seven Mitzvos B'nei No'ach) 'Their warning is their death-warrant'. And the word 'warning' (azharah) implies strictly a 'Lo Sa'aseh'. The logic behind this is, of course, that the Torah only punishes for sins that require an action, but not for desisting and doing nothing. To be sure, every sinner is subject to punishment, but not all sins are punishable at the hand of man. And the Torah makes a clear distinction between the two, as we see from the fact that Beis-Din may give lashes only for the contravention of Mitzvos Lo Sa'aseh, but not for Mitzvos Asei.

One might argue that this principle is confined to B'nei Yisrael, and not to B'nei No'ach (like we find that G-d punishes B'nei No'ach for merely intending to sin, whereas 'Thoughts do not constitute sin' with regard to B'nei Yisrael). However that would not be correct. The Gemara in Sanhedrin 56b, states explicitly that even though resting on Shabbos is forbidden to B'nei No'ach, it is not included in the seven Mitzvos, because it is a Mitzvas Asei, and not a Lo Sa'aseh.

In any event, the Ramban rejects the Rambam's interpretation of the events that took place in Sh'chem. He therefore contends that Shimon and Levi killed the inhabitants of Sh'chem, not because of the abduction of Dinah, but because they were guilty of idolatry, adultery and many other sins, which earned them the death-penalty.

According to the Torah Temimah that we quoted earlier, the Torah itself indicates that Shimon and Levi killed the B'nei Sh'chem for the sin of the abduction (like the Rambam), and not for other unspecified sins, as the Ramban suggests. Indeed, Shimon and Levi's reply - "Will he make our sister a prostitute?" implies this too.

And what's more, his explanation also answers the Ramban's second question. Because failure to prosecute the evil-doers renders the people accessories to the crime, they had also committed a "Lo Sa'aseh".

As for the Ramban's first question, Ya'akov's bone of contention may well have been the fact that, even if the people of Sh'chem were accessories to the crime, the B'nei Ya'akov were not obligated to judge them. Why, even when judging fellow Jews, a Dayan who is afraid of one of the litigants, is permitted to withdraw at the beginning of the case. So it would make sense here to say that Ya'akov considered it more prudent to abstain. In any event, it is not clear why the Ramban's Kashya on the Rambam does not boomerang on himself, because what difference does it make whether Shimon and Levi were punishing them for abducting their sister or for worshipping idols? Either way, Shimon and Levi were justified in killing the inhabitants of Sh'chem. So why was Ya'akov angry with them? (to be cont).

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PARASHAT VAYISHLACH

SICHA OF HARAV YEHUDA AMITAL SHLIT"A
TAKE MY BLESSING, PLEASE

Adapted by Dov Karoll

The beginning of this week's parasha deals with the meeting of Ya'akov and Esav. The parasha opens with Ya'akov sending messengers to inform of Esav of his return. "Tell my master Esav: So says your servant Ya'akov..." (32:5). The Midrash (Bereishit Rabba 75:11) strongly criticizes Ya'akov for taking a submissive approach to Esav:

"When Ya'akov called Esav 'my master,' G-d told him: You lowered yourself, and called Esav 'my master' eight times; I will establish eight kings from his descendants before there are any kings from your descendants." Ya'akov had his father's blessings in addition to G-d's promise, and as such he should have taken a stronger stand. Why is it so common for Chazal to criticize the great figures of the Torah, such as the patriarchs and Moshe, among others? The rabbis found this to be critical, for it emphasizes the human element of these

great people. It teaches that even our patriarch Ya'akov had weaknesses, and that sometimes he made mistakes. Not everything he did was dictated by divine inspiration. It is precisely in this light that we can learn so much more from the patriarchs as people, given that they were human and not angels.

But even if this criticism is in place, what was Ya'akov thinking? He must have thought that his submissiveness was justified and warranted. As the Midrash points out, Ya'akov refers to Esav as "my master" eight times. This could not have been an oversight on Ya'akov's part. Clearly, Ya'akov himself must have seen some importance in taking this approach. What led Ya'akov to defer to Esav in this way? In order to answer this question, we need to relate to the background of this story in the relationship between Ya'akov and Esav. Why did Ya'akov need to run away in the first place? Why was he so scared in approaching Esav? What did he do that led to Esav's hatred toward him?

Esav's hatred, which led to Ya'akov's flight, and correspondingly to Ya'akov's fear in returning, stemmed from Ya'akov's taking the blessings (chapter 27). While Ya'akov was acting out of maternal deference, and may well have been justified, he seems to have suffered feelings of guilt over this act. What was the blessing that Ya'akov "stole" from Esav? It was not the blessing of spiritual continuity, the appointment of the successor to Avraham and Yitzchak. Ya'akov received that blessing from Yitzchak at the end of that story (28:3-4).

