

# Toras Aish

## Thoughts From Across the Torah Spectrum

**RABBI DOVID SIEGEL**

### Haftarah

This week's haftarah, read in conjunction with Shabbos Chanukah, teaches us a hidden dimension of Hashem's compassionate ways. The prophet Zechariah opens by announcing prophecies of the arrival of Hashem's presence in the near future. He declares in Hashem's name, "Rejoice and be happy daughter of Zion for behold I am coming and I will dwell in your midst," These words refer to the sudden erection of the second Temple after seventy dark years of exile. In truth, early construction began earlier but our Jewish brethren slandered to the Persian government and brought the development to an immediate halt. This led the Jewish people to total despair and to forfeit all hope of experiencing Hashem's return. Suddenly and totally unexpected, the prophet Zechariah announced Hashem's immediate plan to rebuild the Temple.

Zechariah the prophet continues and reveals a private discussion between Hashem and the assigned prosecuting angel. The discussion centered around Yehoshua ben Yehozadak who was designated to serve in the new Temple. Hashem defended Yehoshua and said, "Is he not an ember spared from fire? The prophet Zechariah continues, "And Yehoshua was wearing soiled garments and standing before the angel. And the angel responded, 'Remove the soiled garments from upon Yehoshua...and they placed the turban upon his head.'" (Zechariah 3:4-5) This dialogue reflects that the ordained high priest was seriously faulted for an offense to the priesthood. The Sages explain that Yehoshua was judged for failing to involve himself in his children's choice of marriage. Unfortunately, the Babylonian exile took its toll upon the Jewish nation and corrupted their moral fiber. Their constant exposure to the Babylonians broke down basic barriers and numerous intermarriages occurred. Yehoshua's offsprings were party to this mind set and married women forbidden to them according to priesthood standards. (Targum and Rashi ad loc)

Their esteemed father, Yehoshua was unsuccessful in influencing them to choose appropriate wives and was now seriously faulted for this. The prosecuting angel protested Yehoshua's priestly status because of his inability to properly preserve it. Hashem defended Yehoshua and argued that he deserved special consideration because he was an ember spared from the fire. Yehoshua received a second chance and

immediately resolved to rectify his fault and terminate these inappropriate relationships. Hashem responded to this sincere commitment and restored Yehoshua to his prestigious position.

This incident reveals a unique dimension of Hashem's judgement and compassion. In truth, Yehoshua was at fault for his children's behavior and conceivably should have forfeited his esteemed position. However, Hashem focused on Yehoshua's outstanding merit as an ember spared from the fire. The Sages (Sanhedrin 93a) explain that the wicked Nebuchadnezar tested Yehoshua's faith and merit and casted him into a fiery furnace. Yehoshua was miraculously spared thereby displaying his supreme level of devotion to Hashem. Hashem argued that every fiber of Yehoshua's being was devoted to Hashem and deserved careful consideration. Although Yehoshua was faulted for his children's behavior he received a second chance and regained his status of the High Priest.

We learn from this Hashem's appreciation and response to devotion. Yehoshua totally dedicated himself to Hashem's service and thereby earned his privileged status. Yehoshua's devotion brought him into Hashem's inner circle and earned him special appreciation. Hashem views His close ones through the perspective of devotion and affords them special privileges. After proving their total loyalty to Hashem their subsequent service becomes invaluable. Such pious people bring credit to Hashem by their mere existence and will undoubtedly increase this credit a thousand-fold through their continuous service to Hashem. Although they may be imperfect their quality of devotion surpasses all and renders them the most worthy candidates for his service.

This lesson repeated itself in Yehoshua's offsprings during the days of Chanukah. In the early years of the second Temple the Jewish people were represented by illustrious high priests such as Ezra Hasofer and Shimon Hatzadik. During that period the Menorah's western lamp burned throughout the day. This constant miracle showed the entire world Hashem's constant presence amongst His people. However, after Shimon's passing this coveted priestly position was periodically neglected. It assumed political status and was obtained, at times, through handsome sums of money. Numerous unworthy individuals served as high priests for brief periods of time. Every year Hashem would display their unworthiness and punish

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them for entering the Holy of Holies without proper preparation. (Mesichta Yoma 9a) After years of mistreating their Temple privileges Hashem responded to this disgrace and permitted the Greek's to control the Bais Hamikdash. This new development exiled the Jews in their very own land and restricting them for sacrificial service. The Chashmonaim, high priests by rite, took charge of the situation and sacrificed their lives to restore this service. They displayed unprecedented levels of devotion and Hashem responded and returned the Temple to them.

