

Toronto Torah

Beit Midrash Zichron Dov

Parshat Vayetzte

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This issue of Toronto Torah is dedicated by Dan Valter in honour of
Rabbi Moshe Yeres and the Adult Seder Boker chevra, upon our siyum of Masechet Taanit.

Yaakov's True Brothers

Though Yaakov left his shattered family behind in Be'er Sheva, the spectre of his estranged brother continued to stalk him in Charan. Our parshah contains an unusually concentrated and varied use of the Hebrew word *ach*, which we normally translate as "brother". When Yaakov arrives in Charan he encounters some shepherds waiting with their flocks by a well. He asks them "my brothers (*achai*), where are you from?" (Bereishit 29:4) Moments later when Rachel arrives with Lavan's sheep Yaakov is energized by the sight of "the daughter of Lavan, the brother (*achi*) of his mother" (29:10), and he singlehandedly removes the massive stone covering the well to water her sheep. This theme continues with Lavan's reaction to the arrival of Yaakov "the son of his sister (*achoto*)" (29:13). Lavan refers to Yaakov as his "brother (*achi*)", this time indicating a relative, when he invites him to name the price for his continued work (29:15). The emphasis on the word *ach* in this first part of the Lavan story depicts a Yaakov who, having left his family, is seeking brotherhood and familial attachment, and a Lavan who is ready to fill this role.

As we know, this scenario, though it seems idyllic, was not. While he was Yaakov's biological relative, Lavan certainly did not treat Yaakov equally as a brother. Despite Lavan's initial offer to Yaakov to work for a fair wage, Lavan repeatedly denies Yaakov the opportunity to assert his own independence. The deceit of switching

Leah for Rachel prevents Yaakov from choosing whom to marry. Subsequently Yaakov is blocked from earning personal profit in his work shepherding Lavan's sheep. Only Yaakov's insistence and Divine intervention change this. Lavan's selfish and controlling nature is laid bare by his ultimate insistence, in reference to Yaakov's family, that "the daughters are my daughters, the sons are my sons, the sheep are my sheep, and everything you see is mine" (31:43) Ultimately, the abuse, coupled with G-d's insistence that Yaakov leave Charan, and his wives' approval, push Yaakov to break away, and flee, from Lavan. Yaakov's new attempt at brotherhood thus ends in failure.

Does Yaakov ever resolve this lack of brotherhood? It certainly does not occur with Esav. Yaakov keeps the meeting in next week's parshah intentionally brief and distances himself immediately. It seems clear that Yaakov views his differences with Esav on values and outlook to be insurmountable. However, another series of uses of the word *ach* in our parsha intimates an unlikely source of brotherhood. When Lavan chases after Yaakov he takes his relatives (*echav*) with him (31:23). After Lavan searches through Yaakov's camp for stolen idols, Yaakov demands that Lavan place anything he found between "my brothers (*achai*) and your brothers (*achecha*)". (31:37) Later when Yaakov is building a mound of rocks as part of his covenant with Lavan he calls his brothers (*echav*) to gather and place the stones; a distinction is drawn between Lavan's relatives and Yaakov's. But if Yaakov fled from Lavan with just his

wives, children and servants, who are his "brothers"?

A midrash (Bereishit Rabbah 74:13) states that Yaakov's "brothers" are in fact his sons who, being similar to him in bravery and righteousness, were now deserving of this title. Rabbi Naftali Zvi Yehudah Berlin (Ha'amek Davar 31:46) notes the significance of using the term "brothers" instead of "sons" with reference to the children. Sons help their father out of obedience, but brothers act together without coercion, out of a shared sense of ethical purpose. Yaakov had raised children who, notwithstanding their varied personalities, had imbibed his values, shared his ideals, and were ready to live by them independently. Yaakov's respect for his sons' independence continues throughout his life (consider especially the episode of Shechem).

There is a tremendous lesson here in raising children. Aside from this however, it seems that in his children Yaakov had found something of the brotherhood that had failed to materialize with Esav or Lavan. His relationship with his sons enabled the balance of unity in values and independence of thought and action that allow brothers to live and thrive together.

