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Yeshiva University Torah MiTzion Beit Midrash Zichron Dov

Parshat Vayishlach

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Encountering the "Other"

Rabbi Baruch Weintraub

Parshat Vayishlach ends with a long and puzzling list of Edomite kings, who ruled "before a king ruled over the children of Israel." (Bereishit 36:31) What are we to learn from this passage?

Mostly, this passage has been understood as a comparison between the Edomite and Israelite kings, emphasizing the advantage of the latter. (See Radak ibid.)

Rambam had a different approach. He suggested that this parshah intends to give us an explanation of the Torah's commandment regarding the king in Parshat Shoftim: "You must not appoint over you a stranger, who is not your brother." (Devarim 17:15) Rambam explains, "Of these kings (i.e. those kings of Edom mentioned in our parshah), none was an Edomite; wherefore each king is described by his native land... it was then well known how these kings... humiliated and oppressed the sons of Esau. Thus G-d reminded the Israelites of the fate of the Edomites, as if saying unto them, look unto your brothers, the sons of Esau, whose kings were so and so, and whose deeds are well known." (Guide of the Perplexed, Friedlander translation, 3:50)

Rambam's explanation has its root in a midrash. (Bereishit Rabbah 83:1) Nonetheless, it is difficult to understand why the parshah would provide a rationale for a law which would only be given four chumashim later. It seems that we need to broaden our view of the parshah to understand Rambam's approach.

Our parshah may be seen as consisting of three acts:

1. Yaakov's meeting with Esav: In the first act, Yaakov, heading back from Charan, meets his brother – who, in a surprising twist, seems to be extremely kind and caring. Yaakov is worried and afraid, and does his best to avoid any ongoing contact with his only sibling. When Esav suggests that they travel together, he is answered in an evasive manner: "The children are tender, and the flocks and the cattle depend upon me... you shall go before me and I will come along slowly." (Bereishit 35:13-14) Yaakov even refuses to accept any members of Esav's entourage into his own. (ibid. 35:15) In short, Yaakov is unwilling to merge himself with his twin brother, and he insists on keeping his independent existence.

2. Yaakov and the people of Shechem: The second encounter of Yaakov with the surrounding world is even less pleasant. Yaakov's daughter, Dina, is kidnapped and forced to live with a local prince. The prince and his father propose a deal to Yaakov and his sons – they can have a separate existence, but must agree to intermarry with Shechem's native population. This arrangement would seem to be desirable: Yaakov would be able to live according to his own identity, and would maybe even succeed in mending the ways of the local population, starting with a *brit milah*. But this possibility is rejected by Yaakov's sons, Shimon and Levi. And while Yaakov seems to disagree with their use of deception and violence, he is far from trying to reestablish his

connections with the Canaanites. To the contrary, he demands of his children to get rid of the idols they may have looted from Shechem. (ibid. 35:4) In short, Yaakov and his family insist not only on maintaining their own identity, but also on preserving familial exclusiveness and isolation.

3. The Edomite kings: Now we reach the final act, the story of the Edomite kings. Here Yaakov is asked neither to unite nor even to share in a lesser way with the surrounding culture; the challenge here is whether Yaakov – and his children – will be able to learn applicable lessons from others' experiences. The Torah begins the laws of the king with the statement: "When you come to the land... and you will say: 'I will set a king over myself, like all the nations around me.'" (Devarim 17:14) Establishing a prosperous kingdom depends on our openness to learn from the other – but without letting go of our own special identity. And so Rambam comments, as we cited above, that we can learn from the experience of other nations, with their kings.

Our parshah, then, serves as a key to approaching the non-Jewish world. On the one hand, we should be extremely wary of any danger to our core values and teachings; but on the other, where it is applicable, we must open our eyes to learn from their experience.

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והורשתם את הארץ וישבתם בה (במדבר לג)

Marking the State of Israel's 70th Year!