Seforno (27:29 s.v. hevei) offers an explanation that sheds light on our issue. He presents a theory as to Yitzchak's intentions in blessing Esav.

Yitzchak understood that the land of Israel was meant for Ya'akov, and he assumed that Ya'akov would be a subject rather than a ruler, so that he would not be as preoccupied with matters of power and other worldly pursuits, enabling him to devote his time to spiritual matters. Yitzchak further assumed that it would be better for Ya'akov to be subservient to his brother Esav than it would be for him to serve other nations. However, given that he knew that the land of Israel was meant exclusively for Ya'akov, he made no mention in this blessing of succession to Avraham's heritage, nor of the land of Israel. Instead, he mentioned those to Ya'akov later when he blessed him.

What then was the blessing that Ya'akov "stole"? It was a blessing for physical success. In a sense, Yitzchak was right that this blessing really should have gone to Esav. Ya'akov has no interest in "may you rule over your brothers" (27:29). He is interested in the blessing of the succession of Avraham. Therefore, when he comes to Esav in this week's parasha, Ya'akov goes out of his way to make clear that he is interested only in the spiritual blessing he received, and that he does not insist on the physical blessing that was given to him. He communicates this message implicitly by using the terms "my master" and "your servant" repeatedly, emphasizing that he does not see himself as "ruling over his brothers." Ya'akov then makes this notion explicit by his statement, "Please take my blessing that is brought to you, because G-d has dealt graciously with me, and because I have enough..." (33:11).

[Originally delivered on leil Shabbat, parashat Vayishlach, 5762 (2001).] If you have any questions, please write to office@etzion.org.il Yeshivat Har Etzion's Israel Koschitzky Virtual Beit Midrash is on the world wide web at <http://www.vbm-torah.org> Yeshivat Har Etzion Israel Koschitzky Virtual Beit Midrash Alon Shevut, Gush Etzion 90433 E-Mail: Yhe@Etzion.Org.II Or Office@Etzion.Org.II

From: RABBI RISKIN'S SHABBAT SHALOM LIST [parsha@ohrtorahstone.org.il] Sent: November 21, 2002 To: Shabbat_Shalom@ohrtorahstone.org.il Subject: Shabbat Shalom: Parshat Vayishlach by Rabbi Shlomo Riskin
Shabbat Shalom: Parshat Vayishlach (Genesis 32:4-36:43) By Shlomo Riskin

Efrat, Israel - One of the most difficult questions which must be faced in a war against terror - such as America against Taliban Afghanistan and Israel against the Palestinian authority (Hamas) - is that of "collateral damage": in order to "get" the terrorists, there is often no choice but to bomb an enclave in which there may be innocent family members or neighbors. Is it preferable to conduct a house to house individual target search rather than indiscriminate aircraft bombing, a procedure which will often endanger our own soldiers (as happened when 13 Israelis were killed in Jenin)? What is the most ethical way to conduct a war?

A careful exploration of the most difficult confrontation between the family of Jacob and the people of Shechem will provide the answer. A cursory reading of the account (Genesis, Chapter 34) may lead to the conclusion that Shimon and Levi, sons of Jacob, were the terrorists of the tale. "Shekhem, son of Hamor the Hivite, Prince of the land, saw, seized, raped and afflicted" Dinah, the daughter of Jacob. Shekhem falls in love with his victim, and effectuates a meeting between the families to discuss possible wedding plans. The sons of Jacob express their willingness to intermarry and engage in social and business intercourse on the condition that all of the male people of Shekhem be circumcised. They agree - but on the third day following the mass circumcision, "when they were hurting, two of the sons of Jacob, Shimon and Levi, Dinah's brothers, took their swords, came upon the city unaware, and slew every male." It would certainly seem that Shimon and Levi murdered innocent people!

There are, however, a number of textual questions which beg to be answered. First of all, when the sons of Jacob present their plan for circumcision, the Bible introduces it with the words, "And the sons of Jacob answered Shekhem and Hamor his father with deceit..." (Genesis 34:13). Why doesn't father Jacob suggest the circumcision, and why are all of the sons speaking deceitfully?

Secondly, Jacob's reaction to Shimon and Levi's deed is not moral outrage but merely tactical concern: "You have muddied me, to cause me to be odious amongst the inhabitants of the land; I am few in number, and they will gather against me, smite me, and destroy me and my household"(Genesis 34:31). And interestingly enough, Jacob's concern was unfounded: "And (Jacob's family) journeyed; and a terror of G-d was upon the cities that were round about them, and they did not pursue after the sons of Jacob" (Genesis 35:5).