The Chashmonaim overstepped their bounds and declared themselves rulers over the entire Jewish nation a position belonging exclusively to the household of Dovid Hamelech. Although this was a serious fault Hashem focused on their display of devotion and granted them the privilege of the priesthood. (Ramban Breishis 49:10) According to some opinions Yanai (Yochanan) Hamelech served as the high priest for eighty years. (Mesichta Brachos 29a) The Chashmonaim family proved their devotion and deserved to remain in Hashem's inner circle. Their total dedication to Hashem created a relationship of fondness and endearment and establish them the most qualified candidates for his service. (see Malbim, Zechariah 3:7)

The Bach sees this dimension of service as the heart of the Chanuka experience. He explains that the Jewish people became lax in their service in the Temple Bais Hamikdash. This sacred and precious opportunity became a matter of routine and was performed without inner feeling and devotion. Hashem responded and removed their privileges to awaken them to their shortcomings. The Chashmonaim, descendants of Yehoshua and Shimon Hatzadik understood the message and resolved to restore Hashem's glory to His nation. Following the footsteps of their predecessors they totally dedicated themselves to this service and sacrificed their lives on its behalf. Hashem responded to their devotion and led them to a miraculous victory. We kindle our menorah as an expression of our devotion to Hashem's service and resolve to internalize Chanuka's lesson. After sincerely examining our level of service we dedicate heart, mind and soul to Him and apply our Chanuka experience to our service throughout the year. (comment of Bach O.H. 670)

May Hashem accept our total commitment to His service and grant us the privilege of serving him in His holy abode in the nearest future. © 2009 Rabbi D. Siegel & torah.org

**RABBI AVI WEISS**

## Shabbat Forshpeis

It is well known that on the first day of Chanukah one candle is lit. On each successive night, one more is kindled. This in fact is the view of Beit Hillel as recorded in the Talmud. (Shabbat 21b)

Beit Shammai dissents. His position is that on the first night eight candles are lit. On each successive night, one less light is kindled.

The Talmud explains the reasoning behind each view. Beit Hillel bases his view on Ma'alim Bakodesh, holiness moves in ascending order. Since lighting the Chanukah candles is a holy act, each night requires an additional candle to be lit.

Beit Shammai sees it as corresponding to the sacrifices offered on the Sukkot festival. As they were offered on successive days in descending order, so, too, the Chanukah lights. For Beit Shammai the descending order also reflects the amount of oil remaining as the miracle unfolded. On the first night there was enough oil for eight days, on the second night there was left enough for seven days until the eighth night when only the amount for that night remained.

Yet there is another way to look at this disagreement. Chanukah is a two dimensional miracle. On the one hand, we were victorious over the Syrian Greeks who were prepared to annihilate our religion. This miracle is spelled out in the Al Hanisim prayer. In it we say that on Chanukah G-d "gave the strong into the hands of the weak, the many into the hands of the few."

There is also the miracle of the lights. There was enough oil for one day and it miraculously lasted for eight. This miracle is alluded to in the Haneiros Halalu which is recited after the candle lighting.

In one word the Al Hanisim celebrates the physical miracle of overcoming the Syrian Greeks. The Haneiros Halalu, the spiritual miracle of retaining our belief system even in the face of powerful assimilationist forces.

Could it be that Beit Shammai and Beit Hillel disagree concerning which miracle is paramount. For Beit Shammai it was the physical military victory. Hence, the candles are lit in descending order. Such is the way of military victory. At first, it looms large, all eight candles are lit. But, while physical victory is important, if it does not lead to a meaningful message, it quickly fades and diminishes in power.

Beit Hillel is of the opposite opinion. For Beit Hillel, the miracle is spiritual. The way of spirituality is to begin modestly almost unnoticed. In time, the spiritual power expands and becomes larger and larger. Hence Beit Hillel insists the candles be lit in increasing

numbers - each day the power of the spirit becomes stronger and stronger.

This is an appropriate message on Chanukah when in Israel - despite what we may read in the press - soldiers display important physical power and do so with a sense of deep ethics. This is known in the Israeli Defense Forces as *tihur haneshek*, purity of arms. In this sense our soldiers reflect the words of Zechariah read this week: "Not by might nor by power but by My spirit says the Lord of hosts." (Zechariah 4:6) This does not mean that might and power are not important. Indeed, some commentators understand this sentence to mean "Not only by might nor only by power, but also by my spirit says the Lord of hosts." Power and might are crucial when infused with a spirit of G-d.