Israeli Landmarks: The Hermon

Yaron Perez

The Hermon is a mountain range in Northern Israel, between Syria and Lebanon. Its highest peak reaches 2814 metres; the highest peak in its Israeli portion reaches 2236 metres. During the winter the Hermon is covered in snow; in the summer, the snowmelt flows via the Jordan River to the Kinneret.

The Hermon in Tanach

The Hermon is first mentioned in Devarim 3:8-9, when the Jews conquer the eastern side of the Jordan, "from Nachal Arnon to Mount Hermon." Ramban explains that *Hermon* comes from *herem*, meaning a place which is not used, due to the snow and cold. The tribe of Menasheh received this region in their portion. Three other names for the area are recorded in Tanach: *Siryon*, *Snir* and *Si'on*.

The War for the Hermon

Toward the end of the Six Day War in 1967, after the victory in Ramat haGolan, the IDF decided to pursue a hold on one of the peaks of the Hermon in an attempt to establish an outpost

for intelligence gathering and early warning purposes. Golani Unit 13 landed on the Hermon, and took the site (the "Israeli Hermon") without opposition.

At the start of the Yom Kippur War in 1973, Syrian commandos overran the Israeli Hermon outpost. Thirteen Israeli soldiers were killed, and 31 were wounded. Two days later, an attempt to re-take the outpost was ambushed by the Syrians; 53 more Israeli soldiers were killed, and 57 injured in the failed attempt.

Once more, days before the end of the war, the IDF attempted to re-take the outpost. Golani forces attacked the Israeli Hermon, while paratroopers landed on the Syrian side. The Syrian forces were well-entrenched, and the climb was difficult. At a heavy price of 55 deaths and 80 wounded soldiers, the Golani succeeded in gaining control of the Israeli side. The paratroopers found the Syrian side less defended, although they still suffered three casualties. As part of

the 1974 separation of forces, Israel turned over the Syrian side to United Nations control.

The Hermon Resort

In 1971, Israel established the Hermon Resort with the help of the Jewish Agency and nearby Moshav Neve Ativ. Today, residents of Neve Ativ operate the resort, which is the only Israeli vacation spot for snow and skiing. There are 13 ski trails, and 5 cable cars; more than 300,000 people visit during the winter.

The facility is open during the summer, too; visitors ride the cable cars and look out upon breathtaking vistas. One can also stroll in nature preserves scattered around the base of the Hermon.

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The Zionist Idea: Why is the Land Holy?

Adam Friedmann

Upon his release from a St. Petersburg prison on the 19th of Kislev, 5563, Rabbi Shneur Zalman of Liadi, otherwise known as the *Alter Rebbe* or the *Ba'al haTanya*, sent a letter to fellow Chassidic master Rabbi Levi Yitzchak of Berditchev, detailing the circumstances of his release. In the letter, Rabbi Liadi notes that his freedom was attained "in the merit of the Land of Israel and its inhabitants, which stood for us and helped us at every moment to grant us room from within the straits and save us from oppressors." With this comment of Rabbi Liadi regarding the merits of the Land, Rabbi Yissachar Teichtel opens his classic Zionist work, *Eim haBanim Semeichah*. Rabbi Teichtel gleans a basic principle from the *Alter Rebbe's* words, which he goes on to support from a variety of sources. The Land of Israel is more than a country. It is, in some sense, a living entity whose activities can accrue merit, which can then become a support for the Jewish people in times of need.

Rabbi Teichtel's introduction raises a fundamental question in Religious Zionist thought. We know that the Land of Israel is sanctified, but what is the nature of this sanctity? There are many views on this issue; we will consider two extremes here.

On the one hand, many propose that the land itself bears intrinsic holiness, irrespective of a Jewish national presence. Rabbi Yehudah Halevi argues that, due to its spiritual qualities, the Land of Israel is the only place in the world where spiritual perfection and prophecy can be attained.