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Summary

Following the death of Uriah and the marriage between King David and Bat Sheva, Nathan the prophet is sent by Hashem to chastise David. In order for the message to sink in, he does not reveal his message immediately but rather he asks David a legal question, about a poor man and his beloved lamb. The poor man's neighbor, a wealthy man, steals the pauper's only lamb to feed his own visitor. What should be his punishment? David, enraged by the clear injustice, declares that the wealthy man deserves death for his mercilessness. (12:1-6)

Now Nathan turns the table and says to David: you are the (wealthy) man! For you have everything, and still you took Uriah's only wife and caused his death in war. The punishments Nathan predicts are terrible: (1) The sword shall never depart from David's household, and (2) David's own wife will be taken from him in from of the whole people. (12:7-12)

David immediately admits his mistake and repents, and therefore is spared from death; nonetheless, the son Bat Sheva is now carrying will die. David attempts to remove this decree by prayers and fasting, but the child indeed dies. Upon the child's death,

David ends his fasts and weeping, and goes to the Mishkan to pray for forgiveness. He also comforts Bat Sheva, who is soon pregnant again with another child, who will be called Shlomo by his parents and Yedidiah by G-d. (12:13-25)

The chapter ends with the conclusion of the war against the Ammonites. David joins his forces for the final war on the capital city Rabbah, and Israel gains a decisive victory. (12:26-31)

Analysis

Our chapter is extremely rich in content and messages, and we can only refer to one point. Rabbi Yaakov Medan, in a small book dedicated to the story of David and Bat Sheva, asks a simple question: after Nathan rebuked David for taking Bat Sheva, and Nathan told David of the difficult punishment for his actions, why didn't David and Bat Sheva divorce as part of David's process of repentance?

Rabbi Medan answers that the opposite is correct. David's path of repentance – which is seen by our Sages as a model for an individual's ability to repent (Avodah Zarah 5a) – was by taking full responsibility for his actions. Following the lead of his great ancestor, Yehudah, and his affirmation

of Tamar's testimony (Bereishit 38), David does not abandon the woman he has committed to, even if the commitment was formed under dubious conditions. It could have been much easier and preferable for David to give Bat Sheva some money and hide her somewhere. But David knows he is obligated to take care of the woman who followed him into such a sensitive position, and regardless of the public shame and personal price, he makes her the mother of the next king. Shouldering responsibility for one's mistakes is the hallmark of leadership and kingship.

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The Israeli Farmer: Replanting During Shemita

Rabbi Sammy Bergman

In a question sent to Rabbi Binyamin Zilber, the writer noted that Rabbi Zilber had ruled in a previous responsum that it is forbidden to replant a sapling that was uprooted with its dirt, during the shemita year. However, the questioner pointed out that in his Sefer HaShemita (3:1:10), Rabbi Yechiel Michel Tucazinsky ruled that one may do this. Rabbi Tucazinsky derived his ruling from the laws of *orlah* (the prohibition against consuming a tree's fruit during its first three years). The law is that if a tree is uprooted after the three years have passed with enough soil to continue living, and it is then replanted, the subsequent fruit is not *orlah*. (Mishnah Orlah 1:3) Similarly, Rabbi Tucazinsky argued that as long as a sapling is uprooted with a sustainable amount of soil, one may replant the sapling during shemita.

The questioner suggested two flaws with Rabbi Tucazinsky's lenient argument.

- First, one can distinguish between the laws of *orlah* and the laws of shemita. Regarding *orlah*, our focus is on the tree. When a tree is transplanted with enough soil to nourish it, its life continues, and it isn't considered "new" when it is replanted. However, regarding shemita, our focus is on the prohibition against working the land. Even replanting may be considered "working the land," and therefore, forbidden.
- Second, the writer argued that even if replanting a tree isn't a violation of the prohibition against planting during shemita, it may still violate the obligation to "let the land rest." (Vayikra 25:2)

The writer asked Rabbi Zilber whether he agreed with his two arguments against Rabbi Tucazinsky's position.

Rabbi Zilber agreed with both points. He argued that replanting a tree would violate both the prohibition against planting, as well as the commandment to let the land rest. Rabbi Zilber argued that the act of inserting the tree into the ground, and causing it to receive nutrients, constitutes an act of planting, even before the tree takes root. Consequently, doing so would violate both the prohibition against planting and the commandment to let the land rest.

