



Parshat Vayetze

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Angels and Dreamin'

Rabbi David Ely Grundland

Parshat Vayetze is filled with dreams and *malachim* ("angels"). The best-known dream is Yaakov's initial vision of a ladder, the bottom firmly planted on Earth with its top in Heaven, and ascending and descending *malachim*. In a second part of the dream, Hashem tells Yaakov that his children will inherit the land, and that Hashem will protect him along the way (Bereishit 28:10-15).

In the middle of the parshah, though, Yaakov experiences another dream, also a two-fold vision: First, sheep with patterned coats appear before him. [In contrast to counting sheep before sleeping, Yaakov counts sheep while already dreaming.] Then, a *malach* speaks to Yaakov and explains the sheep in the vision, acknowledges the difficult times Yaakov has endured with Lavan, and tells Yaakov that it is time to return home, to the place where he was born and raised (ibid. 31:10-13).

A third vision of *malachim* comes in the last verses of the parshah (ibid. 32:2-3), and appears not to be a dream at all; Yaakov encounters a camp of these spiritual beings.

A number of questions arise when considering Yaakov's dreams and his interactions with *malachim*: What are the differences between the various events? What ties them together? And, what message is the Torah trying to teach us? Looking at the context and the description of each event will help answer our questions.

Dream #1

The first dream takes place as Yaakov leaves his parents' home, heading toward his uncle Lavan, in Charan. That verse tells us "*Vayifga*

bamakom." (ibid. 28:11) Rashi brings two interpretations of the word "*Vayifga*": 1) Yaakov stopped to rest, or 2) Based on the Talmud (Chulin 91b), Yaakov stopped to pray. However, Pirkei D'Rabbi Eliezer (#35), a collection of midrashim attributed to Rabbi Eliezer ben Hyrcanus, posits that "*Vayifga*" implies that that dream of the ladder and the prophecy came upon Yaakov Avinu without his intervention. On a basic level, this dream is telling Yaakov that Hashem is with him. Looking deeper, the ladder bridging Heaven and Earth also teaches Yaakov to balance Heaven and Earth in his worldly actions – a very important message, given where Yaakov was heading.

Dream #2

The second dream takes place after Yaakov has worked for fourteen years for Rachel and Leah, has had his first eleven sons and a daughter, and has amassed great wealth. When describing this dream, Yaakov says, "I lifted my eyes and saw." (Bereishit 31:10)

This lifting of Yaakov's eyes is significant. While Pirkei d'Rabbi Eliezer explained that the first dream came over Yaakov without his active engagement, this dream required that Yaakov actively bring it about. In another difference between the first and second visions, this dream is about property, and material success, rather than a union of Heaven and Earth.

Rabbi Shlomo Riskin, in his Or Torah commentary (page 198), suggests that Yaakov may have begun to doubt himself after the second dream. He had come to Lavan with the task of uniting Heaven and Earth, and instead he had become entangled in a life entirely dedicated to physical labour and, seemingly, devoid of spirituality. The

decline was evident in the second vision, triggered by this world and centred on this world. When the *malach* of that second dream directed Yaakov to return home, Yaakov may have felt a sense of despair at his apparent failure.

Dream #3

Yaakov's third interaction with *malachim*, as mentioned above, is not in the context of a dream. Here, the verse says "*vayifgi'u bo*", similar to the "*vayifga*" encounter that introduced his first dream; Yaakov is capable of an encounter with spiritual beings, even without the earthly initiation of his second dream. Further, Ramban (Bereishit 32:2) states that the camp of *malachim* has actually been travelling with Yaakov throughout his journey; he has always been "in Heaven". Indeed, Rabbeinu Bachya (Bereishit 32:1) explains that these were the same *malachim* Yaakov had seen in his initial dream of the ladder.