And so it is with our holy soldiers. On this Chanukah may they all be blessed. © 2009 *Hebrew Institute of Riverdale & CJC-AMCHA. Rabbi Avi Weiss is Founder and Dean of Yeshivat Chovevei Torah, the Open Orthodox Rabbinical School, and Senior Rabbi of the Hebrew Institute of Riverdale.*

#### **MACHON ZOMET**

## **Shabbat B'Shabbato**

*by Bar-on Dasberg; Translated by Moshe Goldberg*

**W**hy does Yosef dream about sheaves of grain, strictly agricultural work, when he and his family are all shepherds? In "Five Sermons," Rabbi J.B. Soloveitchik replies that the prophecy to Avraham, "Your descendents will be strangers in a land that is not theirs" [Bereishit 15:13], was known to his offspring. Yosef wanted to be ready for the future and to learn other professions in addition to tending sheep. Perhaps he anticipated that they might travel to Egypt, where "every shepherd is an abomination" [46:34]. It may even be that his experience with the concepts of agriculture helped him later in Egypt when he became "the one who provides for all the people of the land" [43:6]. Yosef's brothers felt his ideas were not important, and they continued to tend their sheep.

Rabbi Soloveitchik describes a similar phenomenon that took place in his day. The pioneers of the Mizrahi movement studied agricultural labor, which provided them with the skills to make the land bloom in Eretz Yisrael and to give them a livelihood. Many good people in the nation of Yisrael opposed this approach and refused to believe that anything bad would ever happen to the great spiritual edifices that they had built up on European soil. But in the end, the efforts of Yosef and those of the Mizrahi were instrumental in the renewal of the life of the nation, in spite of the tragedies which took place.

Rabbi Soloveitchik's first name was Yosef. Did he feel a spiritual link to the righteous Yosef, son of Yaacov, and to the events in the first Yosef's life?

One time I participated in a field trip to Chevron. We stood at Tel Romeda (the biblical city of Chevron) and looked below us at the rest of the city. Our guide

quoted the words of Rashi: "'And he sent him from the valley of Chevron' [Bereishit 37:14] -- Isn't Chevron on a mountain?... This refers to the deep advice of the righteous one buried in Chevron, to fulfill what had been promised to Avraham at the Covenant of the Pieces, 'your decedents will be strangers' [15:13]." But the guide disagreed with Rashi by saying, "If Rashi hadn't lived in France, he might have known that most of Chevron really is on a mountain but that part of it is in a valley too. Then he would not have been forced to disagree with the simple meaning of the verse and to refer to the valley in symbolic terms."

I can think of two replies to that guide. First of all, Rashi's comment is based on the words of our sages, who were very familiar with Eretz Yisrael. Second, the ancient city of Chevron (Tel Rumedat) is indeed on a mountain, while only the Machpelah Cave is in a valley. Why did Yaacov take the trouble to descend with Yosef to the cave where Avraham was buried? The answer is simple: He sent his son on his way based on "the deep advice of the righteous one buried in Chevron."

My brothers threw me into a pit, "and in the pit there was no water." After they removed me from the pit they took away my freedom. I warned them about the tragedies that the future held, and therefore in the end a Gentile king took me out and took care of me. Afterwards, my brothers went into exile, and I took care of them in Egypt. Who am I?

The answer to the above riddle is: the prophet Yirmiyahu (see Yirmiyahu 38-43). Comparing the similarities and the differences between Yosef and Yirmiyahu can teach us much about them both. This is left as an exercise for the reader.

#### **RABBI SIR JONATHAN SACKS**

## **Covenant & Conversation**

**I**n Genesis 38, temporarily interrupting the story of Joseph, we read the fascinating story of Tamar, one of the more unexpected heroines of the Torah. The text gives us no inclination as to who she is. The chapter opens by telling us that Judah had separated from his brothers, and married a Canaanite woman by whom he had three children. The eldest, Er, married Tamar.

The plain implication is that she too was a Canaanite. These were the people among whom Judah was living; and he was unlikely to have forbidden his son from marrying a local woman, given that he had done so himself. (Rabbinic tradition, though, identified Tamar as a daughter of Shem, and hence not a Canaanite, for they were descended from Shem's brother Ham).

Er dies young, leaving Tamar a childless widow. Judah instructs his second son, Onan, to marry her, "to do his duty as the husband's brother and raise up offspring for his brother" (38: 8). Realising that a child

from the marriage would be regarded as belonging to his dead brother rather than himself, Onan is careful not to make Tamar pregnant. This is reckoned a sin, and Onan too dies young. The proper thing would now be for Judah's third son, Shelah, to marry Tamar, but Judah was reluctant to let this happen, "for he was afraid that Shelah too might die like his brothers". He tells Tamar to wait until Shelah grows up; but this is disingenuous. Judah has no intention of letting Shelah marry Tamar (Rashi).