Rabbi Zilber added that transplanting a tree is actually worse than planting a potted plant with a hole in it. Even though a potted plant with a hole in it is considered **connected to** the ground, it isn't legally considered **part of** the land. Therefore, Rambam (Mishneh Torah, Hilchot Bikkurim 2:9) rules that one isn't required to bring *bikkurim* (the first produce) to the Beit HaMikdash from produce grown in pots. However, a transplanted tree is legally considered part of the land once it has been inserted in the ground, and one would bring *bikkurim* from its produce. Therefore, Rabbi Zilber concluded that replanting trees during shemita is biblically prohibited.

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Biography

Rabbi Moshe Isserles

Rabbi Josh Gutenberg

Rabbi Moshe Isserles (Rama) was born in Cracow, Poland in 1530. His father was a wealthy man who supported the local synagogue in Cracow. At a young age, he went to Lublin to study in the yeshiva of Rabbi Shalom Shachna, whose daughter he later married. In 1550, Rabbi Isserles returned to Krakow and started his own yeshiva, which he was able to support by himself due to his family's wealth.

In 1553, Rama was appointed rabbi of Cracow, and he headed the local beit din. He was also appointed to the Council of the Four Lands, a body in charge of the Jewish communities in Poland and the surrounding areas. His reputation spread and he answered questions that were sent to him from all over Europe.

Rama is best known for his works relating to Jewish law. His major works include *Torat Chatat*, a book dealing with the laws of kashrut; *Darchei Moshe*, an encyclopedic survey of Jewish law; and *HaMappah*, glosses to *Shulchan Aruch*. The latter two works correspond to works written by Rabbi Yosef Karo; *Darchei Moshe* is an addendum to *Beit Yosef* and *HaMappah* is an addendum to *Shulchan Aruch*. Rama's main goal in these works is to emphasize the opinions and traditions of the Franco-German and Polish communities. Interestingly, he began writing *Darchei Moshe* independently of Rabbi Karo's writing of *Beit Yosef*. However, once the latter book was published he changed the format of his work to summarize the opinions quoted in *Beit Yosef* and then add the opinions and customs not quoted by *Beit Yosef*.

Rama's contribution to Jewish law was significant. Even today, his glosses to *Shulchan Aruch* are the basis of Jewish law followed by the Ashkenazic communities.

Rama died at a young age in Cracow in 1572. His greatness can be summed up by the inscription on his tombstone "From Moshe (Rambam) until Moshe (Rabbi Moshe Isserles) there was no one like Moshe."

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Torah and Translation

Not Everyone is a Grammar Expert

Rabbi Moshe Isserles, Shu"t HaRama 7

Translated by Rabbi Jonathan Ziring

הנה אהובי אדוני הגיעני מכתב מעלתו... ובראותי קמתי מרעיד בראותי כל מגילת, כולה תוכחת מגולה ואהבה מסותרת, ואפשר את אשר יאהב אדוני וכיח....

ומה שכתב לי אדוני ששגגתי באיזו מלות בדקדוק כאשר העלה מר על ספר. אומר אינני מכת המדברים בעלי הלשון כי כבד פה ולשון אנכי, כי אנכי נזהר בענין המכוון ולא במלות (שאינו מעלה ולא מוריד לענין דינא) ואני מודה ששותא דמר לא ידענא, אך אומר שזהו דקדוק עניות ושרי לי מרי. כי ידוע לכל מבין שכזה יקרה לכל גדול בישראל כאשר מחשבתו משוטטת באיזה ענין שיפול טעות בדבריו, כ"ש שלא יוכל ליהרר בחסרות ויתירות כאשר העלה מר שכתבתי משולם מלא, כי אין זה ספר תורה ליפסל בזה. ואף כי לפעמים דברתי בדרך נכח ונסתר בכוונה עשיתי זאת כי הוא נמצא במטבע הברכות ובמקראות והוא דרך כבוד בנגלה ונסתר.

ומכל מקום איני מתפאר במה שאין בי מימי לא למדתי חכמת הדקדוק. אך באלו הדברים המבוארים לא נפל טעות מחמת מיעוט ידיעתי רק מחמת הנחוץ, ויש דברים שכוונתי בהן לכתבן מלא כמלת אדוני להבדיל בין קדש לקדש וכן כל כיוצא בזה.