Yaakov comes to realize an important message for our lives. While sometimes we may envision Heaven as above, or "up a ladder", and Earth as below, at the "bottom of the ladder", this may be a side effect of separating our spiritual and material lives, as happened when Yaakov "lived in tents." (Bereishit 25:27). However, when we engage the world spiritually, growing as individuals and building up our families and homes, then our efforts in spirituality are rewarded. Although we may feel trapped in our worldly pursuits, it is through them that we merit balancing and uniting Heaven and Earth.

dgrundland@torontotorah.com

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Pninei Halacha

Yeshivat Har Berachah, 1st ed. 1993 Series, Hebrew and English

Who is the author?

Rabbi Eliezer Melamed was born in 5721 (1961) to Rabbi Zalman and Shulamit Melamed. His father is the Rabbi of Beit El and the head of the Yeshiva there, and is well known as the spiritual guide behind *Arutz Sheva*, a Religious Zionist, right wing-oriented Radio station. Rabbi Eliezer learned in Yeshivat Merkaz Harav, and was a student of Rabbi Tzvi Yehuda Kook zt"l. Rabbi Melamed is a prominent authority in certain Religious Zionist circles, and well acknowledged as a Torah scholar even beyond these circles. He currently serves as the Rabbi of the Har Berachah settlement and as a Rosh Yeshiva there.

The first book in the series *Pninei Halacha* was published by Rabbi Melamed in 5753 (1993), and as of today 14 volumes have been published. Some of them have been translated into English, and some are available on-line.

What is the book's goal?

The series was born from a daily short broadcast by Rabbi Melamed, in which he discussed different halachic issues. Soon enough Rabbi Melamed observed a need for an all-encompassing work of

halachah, which would present Jewish law in a simple and modern language, but would include some background and would not consist merely of "bottom line" halachah.

Keeping faith to this goal, every chapter in *Pninei Halacha* begins with a short but concise philosophical and practical introduction to the topic under discussion, and the ensuing section explains how the rule is realized in different situations. This presentation of the law helps us to understand how specific acts and deeds are linked to the central idea that underlies the mitzvah involved.

Rabbi Melamed also sensed a lack of books of law relating to the Religious Zionist community – the reality in which it lives and the different customs that have developed therein. Along those lines, Rabbi Melamed has dedicated a volume to the laws of prayer by women, another volume to "The nation and the land", and so on.

How has the book been received?

Although Rabbi Melamed was fairly young when he published his first book, his books have received enthusiastic *haskamot* (letters of approval) from leading rabbinic figures, including Rabbi Avraham

Shapira zt"l, Rabbi Shlomo Goren zt"l, Rabbi Nachum Rabinovich ybl" and more.

The books were an immediate success; the following comment of Rabbi Shlomo Riskin, coming from a very different circle in the Religious Zionist community, is both telling and representative: "I do not know of a better compendium of Jewish Law than *Pninei Halakha* by Rabbi Eliezer Melamed shli"ta. The clarity and organization of the legal requirements of Judaism makes the study of Jewish Law most pleasurable for any interested student. I recommend it with all my heart."

In the years since the first edition was printed, more than 400,000 books have been sold in different editions, including a softcover pocket edition. A special edition has been created for high school students. Apart from the English translation mentioned above, translations have also been made to French, Spanish and Russian.

In 5773 (2013), Rabbi Melamed was awarded the Israeli *haYetzirah haYehudit* [Jewish Creativity] prize for his monumental work.

bweintraub@torontotorah.com

613 Mitzvot: #412: No Mercy for Murder

Rabbi Mordechai Torczyner

We have already seen that the Torah prohibits murder; as *Sefer haChinuch* (Mitzvah 34) explains, "G-d created the world and commanded us to produce fruit and multiply in order to settle it before Him, and He prohibited us from ruining it with our hands, killing and destroying the creatures which settle the world." Therefore, the Torah imposes a death penalty for the crime of murder (Mitzvah 47), albeit with direction to judges to make every effort to find defendants innocent. (Mitzvah 77)

In Parshat Masei (Bamidbar 35:31), we are taught an additional law (Mitzvah 412): a murderer cannot pay his way out of the death penalty. Even should the murder victim's next of kin wish to accept payment, the court would be required to execute the death penalty. Indeed, even should the victim himself state his wish to forgive his murderer, the court would be obligated to carry out the penalty.