Operating throughout the story is a form of the law that later became part of Judaism, namely yibbum, levirate marriage, the rule that another member of the dead husband's family marry his childless widow "to perpetuate the dead brother's name so that it may not be blotted out from Israel" (Deut. 25: 6). Indeed the text, in verse 8, uses the verb y-b-m. However, as Nachmanides points out - and this is crucial to the story - the pre-Mosaic law differed from its Mosaic successor. The law in Deuteronomy restricts the obligation to brothers of the dead husband. The earlier law seems to have included other members of the family as well.

As the years pass, Tamar begins to realise that Judah has no intention of giving her his third son. She is now trapped: an agunah, a "chained woman", unable to marry Shelah because of Judah's fears, unable to marry anyone else because she is legally bound to her brother-in-law. Her plight concerns more than herself: it also means that she is unable to bear children who will carry on the name and line of her dead husbands.

She decides on a bold course of action. Hearing that Judah was about to pass by on his way to the sheep-shearing, she removes her widow's clothes, puts on a veil, and sits at the crossroads. Judah sees her, does not recognise her, and takes her for a prostitute. They negotiate. Judah offers her a price - a young goat from the flock - but Tamar insists on security, a pledge: his seal and its cord, and his staff. Judah agrees, and they sleep together. The next day he sends a friend with the payment, but the friend cannot find her, and people tell him that there was no prostitute in the area. Judah shrugs off the episode, saying "Let her keep the pledge, or we shall be a laughing stock."

Three months later, people begin to notice that Tamar is pregnant. Since Shelah has been kept away from her, it can only mean that she has slept with someone else, and is thus guilty of adultery, a capital crime. Judah orders, "Bring her out so that she may be burnt." Only then do we realise the subtlety of Tamar's strategy.

As she was being brought out, she sent word to her father-in-law. "The father of my child is the man to whom these things belong", she said. "See if you recognise whose they are, this seal, the pattern of the cord, and the staff." Judah identified them and said, "She is more righteous than I am, because I did not give her to my son Shelah."

With great ingenuity and boldness, Tamar has broken through the bind in which Judah had placed her. She has fulfilled her duty to the dead. But no less significantly, she has spared Judah shame. By sending him a coded message - the pledge - she has ensured that he will know that he himself is the father of the child, but no one else will. To do this, she has taken an enormous risk - of being put to death for adultery. Not surprisingly, the rabbis inferred from her conduct a strong moral rule:

"It is better that a person throw himself into a fiery furnace than shame his neighbour in public. (Baba Metzia 59a)."

The rabbis were acutely sensitive to humiliation. They said, "Whoever shames his neighbour in public, is as if he shed his blood". "One who publicly humiliates another, forfeits his place in the world to come" (Baba Metzia 58b-59a). "Rabbi Tanchuma taught: Know whom you shame, if you shame your neighbour. [You shame G-d himself, for it is written], 'in the image of G-d, He made man' (Bereishith Rabbah 24: 7).

"When Rabbi Elazar ben Azariah was about to die, his disciples sat before him and asked, 'Our teacher, teach us one [fundamental] thing.' He replied, 'My children, what can I teach you? Let every one of you go and be very careful of the dignity of others' (Derekh Eretz Rabbah, 3). The Talmud defines onaat devarim, "verbal oppression", as reminding a person of a past they may find shameful. Judaism is a religion of words. G-d created the natural world with words. We create - and sometimes destroy - the social world with words. That is one reason why Judaism has so strong an ethic of speech. The other reason, surely, is its concern to protect human dignity. Psychological injury may be no less harmful - is often more so - than physical injury. Hence the rule: never humiliate, never put to shame, never take refuge in the excuse that they were only words, that no physical harm was done.

I will never forget an episode that occurred when I was a rabbinical student in the mid-1970s. A group of us, yeshivah students together with students from a rabbinical seminary, were praying together one morning in Switzerland, where we were attending a conference. We were using one of the rooms of the chateau where we were staying. A few minutes into the prayers, a new arrival entered the room: a woman Reform rabbi, wearing tallit and tefillin. She sat down among the men.

The students were shocked, and did not know what to do. Should they ask her to leave? Should they go elsewhere to pray? They clustered around the rabbi leading the group - today a highly respected Rosh Yeshivah in Israel. He looked up, saw the situation, and without hesitation and with great solemnity recited to the students the law derived from Tamar: "It is better that a person throw himself into a fiery furnace than shame his neighbour in public." He told the students to go back to their seats and carry on praying. G-d forbid that they

should shame the woman. The memory of that moment has stayed with me ever since.

