



Parshat Vayeshev 23 Kislev, 5776/December 5, 2015 Vol. 7 Num. 13

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Drawing the Line **Rabbi Baruch Weintraub**

Our parshah begins the epic tale which will take us from Chevron to Shechem, from Shechem to Egypt, and conclude in Goshen, where Chumash Bereishit ends. Many lessons can be learned from this journey, and the layers of meaning in the text seem to multiply every time it is read. In particular, a strong message emerges from the moral turning point in Yosef's life.

There are multiple candidates for the **practical** turning point in Yosef's life, the moment when his trajectory began to arc upward. One could suggest that Yosef's fate turns around with his first encounter with Pharaoh. Alternatively, one might suggest that his successful interpretation of the servants' dreams, at the end of our parshah, is the decisive moment that begins Yosef's salvation. However, a clear **moral** turning point comes at a crossroads earlier in Yosef's life, in his struggle with Potiphar's wife. For the first time since Yosef begins to dream, we see someone drawing a line in the sand that he refuses to cross, explicitly saying no to what seems so natural and inevitable.

To look at the events that led up to this moment: Many commentators work hard to explain or justify the brothers' decision to throw Yosef into a pit and eventually sell him into slavery. Despite those justifications, Reuven was not persuaded. The Torah unambiguously tells us that Reuven, as the oldest and responsible brother, wanted to save Yosef and bring him back to his father. However, Reuven failed to openly and directly oppose his

siblings, instead convincing them to throw Yosef into a pit, and hoping that he would later return by himself and pull him out.

In the next chapter we are told about Yehudah and his dealings with Tamar. While we cannot fully explore that story, it is clear that, again, red lines were breached. Yehudah knew, as he would later admit, that not letting Tamar marry his young son, Shelah, was a mistake. Moreover, from his warning to his friend Chirah to stop looking for the *zonah* he met on the crossroads, "lest we will be mocked," one can infer that he knew that sleeping with her had been wrong. Again, red lines were crossed.

The brothers were not the only ones who crossed lines; Yosef was accused by his father of the same. After telling Yaakov his dream about the sun, moon, and stars coming to bow down to him, Yosef was rebuked by his father – can it be that you wish that your parents, symbolized by the sun and the moon, would bow down to you? Isn't that a breach of the fundamental relationship between children and parents?

Thus, in the stories leading up to Yosef's encounter with the wife of Potiphar, all boundaries and limits are transgressed, shattering sacred relationships between brothers, parents and children, husbands and wives. What stemmed this tide was Yosef's brave and courageous stand against his master's wife. Resisting the temptation of physical pleasure and promised liberation, Yosef stood fast, refusing to cross his red line. "How can I be

unfaithful to my master, and to G-d?" he asked. Our sages (Sotah 36b) saw Yosef's refusal to surrender not only as a victory of the spirit over physical desires, but also as a reaffirmation of Yosef of his commitments to Yaakov's values. The Talmud describes that what held Yosef back was "seeing his father's image" in the window.

By remaining true to his principles, Yosef gave meaning to the lot that had befallen him. He was a Jew, following in the footsteps of Avraham, Yitzchak, and Yaakov. His willingness to sacrifice and pay any price to do what was right won him the distinction of being a true servant of G-d. Armed with this self-assurance, Yosef was able to stand before Pharaoh and tell him of G-d's plans.

From Yosef we learn that drawing red lines in our own lives does not just hold us back from doing what is prohibited; rather, their existence defines who we are and outlines that to which we aspire.

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Nishmat Avraham
Rabbi Dr. Avraham Sofer Abraham
Machon Schlesinger, 2nd ed. 2007

About the author

Born in Jerusalem, Rabbi Dr. Avraham Sofer Avraham attended medical school in Leeds, England, and became a member of the Royal College of Physicians in England. In 1970 he returned to Israel, and in 1973 he began to work at Shaarei Zedek Medical Center in Jerusalem, while engaged in medical research at Hebrew University and Hadassah Hospital. Rabbi Dr. Avraham is now Emeritus Professor of Medicine, Hebrew University and Hadassah Medical School, and he recently retired from his position as Director of the Department of Internal Medicine B at Shaarei Zedek.

Over the decades of his service at Shaarei Zedek, Rabbi Dr. Avraham asked thousands of questions of Israel's leading authorities in medical halachah – Rabbi Shlomo Zalman Auerbach, Rabbi Yosef Shalom Elyashiv, Rabbi Yehoshua Neuwirth, Rabbi Eliezer Waldenberg, and others. He has drawn upon these responses in dozens of articles, as well as his encyclopedic *Lev*

Avraham, Comprehensive Guide to Medical Halachah, and *Nishmat Avraham*.

About the book

A student who wishes to gain a full understanding of any branch of halachah would do well to start from the basics, learning Talmud and its commentaries, Rambam and Tur and Shulchan Aruch, as well as responsa. Not every student is looking for a full understanding, though; sometimes, one just needs a practical answer to a particular question. This is certainly true in medical halachah, with questions like, "How do we determine a patient's capacity to make decisions?", "Is a Jew permitted to employ alternative medicine?", and "When is a hysterectomy permitted?"

Nishmat Avraham is an ideal resource for addressing those questions. The text follows the structure of Shulchan Aruch, exploring all corners of Jewish law. Sometimes the connections between a particular section of Shulchan Aruch and the relevant medical halachah are obvious, as in the case of Orach Chaim 328, which deals with providing medical care on

Shabbat, or the end of Yoreh Deah with its laws of caring for the sick. Others might be less obvious, such as Orach Chaim 319 on the laws of *boreir* [sorting] on Shabbat; Rabbi Dr. Abraham applies these laws to filtering urine for kidney stones, and sorting test results and medical instruments. The elaborate index is a great help in finding those less obvious connections.