Three reasons are offered for the prohibition against accepting payment:

- *Sefer haChinuch* (Mitzvah 412) attributes this law to society's need to deter murder. If people could avoid punishment, murder would be more prevalent.
- Rambam notes an additional factor: "The life of the murdered person is not the property of the redeemer of the blood. It is the property of G-d." (*Mishneh Torah, Hilchot Rotzeiach* 1:4) This point is cited throughout responsa literature addressing the topic of assisted suicide.
- Rambam also states a sociological point, writing of the

need for equality: "A life for a life it must be, equating small and great, slave and free person, sage and fool, for there is no greater human sin than this." (*Moreh haNevuchim* 3:41)

This last point is important in the context of the Ancient Near East. The cultures among whom biblical Jews lived distinguished between the penalties for manslaughter of people with civil status, and of people without civil status, such as a slave. (See Raymond Westbrook, *A History of Ancient Near Eastern Law* 1:415-416, 644) The Torah here states that all victims should be treated equally. Similarly, Mitzvah 413 rules that all perpetrators of manslaughter must be assigned to a city of refuge; we may not accept payment to avoid this sentence, regardless of the victim's status.

In a 1986 article (Techumin 7), Rabbi Uri Dasberg z"l asked whether courts might have leeway to apply compassion regarding sentencing for crimes other than murder. One could note that Rambam's language in *Mishneh Torah*, cited above, indicates that the issue is murder, specifically. On the other hand, we are taught that a court's punishment provides atonement for a penitent criminal. (*Mishneh Torah, Hilchot Teshuvah* 1:1) If a court were to mitigate its sentence, this might undermine the forgiveness of the criminal.

torczyner@torontotorah.com

Biography
Rabbi Shlomo Luria
Rabbi Mordechai Torczyner

Rabbi Shlomo ben Yechiel Luria (Maharshah) was born in approximately 1510 in Poland, to a rabbinic family which traced its roots to Rashi. His mother was known as Rabbanit Miriam; she delivered public shiurim on halachah. (For more on this, see Tzitz Eliezer 7:32 and Mishneh Halachot 5:218.) He studied with some of the greatest halachic minds of the generation, including Rabbi Yehoshua Falk, author of classic commentaries to the Tur. Rabbi Luria engaged in on-going halachic and philosophical disputes with his illustrious cousin, Rabbi Moshe Isserles.

Rabbi Luria served as rabbi in Brisk and other communities before coming to Lublin to head a yeshiva in 1567. He remained in Lublin until his passing in 1573. Throughout his years as head of the local rabbinical court, Rabbi Luria engaged a person to rebuke him and remind him of the grave responsibilities upon his shoulders, before the start of the day's court session.

Independent in his thinking, Rabbi Luria researched every halachic idea to its core and accepted nothing as a given, and he criticized the stances of others without asking or giving any quarter. In the introduction to his volume of *Yam shel Shlomo* on *Masechet Gittin*, Rabbi Luria wrote of the importance of exhausting every effort to understand a text, and of not accepting the received halachic tradition without personal examination of its foundations.

Maharshah's published works include his *Yam shel Shlomo* and *Chachmat Shlomo* commentaries to the Talmud, commentaries to the *Sefer Mitzvot Gadol* and to Rashi's commentary on the Torah, and many halachic responsa.

Rabbi Luria's yahrtzeit is this week, on the 12th of Kislev.

torczyner@torontotorah.com

Torah and Translation
Why did I Write *Yam shel Shlomo*?
Rabbi Shlomo Luria
***Yam Shel Shlomo*, Introduction to Masechet Gittin**
Translated by Rabbi Mordechai Torczyner

שלמה אמר בחכמתו, ויותר מהמה בני הזהר עשות ספרים הרבה אין קץ, המכוון בו, שאינו מן האפשרי לעשות ספר וחבור שיספיק מבלי זולתו, ויתפאר בו עושהו, הא לך שלחן ערוך עם כל כליו, אין אפשר, כי מרוב הוספה תתרבינה עליו הוספות אחרות באחרית הימים.