Thirdly, the very last words of the chapter - and the incident - are given to Shimon and Levi: "Ought they be allowed to make our sister as a harlot?"(Genesis 34:31). From this it would seem that the Bible accepts this response of Shimon and Levi! And finally, the blessings bestowed upon Levi make him the ancestor of the Priestly and Levitical line of the ministries of the Holy Temple, and Shimon is the father of the educators and Torah teachers! Apparently Jewish history decides that these sons were worthy of producing Jewish religious leadership!

I believe that the actions of Shimon and Levi become understandable - and perhaps even justifiable - when we discover the whereabouts of Dinah during this "meeting of mahatonim" to plan the wedding. Dinah was still being held captive in Shekhem! This is clear from the Biblical text when the brothers declare as part of their proposed plan, "And if you will not be circumcised, we shall take our daughter and leave" (Genesis 34:17), and the result of the slaughter of the males is that "they took Dinah from the house of Shekhem and they left" (Genesis 34:26). Clearly the object of the game is to rescue Dinah; the brothers apparently plan to take her out when the people of Shekhem were too weak to prevent them from doing it, and Shimon and Levi argued - and acted on - the principle that a terrorist nation must be punished.

Indeed, the philosopher - legalist, Maimonides totally supports Shimon and Levi. Maimonides explains that while Moses was commanded to teach the 613 commandments only to Israel, he was similarly commanded to enforce the seven Noahide laws of morality - especially "thou shalt not murder"- upon every Gentile; "And whoever does not accept them, must be killed" (Laws of Kings 8,10). Apparently this student of Aristotle believed that anyone who doesn't accept the Noahide laws of morality is in the category (at least potentially) of, "one who is about to murder an innocent must first be killed." This is especially true today, in our Global village with nuclear capability!

He then goes on to rule that the seventh of the Noahide rules is to establish law courts to punish transgressors of the other sex. "And it is for this reason that all residents of Shekhem were guilty of capital punishment. After all, Shekhem stole (and raped) Dinah; they saw it, and knew it and did not judge them" (Kings 9:14).

Maimonides is arguing that evil, totalitarian regimes do not rule in a vacuum; they are aided and abetted by the people who enable them to rule in such a manner - either by actively protecting them or passively acquiescing to their evil. Had the German people risen up as one on November 10, 1938 after Krystalnacht and screamed that such inhuman actions are unacceptable demanding the punishment of the Nazi perpetrators, some of them may well have been murdered in turn, but the holocaust would have been stopped in its tracks. The only way evil can be prevented is by the citizens of "evil empires" taking responsibility and not allowing such cruelty to continue. If they remain silent in the face of evil,

they become partners in crime and must share both responsibility and guilt!

An ethical army such as the IDF must nevertheless attempt to target their strikes against the active perpetrators of terror, minimizing "collateral damage" to passive collaborators. But the lives of our soldiers and the extirpation of terror from wreaking havoc on innocent lives must take precedence over protecting the lives of those guilty individuals who are enabling terrorism to flourish by their silence.

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 To subscribe, E-mail to: <Shabbat_Shalom-on@ohrtorahstone.org.il>

From: Shabbat Shalom [ShabbatShalom@ou.org] Subject: Shabbat Shalom from the OU - MEANING IN MITZVOT BY RABBI ASHER MEIR

Each week we discuss one familiar halakhic practice and try to show its beauty and meaning. The columns are based on Rabbi Meir's Meaning in Mitzvot on Kitzur Shulchan Arukh.

SPICES AT HAVDALA

At havdala at the close of Shabbat the custom is to make a blessing on pleasant fragrances. Early authorities mentioned two reasons for this custom:

[1] Shabbat, the fires of hell are extinguished. Even the sinners get a reprieve from their punishment one day a week. As Shabbat goes out, the flames are fanned again, and begin to burn and create a stench. The smell of the spices masks the stench of the fires of hell.

[2] On Shabbat we get a "neshama yeteira", an extra soul. As Shabbat departs, so does this extra spirit. In order to console ourselves on the loss of this special level of spirituality, we smell pleasant fragrances, which have the ability to "restore the soul" (Bach OC 287, based on Tosafot Beitza 33b "ki havinan").

Two weeks ago, we cited an aggada which suggests that the flames of hell are fed by the passions of the wicked.

When we face the light of truth in the World of Truth which follows this life, our misdirected passions torment us mercilessly. Yet on Shabbat these fires are restrained.

Perhaps this is a hint that on Shabbat, when we are actually commanded to indulge in bodily enjoyments, we have a special ability to use our passions in a positive, holy way; on this day they cease tormenting us (see also Pesachim 54a).

