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Honoring Esav

Yaakov sent messengers with gifts to Esav, and told the messengers to tell Esav that Yaakov was coming to greet him.

Why was this message necessary? Also, when Yaakov met with Esav, Yaakov compared seeing him to "seeing the face of Elokim". This is an unusual comparison, as there seems to be nothing identical between Esav and God. Why did Yaakov describe his meeting with Esav similar to a meeting with God?

Rav Kluger gives an insightful answer, by first bringing another question. The Gemara in Ta'anis (26a) says that just as there must be Kohanim and Leviim at the Beis Hamikdash every day, there must be Yisraelim there every day. Why must there always be Yisraelim? The Gemara answers that there is no way a person's sacrifice would be offered without him being present. Since every day there were sacrifices offered for Yisraelim, they must have been there. But why is it so difficult to say that the person bringing the offering does not have to be at the Beis Hamikdash when it is being offered? Maybe the slaughtering of the animal is all that is necessary for the Korban to be effective, and the presence of the one that brought the sacrifice is unimportant.

To answer these questions, Rav Kluger quotes a pasuk in Vayera, which says that after Avraham offered the angels food, "he stood over them beneath the tree" (18:8). When a host offers food to someone, he can have one of two motives. Either he can be giving the food to sate the eater's hunger, or he can be giving the food as a sign of respect. The fact that Avraham stood with them while they ate shows that he did not give the food just so that they could eat; otherwise, he could have just left them. Rather, the fact that he stayed with the angels showed that he was honoring them.

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**David
Drory
Senior**

Yaakov's Confidence

This week's parsha details Yaakov's journey back to Israel from Lavan's house. During his journey, he encounters first Esav, and later Shechem. These meetings were very different. When Yaakov hears Esav is approaching, he is terrified that Esav will kill him, and makes all sorts of preparations for battle. This included davening, preparing for war, and sending gifts. His war plan reflects his lack of full confidence in defeating Esav. He split his family into two different camps, so that if Esav attacked one, the other could survive. Again, this shows that he was not sure that he would defeat Esav in war. His encounter with Shechem, however, is very different. When the Torah describes how Shimon and Levi attack the city of Shechem, it says they do it with "Betch" (34:25), confidently. Rashi explains that they were confident in the power of Yaakov. This shows a distinct difference between the two encounters. When facing Esav, Yaakov was terrified, and his tactic of fighting was to save one half of his family, hoping that Esav only attacked one camp. Against Shechem, his sons were totally confident that they would not be defeated. Why did Yaakov have such different views over how a fight would end against these two nations?

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**Yechiel
Schwab
Junior**

דברי תורה מתלמידי מתיבתא רמב"ם

Forced Kiddushin

**Jacob
Bernstein
Senior**

There is a Gemarah on 2b of Kiddushin which discusses the diction of the Mishna. The Gemarah concludes that the specific lashon of “a woman is acquired” instead of “the man acquired her” is necessary because otherwise one would have thought that a man can even force the woman to accept Kiddushin. By not stating “the man acquired,” the Mishna shows that the woman must also agree.

Rashba quotes a question asked on the conclusion of the Gemarah. He asks “Is there even a Hava Amina to think that a man can force Kiddushin on a woman? In a normal case of selling an object, can one force a sale? Of course not. Similarly, a woman cannot be forced to marry”.

The answer to this question can be found in a Gemarah in Bava Basra (48a); Rava states that a forced sale (specifically when the buyer forces the seller) is a good sale, and the kinyan stands. Thus, there is reason to think a woman can be forced to marry.

Rashi explains that the kinyan works because the seller has both “da’as” (even though it is coerced) and a monetary gain.

The Gemarah continues and quotes Ameimar, who says this resembles the law of Kiddushin; if a woman is forced to agree to accept Kiddushin, the Kiddushin is valid. Mar bar Rav Ashi explains that mid’Oraisa she is mekudeshes, but mid’Rabanan she is not. This is because the man acted improperly by forcing the Kiddushin, and as a punishment, the chachamim uproot the Kiddushin.

The Rashba explains our Gemarah by way of the above Gemarah from Bava Basra, by explaining that the Hava Amina (that the wording of “a man acquires” would imply that forced Kiddushin works) is like Ameimar, who suggests that forced Kiddushin would actually work. B’maskana though, our Gemarah answers that we hold like Mar bar Rav Ashi, in that the Kiddushin would not work.

The Rashba then asks the same question backwards. If a man is forced to marry a woman, is the Kiddushin valid?

The Rambam in Hilchos Ishus (4:1) states that a woman is only mekudeshes with her own will, but if it is done forcefully, it is not effective. If a man is forced to do Kiddushin, however, it is effective.