אך נסיון אחד בא לידי בלילה ע"י נר מצוה ותורה אור כאלו הראוני מן השמים ונתנו לי הורמנא ואמיץ כח ממלכותא דרקיעא ופתחו לי שערי אורה, לומר עסוק בתורה, דון ואסור והתר והורה, הוה גבור כארי שבחבורה, וכתוב על הספר והבא להם תשורה, ולך בנתיב היושר ואמת דרך ארוכה וקצרה.

ובחולק מחכמתו ליראיו בטחתי אשר חפץ ד' בידי יצליח, ובגלל הדבר הזה לא יכולתי להתאפק ולמשול ברוחי מלעשות ספר וחבור אף שאין קץ כמו שזכר... ושמתי לבי לתור בחכמה ולחקור אחר שורש הענין, והעבודה שלפעמים שבוע אחד ישבתי משתומם בדמיון השכל עד שיגעתי ומצאתי שורש הענין, ואז כתבתי בספר.

וזה הוא שטתי להביא כל הדעות בין הקדמונים בין האחרונים ולא נשאתי פנים לשום מחבר, אף שהדור שלפנינו לעת הזאת מרוב חלשת ורפיון ידם אין יכולת בשכלם להשיג שגדול אחד מן המחברים יטעה בדמיונו, וסוברים מה שכתוב בכתב ידו אין להרהר אחריו, ואין נותנים טעם אלא לסתור דברי חבריו, וכל מה שיוצא מפי אדם אפילו הוצק חן בשפתיו, ופיו מפיץ מרגליות אפ"ה אומרים מה גבר בגוברין? הלא גם לנו לשון למודים ויד ושם בתלמוד כמותו, אבל האמונה באמונת שמים שהוכחתי כמה וכמה פעמים בפרט מן הפוסקים האחרונים שטעו בכמה מן התלמוד, כאחד מן התלמידים הטוען בענין עיון הלכה...

Solomon said in his wisdom, "More than this, my son, be careful not to make many books, without limit." (Kohelet 12:12) Meaning, it is not possible to create a book or compilation which will suffice without need for any other, such that its creator could claim the splendour of saying, "Here before you is a set table, with all of its elements." This is not possible; due to the great expansion, other additions will multiply over time.

However, a test came to me at night, by the lamp of mitzvah and the light of Torah, as though they had shown me from heaven, and they had given me authority and strength from the kingdom of heaven, and they had opened for me the gates of light, saying, "Go involve yourself in Torah! Adjudicate, prohibit, permit and rule, be mighty like the lion of the group, and record it in a book and bring them a gift. Walk in the path of righteousness and truth, the long and short path."

And in the One who distributes His wisdom to those who revere Him I trusted, for G-d wanted me to succeed. And because of this I could not hold back and restrain my spirit from writing a book and compilation, even though there is no end, as I have said... I turned my heart to tour in wisdom and investigate the root of the matter. I swear by the Temple service that there were times when I sat for a week, struck dumb in intellectual contemplation until I worked and found the root of the matter, and then I wrote it in the book.

This is my approach, to bring all of the views, early and late, and not to show favour to any author. The current generation, due to great weakness and laxity, cannot intellectually grasp the fact that one of the great authors could make an intellectual error; they think that anything recorded in an old text cannot be questioned. They do not offer ideas other than to contradict their contemporaries, and regarding anything that emerges from the mouth of one [of their contemporaries], even if favour is

poured upon his lips and his mouth produces gems, still, they say, "Why is this man different from other men? We also have the language of scholarship, and a hand and name in study as he does." But in truth, the truth of heaven, I have demonstrated many times, especially from the later authorities, that they erred in a talmudic matter, like one of the students who errs in analyzing a law...