It says something about the Torah and Jewish spirituality that we learn this law from Tamar, a woman at the very edge of Israelite society, who risked her life rather than put her father-in-law to shame. Psychological pain is as serious as physical pain. Loss of dignity is a kind of loss of life. It is perhaps no coincidence that it was this episode - Judah and Tamar - that began a family tree from which 10 generations later David, Israel's greatest king, was born. © 2009 Rabbi J. Sacks and torah.org

#### RABBI KALMAN PACKOUZ

### Shabbat Shalom Weekly

**W**hen Jacob sent his son Yosef to check on the welfare of his brothers who were grazing the flock, the Torah relates: "And he said to him, go see about the welfare of your brothers and about the welfare of the sheep."

What lesson do we learn from Jacob's additional request to check on the sheep?

Rabbi Noson Tzvi Finkel, Rosh Hayeshiva of the famed Slobodka yeshiva, comments that we learn from here that a righteous person emulates the Almighty who is compassionate and merciful. A person who is truly compassionate will be concerned about the welfare of animals since all of the Almighty's creation is important. *based on Growth Through Torah by Rabbi Zelig Pliskin © 2009 Rabbi K. Packouz & aish.com*

#### RABBI BEREL WEIN

### Wein Online

**S**o our father Yaakov wishes to spend the rest of his days in peace and serenity, enjoying his grandchildren and pursuing his spiritual growth. Is that not what all of us wish for ourselves as we grow older and we feel that the major battles of life are already behind us? Yet, as Rashi points out, based on difficult tests of Yaakov in his life-Lavan, Eisav, Shechem, etc, Midrash, the Lord, so to speak, is dissatisfied with this plan of Yaakov's.

The great drama of Yosef and his brothers yet lies before him. This situation can be seen as one of external enemies and Yaakov is steeled to the task of opposing them for such is the way of the world-certainly of the Jewish world. But Yosef and his brothers is a test of internal rivalries and enmities, a situation at the end of Yaakov's life that threatens to destroy all that he achieved in his lifetime.

Yaakov feels that he is entitled to rest on his laurels and savor his accomplishments. He has somehow overcome all of the wiles and aggressions of his external enemies and sees only peace and serenity ahead. He is therefore unprepared for the internal struggle within his own beloved family that, in the words of Rashi and Midrash, "now leaps upon him."

His very longing for the peace and serenity that has eluded him his entire lifetime is his very undoing because he does not choose to see the festering enmities and jealousies that are brewing within his own house and family.

Wishes and desires, illusions as to how things should be, often blind us to the realities of how things really are and we are therefore blindsided by events that could have been foreseen had we not indulged so mightily in our fantasies.

I think that is what Rashi and the Midrash had in mind when they quoted G-d, so to speak, that the righteous should not expect serenity in this world. The Talmud even goes so far to say that even in the World to Come the righteous are not at tranquil rest but rather are bidden "to go from strength to strength."

We all need times of leisure and rest in order to build up a reservoir of physical and mental strength to deal with the problems and vicissitudes of life. Judaism does not know of the concept or value of "retirement" as it is formulated in modern parlance. It certainly allows for changes in circumstances, occupations and interests. But "man was created for toil." One must always be busy with productive matters-Torah study, good deeds, self-education, etc.-even till the end of life.

And one must always be vigilant and realistic about the problems of life- externally caused or internally present in one's own household-in order to make certain that gains made in one's earlier years will not be squandered by illusions and wishful thinking later in life. This is true nationally as well as personally. We all desire peace and serenity but only realism and vigilance can protect us from our own errors and self-made problems. © 2009 Rabbi Berel Wein - Jewish historian, author and international lecturer offers a complete selection of CDs, audio tapes, video tapes, DVDs, and books on Jewish history at [www.rabbiwein.com](http://www.rabbiwein.com). For more information on these and other products visit [www.rabbiwein.com](http://www.rabbiwein.com)

#### RABBI SHLOMO RISKIN

### Shabbat Shalom

**“S**he is more righteous than I" (Gen. 38:26) What are the traits that make one worthy of the birthright?

The Biblical portions we have just read have been fraught with parental and sibling rivalries surrounding the birthright, riveting tensions - literally life-and-death struggles - over which of Abraham's sons and grandsons will be the most worthy bearer of his mission and covenant. At stake is the destiny of the Jewish people, a nation chosen by G-d to bring the Divine blessing to all the families of the earth, and what has occurred until now between Isaac and Ishmael, Jacob and Esau seems like child's play in comparison with what we shall soon encounter amongst the twelve sons of Jacob.