Of course, most of us do not notice any particular bad smell emanating from the nether world on Saturday nights. The stench of Gehennom is something we sense on a very inner, instinctive level - befitting the sense of smell, which corresponds to an inner, direct apprehension of the nature of an object (as explained in the column for parshat Ki Tisa 5761).

This is closely related to what we explained last week, that Shabbat is not only a day when we refrain from material repair, it is also a day when we have a partial respite from even spiritual repair. As we confront hard moral choices and troubling moral ambiguity at the start of the new week, we become acutely aware deep inside of us of the presence of rottenness in the world. This could be likened to the stench of the fires of hell. We console ourselves with beautiful smells, which are the "enjoyment of the soul". We remember the many brave and righteous acts which are also performed, and the immense human capacity for good.

This is equally related to the loss of the "neshama yeteira". This neshama elevates us above the level of petty evil, but as we descend back into mundane concerns we are troubled by the presence of moral rottenness; again, fragrant smells remind us that even within the world of materiality there is enjoyment for the soul.

Rabbi Meir has completed writing a monumental companion to Kitzur Shulchan Aruch which beautifully presents the meanings in our mitzvot and halacha. It will hopefully be published in the near future. Rabbi Meir authors a popular weekly on-line Q&A column, "The Jewish Ethicist", which gives Jewish guidance on everyday ethical dilemmas in the workplace. The column is a joint project of the JCT Center for Business Ethics, Jerusalem College of Technology - Machon Lev; and Aish HaTorah. You can see the Jewish Ethicist, and submit your own questions, at www.jewishethicist.com or at www.aish.com.

From: ohr@ohr.edu To: dafyomi@ohr.edu Subject: Weekly DAFootnotes - #69 - Sanhedrin 65-71

* WEEKLY DAFOOTNOTES * from Ohr Somayach | www.ohr.edu

Historical and textual background from the week of Daf Yomi

By RABBI MENDEL WEINBACH, Dean, Ohr Somayach Institutions

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LEARNING FOR LEARNING'S SAKE

This perek of Mesechta Sanhedrin deals with a Torah chapter of an unusual nature. So unusual, in fact, that two leading Sages declared that its laws were never applied and never would be.

This is the chapter of the rebellious son (Devarim21:18-21) who is to be executed as a preemptive action because his behavior of hedonism and dishonesty is certain to lead him to eventually murder in order to satisfy his desire. Rabbi Yehuda's reason for this never happening is his interpretation of the Torah's requirement that both of the rebel's parents, who must be the ones who take the initiative of bringing him before the court for initial disciplining, must be similar in voice, appearance and height. Such a similarity is virtually impossible. (In his footnote on our gemara the BACH points out that for a man and woman to have similar voices would necessitate excessive femininity on the part of the man or excessive masculinity on the part of the woman which would eliminate the possibility of their having children.)

Rabbi Shimon rejects the possibility of this taking place because it is unimaginable that any parents would actually initiate a process leading to the execution of their son merely because he stole money from them and indulged in some meat and wine.

Both of them, however, concur that despite the fact that the laws of the rebellious son would never be applied they appear in the Torah in order that we "analyze and gain our reward". The same perspective is presented by other Sages in regard to the law concerning a city in which the majority of the populace has been subverted to idolatry (Devarim13:13-19) and the law of a house on whose walls a leprosy-like blotch appears (Vayikra14:33-53). Twice again we are informed that although these laws never were and never will be applied they were recorded in the Torah for us to analyze and be rewarded.

Two different explanations are offered by the commentaries for the value of such study and analysis which will not lead to actual practice. One is that every law in the Torah is an expression of G-d and that the study of it enables one to, as it were, attach himself to Divine intelligence even if he never reaches practical application of that law. This is why the angels thought the Torah should be given to them rather than to mortals (Mesechta Shabbat 88b). Although they were incapable of practical fulfillment, as Moshe pointed out to them in his winning argument, they believed that their exalted spiritual nature endowed them with a superior capacity to grasp its spiritual-intellectual dimension.

Another approach is that there are important lessons to learn from each of these laws despite the fact that the Torah made it technically impossible for them to be practiced. The importance of disciplining a child at an early age is learned from the chapter of the rebellious son. From the chapter of the subverted city we learn the necessity of rigorous action to eliminate a spiritual cancer in a nation. From the chapter of an afflicted home we learn the evil of miserliness which is the cause of such an affliction. Sanhedrin 71a

At Ohr Somayach/Tanenbaum College in Jerusalem, students explore their heritage under the guidance of today's top Jewish educators. For information, please write to info@ohr.edu or visit www.ohr.edu