The Magid Mishna explains why the Rambam felt that a man can be forced to do Kiddushin, and why a woman cannot be forced. By a woman, the Rabanan uproot the Kiddushin because if not, the woman would not be able to get out of the situation herself. By a man, however, the Rabanan didn’t have to uproot the Kiddushin, because if the man wanted to get out of the situation, he can always give her a get (divorce document).

The Ba’al Ha’itur argues on this Rambam, stating that even a man cannot be forced to do Kiddushin. He explains that the Gemarah in Bava Basra does not say that buyer can be forced into a transaction. Rather, only a seller can be forced. Since by Kiddushin, the woman is the seller (she sells her rights to marry anyone else, and agrees to do specific things for the husband), she can be forced into the marriage (mid’Oraisa). But a husband, who is considered a buyer (he pays the woman), cannot be forced.

Based on a Shiur by Rabbi Avrum Haar

Honoring Esav

continued

When sacrifices are offered in the Beis Hamikdash, they are not for Hashem’s benefit. Why would Hashem need a Korban? Rather, it is a demonstration of one’s honoring of God. But how would one honor God if he simply sent the offering to be slaughtered, without him being present? Obviously one must be in the Beis Hamikdash when his animal is being offered.

Yaakov wanted Esav to know that the presents were not simply being sent to make Esav wealthier. Rather, they were being sent as a token of honor, as proven by the fact that Yaakov was going to actually go to Esav. When Esav later declined the gifts, saying he already had plenty (33:9), Yaakov insisted, saying, “Seeing you is like seeing the face of God. When one brings “gifts” (sacrifices) to God, it is not because God needs it; it is honoring God. So too, I give you these presents not to increase your wealth, but to honor you.

We Must Not Be Silent

In this week's parsha we read about Shimon and Levi's killing of the people of Shechem. The Rambam explains that the people of Shechem deserved this punishment because they had not kept the sheva mitzvot bnei noach, a transgression punishable by death. The Rambam further states that not only were the people who transgressed such a sin chayiv misah, but also the community that did not prevent or punish them for their misdeeds were chayiv misa.

The people of Shechem witnessed the capture of Dina, and chose to do nothing. They did not warn nor punish the horrible actions of their fellow men. Rather, they remained quiet. It is for this reason, says the Rambam, that the entire city of Shechem was chayiv misah. The Ran, however, questions this approach. We know that a non-Jew is only punished when he actively transgresses a negative commandment, not when he fails to do an action. It seems that in the case of Shechem, the community failed to act. This is a horrible deed, but not a punishable one. This question can be answered from the text of the pasuk. When talking about the people of Shechem the Torah states "the people who desecrated their sister". While the entire community of Shechem did not desecrate Dina, the pasuk states that they each played a role in the sin. Perhaps, the pasuk tells us that by being silent, and doing nothing to stop this terrible act, one is in fact taking part in that sin.

This concept can be found in many places in the Torah. In Parshat Mattos, the Torah tells us that a man may choose to annul his wife's vows. The pasuk states, however, that if the husband is silent, he upholds her vow. Silence, says the Torah, is not impartiality. Rather, silence affirms the action, declaring it to be acceptable. So too, the people of Shechem were not neutral through their inactivity. Rather by not stopping the horrible sins from occurring it is as if they took part in it.

So often we see horrible things happen, and so often we do not react. We say to ourselves, "How horrible!" We say to ourselves, "What a shame!" But that is not simply silence! By doing nothing we are declaring that action to be ok. By being silent, we are taking part in that sin. Silence cannot be the answer. When we see an improper act, we must work to correct it. When we see a sin waiting to occur, chas vishalom, we must prevent it. The Torah tells us we have the power to do so. We can nullify our wives' vows but we must declare it. We must take the correct position and announce it. We must never be silent.

**Gaby
Novick**
Senior

Yaakov's Confidence

continued

A closer look at the characters of Eisav and Shechem provides an explanation. In parshas Toldos we read the story of the selling of the bechora. Some understand this to signify that Eisav sold his rights to Torah rule. Even though this would seem to indicate that Eisav had no desire for Torah or the worship of God, the story of the berachos later in the parsha would indicate otherwise. Even though the berachos were spiritual, Eisav still wanted to receive the beracha, showing that he did believe religion and spirituality had some significance. Using these two incidents, we can identify Eisav's true feelings about religion. He recognized the existence of God, knew that he should worship this God, and wanted to do so. However, his desires for the physical pleasures in this world usually overcame his desire to worship God. Despite this, when a big moment like the berachos came, he did remember that he was supposed to worship God. This would also explain why his head was buried in Maaras Hamechpala, because at the end of his life, he remembered that God was a top priority, and he repented.