This Week in Israeli History: 13 Kislev, 1972

The Langer Affair

Rabbi Josh Gutenberg

13 Kislev is Friday

In the early 1930's, a woman named Chava Ginsburg married a Polish man named Avraham Borokowsky. Before the marriage, Avraham converted to Judaism, though the details of his conversion are not documented. They subsequently moved to Israel, but they separated shortly afterwards without Avraham giving Chava a *get* (bill of Jewish divorce). Chava then married Yehoshua Langer and gave birth to two children, Chanoch and Miriam. In 1955, the rabbinical court in Tel Aviv declared that Chanoch and Miriam were *mamzerim*, ineligible to marry another Jew, since Chava had remarried without receiving a *get*.

In 1966, Chanoch Langer wanted to get married, but the rabbinical court rejected his request. He appealed the decision, stating that Avraham Borokowsky's conversion was invalid and therefore, he had never been halachically married to Chava. The appeal was rejected by the rabbinical court of Petach Tikvah and was reaffirmed by the Supreme Rabbinical Court. The case went public when the Langers enlisted the army's Chief of Staff, Moshe Dayan, and Prime Minister Golda Meir to help their cause. They suggested that

the state allow civil marriages for those who could not marry according to Jewish Law.

Upon Rabbi Shlomo Goren's appointment as Ashkenazi Chief Rabbi of Israel, he re-opened the case. He convened eight other rabbis, who remained anonymous, to form a rabbinical court and re-examine the matter. On 13 Kislev, 5733 (November 19, 1972) Rabbi Shlomo Goren declared that Avraham Borokowsky's conversion was invalid and therefore, the Langers were eligible to marry a Jew.

The ruling created much strife within Israeli society. The secular communities celebrated the ruling, but the response from the Orthodox communities was mixed. Some people supported Rabbi Goren's ruling because they argued that it helped avoid a declaration by the state accepting civil marriages. However, the Haredi sector was furious because they believed Rabbi Goren had undermined the courts who had previously ruled on the matter. Unfortunately, this episode created a rift between Rabbi Goren and the Haredi sector, and it continued throughout his tenure as Chief Rabbi.

jgutenberg@torontotorah.com

Weekly Highlights: Nov. 29 – Dec. 5 / 7 Kislev – 13 Kislev

Time	Speaker	Topic	Location	Special Notes
Shabbat Nov. 29				
10:15 AM	Yisroel Meir Rosenzweig	Meshech Chochmah	Clanton Park	
Before minchah	R' Mordechai Torczyner	Daf Yomi	BAYT	
After minchah	R' Mordechai Torczyner	Gemara Avodah Zarah: <i>Broken Idols</i>	BAYT	
6:30 PM	R' David Ely Grundland	Parent-Child Learning	Shaarei Shomayim	This week: Led by Rabbi Strauchler
Sun. Nov. 30				
8:45 AM	R' Josh Gutenberg	Contemporary Halachah	BAYT	not this week
9:15 AM	R' Shalom Krell	Kuzari	Zichron Yisroel	With light breakfast
8:30 PM	R' David Ely Grundland	Gemara: Mind, Body, Soul	Shaarei Shomayim	not this week
Tues. Dec. 2				
1:30 PM	R' Mordechai Torczyner	The Book of Iyov (Job) Eliphaz Begins	Shaarei Shomayim	
Wed. Dec. 3				
12:30 PM	R' Mordechai Torczyner	Jewish Estate Planning	Miller Bernstein 5000 Yonge St.	Lunch and Learn RSVP required cchoi@ millerbernstein.com
8:00 PM	R' Josh Gutenberg	The Modern Shabbat Kitchen: Dishwashers and Coffeemakers	Shaarei Shomayim	Part 1 of 2
Thu. Dec. 4				
1:30 PM	R' Mordechai Torczyner	The Book of Yehoshua: Meet the Givonim	49 Michael Ct. Thornhill	For women
Fri. Dec. 5				
10:30 AM	R' Mordechai Torczyner	Advanced Shemitah: Plowing and Digging	Yeshivat Or Chaim	

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