(Kuzari II:14) Along the same lines, Rabbi Avraham Yitzchak Kook contends that the sanctity of the land is connected with the mystical realm such that "distance from awareness of the mysteries (of Kabbalah) produces a distorted awareness of the sanctity of the Land of Israel." (Orot me'Ofel 2)

On the other hand, Rabbi Yosef Dov Soloveitchik claims that any holiness attributed to the land starts with human efforts. He writes: "*Kedushah* [sanctity - AF], under a halakhic aspect, is man-made; more accurately, it is a historical category. A soil is sanctified by historical deeds performed by a sacred people, never by any primordial superiority... *Kedushah* is identical with man's association with Mother Earth. Nothing should be attributed a priori to dead matter. Objective *kedushah* smacks of fetishism." (The Emergence of Ethical Man, pg. 150).

The debate about sanctity has practical ramifications. If the land is inherently holy, then the highest goal may be simply to live in it, or perhaps to access the mystical consciousness needed to experience this sanctity. If, on the other hand, sanctity is something we create, then there is a fundamental value attached to settling the land and creating a society which allows for sanctity. These two approaches need not be mutually exclusive, and may both inform a Religious Zionist worldview.

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Biography
Rabbi Yosef ibn Migash
Russell Levy

Born in Seville in 1077, Yosef ben Meir ibn miGash ("The Ri Migash") moved at the young age of 12 to Lucena to learn under Rabbi Yitzchak Alfasi ("Rif"), who was a student of Rabbi Nissim Gaon and Rabbeinu Chananel.

Lucena (originally named Eliossana, from the Hebrew phrase אֶלִי הוֹשָׁנָה E-li Hoshana) was also nicknamed "Jews' City" due to the Jewish majority in the city. The Jews of the city were very wealthy, described as the wealthiest in the world, leading its yeshiva to become one of the centers of Torah in the Iberian Peninsula. After 14 years in the yeshiva, at the age of 26, he was appointed the Rosh Yeshiva by the Rif, shortly before the latter's death. Although the Ri Migash was young, the Rif passed over his own son, who was fully qualified for the position, due to the Ri Migash's outstanding scholastic ability. The Ri Migash maintained this position for 38 years.

The Ri Migash considered himself a student both of the Rif and the Rif's teacher, Rabbeinu Chananel - although Rabbeinu Chananel lived in Kairoaun, Tunisia and had passed away before the Ri Migash was born.

The Ri Migash clearly outshone his contemporaries; the Rif wrote about him, "Even in the time of Moshe Rabbeinu there was no one like him." Rabbi Yehudah haLevi eulogized him in six poems filled with praise. Furthermore, in the introduction to his commentary to Mishnah, the Rambam relates his father's description of the Ri Migash: "The Talmudic knowledge of the man amazes everyone who understands his words and the depth of his speculative mind. It almost may be said that his equal has never existed." The primary student of the Ri Migash was Rabbi Maimon, the father of the Rambam.

The Ri Migash passed away in 1141. Though many of his works are lost, his commentaries on Bava Batra and Shevuot are still extant. As well, over 200 of his responsa, written originally in Arabic, were collected and published posthumously by the Shitah Mekubetzet, Rabbi Betzael Ashkenazi.

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Torah and Translation
Should a Rabbi be Analytic or Encyclopedic?
Rabbi Yosef ibn Migash, Responsum 114
Translated by Rabbi Mordechai Torczyner

שאלה מה יאמר אדוננו באיש שלא קרא מעולם הלכה עם רב, ואינו יודע דרך הלכה ולא פירושה ולא קריאתה, אלא שהוא ראה הרבה מתשובות הגאונים ז"ל וספרי הדינים. ולא נעלם מאדוננו שהתשובות אינם עומדות על מצב אחד, בפרט הישנות מהם שנכנס בהם ההפסד מצד המעתיקים אותם, ועם זה יחסו קצת תשובותיהם לזולת בעליהן. גם הרבה מן הגאונים הורו בתשובותיהם על שאלה אחת ואח"כ חזרו בהם מאותה הוראה או השיגו אותם אחרים בכך... בפרט אם הוא בלתי ירא שמים והעידו עליו ברשעיות רבות...