What precisely are the siblings of each generation striving to attain? Leon Kass, in his monumental "The Beginning of Wisdom," suggests that it is no less than the preservation and perpetuation of the Abrahamic mission and vision. If I may define these concepts in my own terms, I would suggest that preservation requires material success, the kind of economic and physical security which can ensure the continuity of a specific familial ethnic entity from generation to generation, protecting it from being assimilated into a larger and more powerful nation. The standard bearer of this gift of preservation may be said to have received the "blessing" (berakhah).

Perpetuation requires a steadfast commitment to the unique lifestyle, values and goals taught by Abraham: a commitment to one G-d of the heavens and the earth, familial dedication, compassionate righteousness and justice. The standard bearer of this gift may be said to have received the birthright (bechorah).

In a family of twelve sons and one daughter, the competition for winning Jacob's patrimony is fierce. The family is beginning to develop into a nation, with twelve tribes poised to parallel the twelve chieftains of powerful clans who emerged from Esau (Gen 36) and the twelve princes who developed into the Arab nations of Ishmael (Gen. 25: 12-18). At this juncture, the chief necessary characteristic of the family standard bearer would be his ability to direct and unite all of his siblings, creating a cohesive clan dedicated to the realization of the Abrahamic vision.

For Jacob, it was clear that this right should be granted to the firstborn son of Rachel, the beloved wife for whom he had labored 14 years. Joseph was "beautiful of form and appearance" (Gen 39:6); he was also smart and charismatic. No wonder Jacob gave him the striped and colored tunic, a paternal gift which expressed the bestowal of the birthright.

But was Joseph in fact the most qualified candidate? The Bible describes him as someone who "shepherded his brothers [sic] among the sheep... and brought evil reports about them to this father," (which may explain why he was later Divinely punished measure-for-measure when Potiphar's wife lied about his relationship with her). Furthermore, he entertains dreams of mastery over his brothers: "all of their sheaves of grain are bowing down to his sheaf of grain." All of this contributed to his poor relationship with his siblings.

A unifying leader does not dream that he is ruling over his followers, but rather inspires the people to seek his leadership. Joseph's pride, exacerbated by his father's devotion, seems overwhelming; he dreams that the sun, moon and eleven stars are also bowing before him - before him, and not before G-d! Even his dream of the grain sheaves, a portent of material success and his future capacity to supply food to his family and countless others, contradicts family unity:

agriculture is the professional advance developed in Egypt, geographically and culturally far removed from the shepherding occupation of the Abrahamic family in Israel. Joseph is indeed a visionary, but he hardly succeeds in uniting his brothers; instead, he seeks to dominate and control them and even to relocate the family from Israel to Egypt.

The other leading candidate for the prize of the birthright blessing is Judah, whom we meet close-up when Joseph is sold into slavery. Reuben certainly means well, and intends to save the hapless son of Rachel when he tells the brothers to throw him in a pit rather than kill him, but his efforts are totally ineffective and he never once refers to Joseph as a brother. Judah, on the other hand, knows exactly how to speak to his siblings; he suggests a way in which they can rid themselves of Joseph and simultaneously make a profit. In the course of his proposal, he twice refers to Joseph as their brother, emphasizing that they dare not lift their hands against their own flesh and blood, "and his brothers hearkened" - not to Reuben, but to Judah.

Immediately following Joseph's sale into slavery, precisely when the reader is anxious to discover what transpired in the life of this charismatic figure in the strange land of Egypt, our Biblical portion turns to the tale of Judah and Tamar, thereby emphasizing the silent rivalry over the birthright between Joseph and Judah. Judah, resentful of Joseph's arrogant behavior and incensed by the favoritism displayed by their father, shows his disaffection by marrying a Canaanite woman. When his two sons die without children, Judah refuses to grant his daughter-in-law, Tamar, "yibbum" (levirate marriage; the responsibility of a brother to marry his widowed, childless sister-in-law). He appears to not understand the deep level of brotherly responsibility inherent in this rite.

Judah is taught that lesson - as well as strong lessons in justice and compassionate righteousness - by Tamar, who disguises herself as a harlot (much as Jacob once disguised himself as Esau) and has relations with him. Judah promises the "harlot" a young goat as payment (reminiscent of the goat skins worn by Jacob when procuring the birthright from Isaac, as well as the goat's blood in which the brothers dipped Joseph's coat before bringing it home to Jacob), but since he doesn't have a goat with him, he leaves her his signet ring, his wrap and his staff as collateral.

Tamar becomes pregnant and Judah sentences her to death. But Tamar sends him his ring, cape and staff, declaring that these objects belong to the father of her unborn child. Judah publicly admits, "She is more righteous than I," risking public embarrassment in order to save her life. Eventually, Tamar gives birth to twins; the younger one (Peretz) overtakes the elder (Zerah), much the way Jacob overtook Esau by grasping at his heel. We shall learn from the end of the Scroll of Ruth that Judah's son

Peretz will be the forefather of David, progenitor of the Messiah.