[In response to a letter from the great scholar Rabbi Shlomo Luria, Maharshal, cousin of Rabbi Isserles. The text is filled with puns on talmudic phrases, which do not translate well; we have translated them literally.]

Behold, my beloved, my master. I received the letter of his honour... And when I saw it, I rose trembling when I saw an entire scroll of open rebuke and hidden love, and could it be that he whom he loves, he rebukes?

...And as to that which my master wrote to me, that I erred in some words with the grammar, as he recorded in the text. I say that I am not of the group of speakers who are masters of language, for I am heavy of mouth and tongue, for I am careful with regards to the intent, but not the words (which neither raise nor lower in regards to the law). And I admit that I do not know the master's speech, but I say that this is the precision [lit. the grammar] of the poor, and you must forgive me this. For it is known to all those who understand, that this happens to every great one in Israel, that when his mind roams in some matter, a mistake will occur in his words. Certainly, he cannot be careful about the missing and extra [letters], as you pointed out that I wrote the word *meshulam* complete [meaning with a *vav*], for this is not a Torah scroll that would be invalidated by this. And even though I sometimes spoke in second person and third person, I did this intentionally, as this is how it is found in the formula of the blessings, as well as in the [Torah] verses, and it is an honourable way [to write in] second and third person.

In any case, I do not glorify myself in what I do not have, for I have never learned the wisdom of grammar. However, in those clear matters [of grammar] there was no error because of my minimal knowledge, but rather because of necessity. And there were some words where my intent was to write them complete [meaning spelled out with a *yud* or *vav*], like the word *ado-nee* [with a *vav*], to distinguish between the Holy and holy, and so too with all similar things.

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SPECIAL PROGRAMMING

10:00 AM Wed. Dec. 2: The Kabbalists of Safed
Rabbi Mordechai Torczyner, a 3-part series on Zoom

Week 1: Rabbi Yosef Karo

Register at <https://torontotorah.com/safed>; there is a fee

8:00 PM Wed. Dec. 2: Why Do We? Part 1 of 2
Ezer Dena, Why do we play dreidel on Chanukah? (pwd 18)

8:15 PM Wed. Dec. 2: Sports, Entertainment and Halachah, a 5-part mini-series
With Rabbi Chaim Metzger, Week 2: Sports and Exercise on Shabbat

DAILY

Mon-Thu 10 AM to Noon, with Rabbi Moshe Yeres, via ZOOM (men)

Mondays and Wednesdays: Gemara Taanit, Orot haTeshuvah

Tuesdays and Thursdays: Parshah, Tanach: Shemuel

WEEKLY

Shabbat Nov. 28

After minchah at Shaarei Shomayim, Rabbi Sammy Bergman, Parshah

Sunday Nov. 29

9:20 AM Contemporary Halachah with Netanel Klein (not this week)

10:00 AM Gemara Shabbat with Rabbi Aaron Greenberg (University)

7:30 PM Gemara Ketuvot with Rabbi Mordechai Torczyner (men)

8:15 PM Uncovering Midrash with Rabbi Chaim Metzger

Monday Nov. 30

8:30 PM Gemara Shabbat, Chap. 15, with Rabbi Moshe Yeres

Tuesday Dec. 1

1:30 PM Megilat Esther, with Rabbi Mordechai Torczyner

7:30 PM Shoftim, with Rabbi Mordechai Torczyner (men)

Wednesday, Dec. 2

7:30 PM Genesis Journeys: In the Image of G-d?, with Rabbi Sammy Bergman

7:30 PM Greatest (Halachic) Hits of COVID: Care on Shabbat, with Rabbi Alex Hecht (New Series!)

Thursday Dec. 3

8:30 AM Daniel, Rabbi Chaim Metzger (University)

1:30 PM Shemuel, with Rabbi Mordechai Torczyner (women)

8:15 PM Gemara Bava Metzia, with Rabbi Sammy Bergman (University women)

8:30 PM Gemara Beitzah, with Ezer Dena (men, advanced)

Friday Dec. 4

8:30 AM Parshah, Rabbi Sammy Bergman (University)

11:30 AM Shemitah! with Rabbi Sammy Bergman and Rabbi Mordechai Torczyner (advanced)

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