תשובה: דע שהאיש הזה ראוי יותר להתיר לו להורות מאנשים רבים קבעו עצמם להוראה בזמננו זה, ורובם אין בהם אפי' אחד משני דברים אלו, רצוני לומר הבנת ההלכה והעמידה על דעת הגאונים ז"ל. ואותם שמדמים להורות מעיון ההלכה ומחזק עיונם בתלמוד הם שראוי למנעם מזה, לפי שאין בזמננו זה מי שיהיה ראוי לכך ולא מי שהגיע בחכמת התלמוד לכלל שיורה מעיונו מבלי שיעמוד על דעת הגאונים ז"ל. אבל מי שמורה מתשובות הגאונים וסומך עליהם, ואף על פי שאינו יכול להבין בתלמוד, הוא יותר הגון ומשובח מאותו שחושב שהוא יודע בתלמוד וסומך על עצמו...

ואין בזמננו זה מי שיגיע בתלמוד לגדר שיוכל לסמוך להורות ממנו. וכבר באו לידי תשובות קצת אנשים בדברים שהורו בהם והם חושבים שהורו כדן ושהוא ברור כשמש, והם טעו בהוראתם ותלו הדבר ההוא אל מקום בלתי מקומו, ולמדו הדין ממקום שאין ללמוד אותו ממנו, וכבר היה בין הדבר שדנו בו ובין ההלכה שנתלו בה לאותו הדין חילוק דק ודקדוק נעלם ונסתר ולא הרגישו בו...

ואמנם מה שזכרת מהיותו בלתי ירא שמים, אם הוא דין קבוע ראוי לחקור בזה לפי שאין ראוי לנו לעמוד דין שאינו הגון לפי שהוא כנוטע אשרה בישראל. ואם אינו דין קבוע אלא שאין דן לפניו אלא מי שקבל אותו על דרך הברירה, אין לנו לעכב בזה.

Question: What would our master say of someone who has never learned halachah with a mentor, and does not know the path of halachah, its explanation, or even how to read it, but who has seen many responsa of the Gaonim, and books of laws. It is not hidden from our master that responsa are not all of the same quality, especially the older ones which suffer from copyists' errors, and identification with those who did not author them. Also, many of the Gaonim ruled on a question and then recanted from that ruling, or were opposed by others for it... And especially when this person does not revere Heaven, and there is testimony to his many acts of wickedness...

Answer: Know that this man is better suited to rule than many who set themselves up to rule today. Most of these don't have even one of these two elements: understanding law, and knowing the views of the Gaonim. And those who imagine they can rule from halachic analysis and the strength of their examination of the Talmud are the ones who should be prevented, for we have no one today who is suited for this, and no one who has reached the status in talmudic wisdom to rule from his own analysis without knowing the views of the Gaonim. But one who rules from the responsa of the Gaonim and relies on them, even though he does not understand the Talmud, is more fit and greater than the one who thinks he knows Talmud, and relies on himself...

We have no one today who has reached the level in Talmud to rule reliably from it. I have already seen responsa from some people in matters where they have ruled, thinking they have ruled according to law and it is clear as the sun, and they have erred in their ruling and connected matters with inappropriate sources, learning the law from places from which it cannot be learned, and there was some fine distinction and hidden point [separating] between that which they addressed and the halachah they linked to it, and they did not sense it...

But regarding your point about him not revering Heaven, if he is a permanent judge then one should investigate this. It is wrong to establish a judge who does

not act properly; this would be like planting an *asheirah* [tree dedicated for idolatry] in Israel. However, if he is not a permanent judge, but he only judges those who choose to accept him, we do not prevent this.