G-d chose Abraham, loved him and singled him out, "to instruct his household after him... to observe the way of the Lord and to do compassion and righteousness..." (18:19). By publicly acknowledging Tamar's integrity and admitting that he erred, Judah is expressing these qualities. He demonstrates an ability to lead and unite his brothers and the ethical sensitivity necessary to perpetuate the Abrahamic ideal. Joseph may be a charismatic and successful provider of food, but thus far in our story, he is far too transfixed upon himself and the Egyptian produce to leave room for either G-d or for his brothers! © 2009 *Ohr Torah Institutions & Rabbi S. Riskin*

### **RABBI DOV KRAMER**

## **Taking a Closer Look**

“**A**nd Yosef brought their bad report to their father" (Beraishis 37:2). What was this bad report? "That they (his brothers) were eating [animal] limbs [taken] from the [animal while it was still] alive, and were treating the sons of the maidservants (Dun, Naftali, Gud and Asher) disrespectfully by referring to them as slaves, and were suspected of illicit relations" (Rashi, based on numerous sources in Chazal). There is much discussion about what, if anything, the brothers did wrong, how they could do such things, and/or how Yosef could think they were doing such things.

Although it is (or should be) difficult to attribute obviously wrong acts to the "Shifray Kuh," G-d's Tribes, from whom the Nation of Israel was built, two of these accusations are not as difficult to comprehend. Their father, Yaakov, had four wives, two of whom were originally maidservants, making it somewhat understandable if the sons of Leah didn't hold the sons of Bilhah and Zilpah in as high regard as themselves. Numerous commentators explain the suspicion of improper relationships (or, as Beraishis Rabbah 84:7, Midrash Tanchuma Vayeishev 7 and Yerushalmi Peah 1:1 put it, that "they set their eyes on the daughters of the land") as having business dealings with the native women (such as selling them some of their animals, or the milk and wool they produced, and/or buying local produce from them). There is a discussion in the Talmud (Kedushin 81b) as to whether or not business dealings that involve things not usually done by a wife for a husband (i.e. washing his hands and face) are permitted with (other) women. Although it is allowed (see Even Ha'ezer 21:5), these commentators suggest that Yosef thought it was improper. Being that Yosef had the women of Egypt fawning all over him (see Rashi on Beraishis 49:22), and they were his half-brothers, it is not hard to imagine that the local Canaanite women used business dealings as an excuse to interact with these handsome Semites, which

is why Yosef thought they should avoid putting themselves in that situation. They, on the other hand, knew they were above that (or didn't notice that the women had other reasons for doing business with them), so they didn't limit their business to men.

The third accusation, though, is harder to explain/understand. "Eiver min ha-chai," limbs (or meat) taken from an animal while it is still alive, is not only forbidden for Jews, but is one of the seven Noachide laws. There are two main approaches to explain how they could have been suspected of doing such a thing, with slight variations within these two approaches.

If an animal that is close to delivering a baby is slaughtered and the baby removed from the mother's womb, the "newborn" animal does not technically need to be slaughtered. It is considered a "limb" of the mother, and just as its other limbs are now permitted to be eaten, so is this living "limb." This animal is called a "ben pakuah," and the reason we slaughter such an animal anyway is because of "ma'aris ayin," as people seeing us eat it without first slaughtering it might think we were eating "eiver min ha-chai" (or "nevilla"). It is suggested that the brothers ate from such an animal, with Yosef either not knowing that the meat was taken from a "ben pakuah" (Eitz Yosef), thinking eating its meat is still considered "eiver min ha-chai" since it has to be slaughtered because of "ma'aris ayin" (Sifsay Chachamim), or knowing what the situation was but thinking the meat was still forbidden because the concept of a "ben pakuah" only applies if the concept of "shechita" (slaughtering) applies. The brothers considered themselves fully Jewish, and therefore allowed to eat a "ben pakuah" as is, while Yosef thought they still had to consider themselves Noachides, making eating a "ben pakuah" (without it is completely dead) forbidden (Chasam Sofer).