Shechem on the other hand, was very different. His actions did not vary from spirituality, to physicality. His acts were always for the sake of physicality. When he wanted to marry Dinah, it was only out of physical desire, not because she was Yaakov's daughter. Even when he did an act of spirituality, of performing a bris milah, it was only for the sake of his physical desires. Eisav had physical desires, which overcame his spiritual desires, but he sometimes did acts of spirituality. Shechem, on the other hand, only acted out of physicality. Yaakov was the complete opposite of Shechem. He always acted for spirituality, even while performing physical acts.

Using these three different characters, we can offer an explanation to our question. Shimon and Levi were "confident" that Yaakov's merits would help them defeat Shechem. Shechem always acted for physical pleasure, while Yaakov acted out of a desire to better serve God. Yaakov was not as confident that he would defeat Eisav in war because he knew Eisav did have a part of him that wanted to act for spiritual purposes (even though it was often overcome by his physical desires). Yaakov was scared that God would let Eisav defeat him based on this merit. Shechem lacked this merit, so Shimon and Levi were not scared that they would lose. This distinction, can also explain a different question. When Eisav visits Yaakov, Yaakov locks Dinah in a box and is punished for it because she might have brought out the spiritual element of Eisav and caused him to repent. When Shimon and Levi kill Shechem for harboring Dinah they are not punished. This is because Shechem lacked the spiritual element necessary for Dinah's positive influence to cause a change in his ways.

Although Eisav is better than Shechem, that is not who we must strive to be. Indeed, Eisav does try to defeat Yaakov, but Yaakov's neck turns to stone when Eisav tries to kill him. This is because Yaakov has the greatest merit, full immersion in spirituality. He is our Av and role model, someone we must try to emulate. We must try to make everything we do, even physical acts, for the sake of God, as Yaakov did. By remembering the importance of worshipping God, we too can merit victory against Eisav.

Belief in Hashem

**Shmuel
Herzberg
Senior**

This week's Parsha tells of the angry response of Yosef's brothers to Yosef's implication that he would rule over them. After throwing Yosef into a pit, his brothers sold him to a band of Yishma'elim. The Torah mentions that the Yishma'elim were traveling with pleasantly smelling spices. Rashi asks why the Torah had to go out of its way to talk about the spices, and quotes a famous Midrash to answer. The Midrash says that normally, these caravans would be carrying tar or other objects that give off a bad smell. Hashem specifically had the Yishma'elim carry spices, so that Yosef's trip would be more pleasant.

This answer, however, is problematic. Yosef had just been betrayed by his brothers, and sold to a group of Arabs as a slave. For all he knew, he would never see his father again. It would seem, therefore, that being in a caravan with spices would not make his situation noticeably better. How can we really consider the spices a benefit to Yosef?

One can answer that the pleasant smell of the spices did not directly make Yosef's trip more bearable. Rather, he understood that the significance of the spices was that it showed Hashem had not abandoned him. If Hashem had really stopped caring about Yosef, why would the Arabs be carrying these pleasant spices? Rather, Hashem still watched over Yosef, and Yosef became aware of this when he saw the spices. Even in Yosef's terrible situation, he was comforted by the hope that Hashem would help.

This idea can help us give an answer to two questions asked about Chanukah, which will arrive in just one week. The first is the famous question of the Beis Yosef, who asks why we celebrate eight days of Chanukah, when the first day of the candles in the Menorah staying lit was not a miracle, as (ostensibly) the jug of oil was able to keep the candles lit for one day. The second question deems the very basis of having a holiday as problematic. For years already, the Jews had not been able to do any of the Avodah in the Beis Hamikdash. For years, they suffered religious persecution to a terrible degree. They had just managed to win a war, though probably many of them had been killed. Now they come to the Beis Hamikdash, and light the Menorah, no expecting it to last more than one day. Yet lo and behold, it lasts for eight. After all the pain and suffering, this miracle seems to be almost insignificant. After all the tribulations that the Jews just went through, is the fact that the Menorah stayed lit for a few more days really deserving of a yearly commemoration?

One answer given to the Beis Yosef's question is that the jug of oil found did not even hold enough oil to light all eight candles for one day; it only held enough to light one candle for one day. But this answer is troubling. Hashem blessed them with a miracle by enabling them to find a single pure jug of oil. Would it not have been appropriate to let the jug at least contain enough oil to let all the candles burn for one night? What was the value of a jug that did not even have enough oil to light all the candles for a single night?

To answer this, we can use the same idea that we said by Yosef. The cause for celebration by Chanukah was not simply that the Menorah burned for eight nights. Rather, the fact that any oil was found, and that Hashem performed a miracle with it, demonstrated to the people that Hashem was with them. It was not necessary to have the jug have enough oil to light all the candles for one night, as any miracle performed with the oil showed Hashem was with the people. And this demonstration of Hashem's desire to help Bnei Yisrael was extremely significant, especially having come after all of the hardships. For this reason, the miracle was worthy of a yearly commemoration.

Based on a Dvar Torah by Rabbi Eliyahu Hoffmann

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