Weekly Highlights: Dec. 2 — Dec. 8 / 14 Kislev — 20 Kislev

Time	Speaker	Topic	Location	Special Notes
שבת Dec. 1-2 Shabbaton at Shaarei Shomayim: Celebrating 70: 70 Years of Israeli Culture				
After hashkamah	Adam Friedmann	Chutzpah in Israeli Religious Life	Shaarei Shomayim	
Derashah	R' Mordechai Torczyner	Rav Kook & the Artists of Jaffa	Shaarei Shomayim	<i>Main Shul</i>
Derashah	R' Jonathan Ziring	Begin, Ben-Gurion and the Culture of Modern Israel	Shaarei Shomayim	<i>Downstairs Minyan</i>
Seudah Shlishit	Yaron Perez	Religious Education, Secular Schools	Shaarei Shomayim	
Motzaei, 7:30 PM	Elliezra & Yaron Perez	Israeli Movie Night: What's Love Got to Do With It?	Shaarei Shomayim	
After minchah	R' Meir Rosenberg	Topic TBD	BAYT	<i>Simcha Suite</i>
Motzaei, 6:30 PM	Yaron Perez	Parent-Child Learning	Shaarei Shomayim	
Sun. Dec. 3				
8:45 AM	R' Josh Gutenberg	Contemporary Halachah	BAYT	<i>Third Floor</i>
8:45 AM	R' Jonathan Ziring	Responsa	BAYT	<i>Hebrew</i>
Mon. Dec. 4				
8:30 PM	R' Mordechai Torczyner	Oil or Wax: Does Authenticity Matter?	Shomrai Shabbos	<i>Third Floor; For Men</i>
Tue. Dec. 5				
10:00 AM	R' Mordechai Torczyner	Defining "Death"	Adath Israel	<i>Women; there is a fee info@adathisrael.com</i>
1:30 PM	R' Mordechai Torczyner	Nechemiah: Resistance!	Shaarei Shomayim	
7:00 PM	R' Mordechai Torczyner	Yehoshua: Defeat	129 Theodore Pl.	<i>For men</i>
8:00 PM	Public Speaking Coach	Constructing a Dvar Torah	BAYT	<i>Week 4 of 4</i>
Wed. Dec. 6				
10:00 AM	R' Mordechai Torczyner	Mental Health in Judaism Week 6: Logotherapy	Beth Emeth	<i>To register: torontotorah.com/mh</i>
2:30 PM	R' Jonathan Ziring	Exploring Bamidbar	32 Timberlane Ave.	<i>For women</i>
8:00 PM	Adam Friedmann	Why do we do that?	Shaarei Tefillah	
8:00 PM	Yaron Perez	הפרשה ואני	Shaarei Shomayim	<i>In Easy Hebrew</i>
Thu. Dec. 7				
1:30 PM	R' Mordechai Torczyner	Shoftim: Dan's Idol	49 Michael Ct.	<i>For women</i>
5:30 PM	R' Jonathan Ziring	A Silence Worth a Thousand Words	Ulpanat Orot	<i>Father-Daughter Learning</i>
Fri. Dec. 8				
10:30 AM	R' Mordechai Torczyner	Melachot of Shabbat	Yeshivat Or Chaim	<i>Advanced</i>

For University Men, at Yeshivat Or Chaim

11 AM Sunday, Rabbi Mordechai Torczyner, Psychology in Jewish Law

8:30 AM Monday, Rabbi Jonathan Ziring, Nefesh haChaim

8:30 AM Friday, Rabbi Mordechai Torczyner, The Book of Yeshayah

For University Women, at Ulpanat Orot

9:30-11:30 AM Monday, Mrs. Elliezra Perez, From Rachel Imeinu to Racheli Frenkel

9:30-11:30 AM Tuesday, Mrs. Ora Ziring, Shabbat

9:30-11:30 AM Wednesday, Mrs. Ora Ziring, Contemporary Halachah

9:30-11:30 AM Thursday, Mrs. Elliezra Perez, Parshah in the Eyes of Chassidut