Another area impacted by the concept of "shechita" is when the meat/limbs of the animal are no longer considered to be "min ha-chai," from a live animal. If "shechita" allows the animal to be eaten, then even if meat is removed before the animal's nervous system stops working completely (the proverbial "chicken running around without its head") it can be eaten (after the animal dies). If the concept of "shechita" doesn't apply, then any meat removed before the animal stops all movement would be considered "min hachai," and forbidden. Numerous commentators suggest that the brothers removed some meat from the area where the animal was slaughtered (as it is supposed to be healthier, see Rashi on Chulin 33a) before it was "dead." Some attribute the difference of opinion between Yosef and his brothers to whether or not they were considered full Jews (and could eat such meat, while others say they disagreed about whether or not there is such a concept that the same meat can be okay for Jews but forbidden for non-Jews (see Chulin 33a).

Now that we've covered possible explanations for how the brothers could eat meat that Yosef thought was "eiver min ha-chai," we can move on the question I really am writing this piece to address. R' Eli Steinberg, in his just-published "Minchas Eliyahu," asks why it was so important for the brothers to eat such meat, rather than waiting until the animal was dead by all standards, thereby avoiding the issue. (Eli's approach is based on the importance of maintaining the "psak halacha," just as it is not considered meritorious to follow Bais Shammai even when they are more stringent than Beis Hillel, the brothers wanted to make a statement about the validity of their "psak.")

Even if meat cut from the animal before it is completely dead is healthier, why get involved in the controversy? Especially since there are others who may see the brothers do this without realizing the nuances that allowed them to eat such meat. The Rokayach understands Yosef's concern as being based not on seeing his brothers doing anything wrong, but on seeing their servants doing something wrong. Yosef was concerned that the servants were eating "eiver min ha-chai" because they saw their masters doing it. Why weren't the brothers concerned that others would see them eat a "ben pakuah" and think that they could also eat an animal (any animal, not just a "ben pakuah") without killing it first? Or see them cut meat from an animal before it was fully dead and do the same? If they just "shechted" the "ben pakuah," or waited a few moments before taking meat from a slaughtered animal, there would be no issues, so why didn't they?

Avraham had several children (one from Sara, one from Hagar, and six from Ketura), but his mission only continued through Yitzchok. Yitzchok had two children, but the "Children of Israel" only came from Yaakov. We know that all of Yaakov's children are included in "Israel," but did they know that it would? Tosfos (Hadar Zekaynim, Beraishis 28:11) says that Yaakov himself was unsure that all of his children would qualify, and it is reasonable to understand the tension between Yosef and his brothers as revolving around their concern that Yosef was trying to exclude them from the Nation of Israel (see [www.aishdas.org/ta/5767/vayeishev.pdf](http://www.aishdas.org/ta/5767/vayeishev.pdf)). If the difference of opinion regarding the brothers eating "eiver min ha-chai" was based on whether or not they were considered full Jews (and "shechita" worked), the brothers may have been trying to make a point. You, Yosef, are trying to become the only child of Yaakov to continue the Abrahamic mission by getting us excluded from being considered "Israel," we'll show you that we are fully "Israel," as we are eating meat that is only allowed if we are no longer considered Noachides. Had they "shechted" the "ben pakuah," or waited until the animal's nervous system stopped functioning, they couldn't make this point, so specifically ate meat that, if they weren't Jewish, would be considered "eiver min ha-chai."

This concept can be applied to Yosef's other accusations as well. Rabbi Yehudah (Beraishis Rabbah 84:21) says that the brothers were each born with twin sisters. Although non-Jews are also prohibited from marrying their sisters, that is only if they share the same mother. If the brothers married a half-sister (e.g. a son of Leah marrying a daughter of Bilhah), it would only be a problem if they were Jewish. If the brothers were insisting that they were full Jews, how could they marry their sisters? (Unlike Yaakov, who married converts that were not considered halachic sisters, none of Yaakov's children needed to "convert," so couldn't become "like a newborn child" with no halachic relatives.) Perhaps this is why they "set their eyes on the daughters of the land," as they didn't want to marry even their half-sisters. The Chasam Sofer (Toras Chayim) says that if their half-sisters were not their halachic sisters, there would be a problem of "yichud" (being alone with them), whereas there would be no "yichud" issues if they were considered their sisters (i.e. if the children of Yaakov were considered fully Jewish). Yosef saw that they were "misyached" with their half-sisters (because they considered them halachic sisters), and reported it to Yaakov.

As far as their belittling the children of Bilhah and Zilpah, perhaps these four sons were not comfortable doing things that would be problematic if they were not fully Jewish, and Yosef thought that the way the sons of Leah tried to convince them to go along with their "statement" that they were fully Jewish made it seem as if they were discounting their opinion because of their "yichus." Either way, though, by making the focal point of the disagreement between Yosef and his brothers whether or not they were considered full Jews, we may have a better understanding of how Yosef could think they were eating "eiver min ha-chai." © 2009 Rabbi D. Kramer