Rabbi Dr. Abraham presents background material from talmudic sources as well as later authorities, and then explains the application of this material to modern questions. The author cites a range of modern authorities, primarily the four authorities named above, as support for his conclusions. The writing in *Nishmat Avraham* is generally succinct, in relatively simple Hebrew, with footnotes pointing to further reading.

An English translation of *Nishmat Avraham* is available from Artscroll. The second Hebrew edition of *Nishmat Avraham* is available on www.hebrewbooks.org.

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The mitzvah

The Torah instructs us to take care of the needy:

- Avoid causing them emotional pain (Sefer haChinuch #65)
- Extend interest-free loans to them, and not to attempt to collect from those who lack the means of re-paying (#66-68, 343, 480, 572-573)
- Provide financial assistance, and not to delay fulfillment of a pledge to help (#478-479, 574)
- Leave them produce during the harvest, specifically that which was dropped or missed in the field or vineyard, as well as the last corner of the field (#216-223, 592-593)

In addition, the Torah obligates us to give a tenth of our Israeli produce to the needy, during the third and sixth year of the seven-year *shemita* cycle. This is called *maaser ani*, and it is the only tithe which is given to the proper recipient and consumed even in impurity. Sefer haChinuch lists this as the Torah's 474th mitzvah.

One who harvests or receives Israeli produce first separates *terumah* for the kohen, and then separates 10% as *maaser rishon* for the Levi. Following this, one then separates 10% of the remainder as *maaser ani* for the needy. One may hold on to this produce until he finds an appropriate recipient, and one may eat the rest of the produce even before distributing the *maaser ani*.

How much to give

Devarim 26:12 describes the practice of *biur maaser*; after the third and sixth year of the seven-year *shemita* cycle, we are obligated to distribute any tithes which remain in our possession. The passage concludes, "And they shall eat at your gates, and they shall be full." Based on this, the sages

ruled that a farmer who is approached for the tithe in his granary should give each needy person his fill, rather than give smaller amounts. However, one who is approached at home may give any amount. (Mishnah Peah 8:5; recorded in Mishneh Torah, Hilchot Matnot Aniyim 6:7-12)

A link to tzedakah?

Rabbi Moshe Isserles (Rama Yoreh Deah 331:146) noted that many laws of tzedakah are learned from the laws of *maaser ani*. In one example, Rabbi Isserles contends that tzedakah money should not be used to purchase items for communal mitzvot; the money should go to the needy. (Rama Yoreh Deah 249:1)

There is some debate regarding the precise nature of the relationship between the 10% tithe that is *maaser ani* and the *maaser kesafim* practice of contributing 10% of one's income to the needy.

- Rabbi Yoel Sirkis (Bach Yoreh Deah 331 *v'ei notnin*) wrote that there is no relationship between *maaser ani* and *maaser kesafim*, and therefore the rules of distributing *maaser ani* do not apply to *maaser kesafim*. This was supported by Rabbi Yaakov Reischer. (Shevut Yaakov 2:85)
- Rabbi David HaLevi Segal (Taz Yoreh Deah 331:32) contended that the two tithes are indeed one law, and so there is a formal obligation to donate 10% of one's income, just as there is a formal obligation to separate the *maaser ani* tithe. This is supported by Rabbi Yair Bachrach (Chavot Yair 224), who noted that there are those who link *maaser kesafim* with Devarim 14:22, a verse which deals with the tithes separated from produce.

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Biography

Rabbi Yehuda Herzl Henkin

Rabbi Jonathan Ziring

Rabbi Yehuda Herzl Henkin is a prominent contemporary Orthodox halachic authority, and a prolific author. He has written four volumes of *teshuvot* (legal responsa), titled *Shut B'nei Banim*; a collection of responsa in English, *Responsa on Contemporary Jewish Women's Issues*; and many halachic articles. He has also written a book on the laws of modesty, *Understanding Tzniut: Modern Controversies in the Jewish Community*, which is a response to the extremism he perceived in Rabbi Yehoshua Falk's work on the topic, *Oz VeHadar Levushah*. Rabbi Henkin has also published several works of commentary on the Torah, both in English and in Hebrew.

Rabbi Henkin is originally American, a graduate of Yeshiva of Flatbush. His primary teacher, however, was his grandfather, the renowned halachic authority Rabbi Yosef Eliyahu Henkin. His relationship with his grandfather is the basis for the title of his responsa, *Shut B'nei Banim*: "the responsa of grandsons".

In Israel, Rabbi Henkin was the rabbi of the Beit She'an Valley region in Israel for many years. Now he is dean of some of the programs of Nishmat, the institution started by his wife, Chana Henkin. Specifically, he is the official dean of the Keren Ariel program training *Yoatzot Halacha*, women who study to answer questions for other women about the laws of niddah and related issues.

Rabbi and Rabbanit Henkin's son, Rabbi Eitam, was one of his primary students, who followed his methodology of *psak* (issuing halachic rulings), but was tragically killed by terrorists this past Succot.

The piece translated here is Rabbi Henkin's description of how he answers halachic questions; it gives insight into the mind of this great modern halachic authority.

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Torah and Translation

A Halachic Authority's Method

Rabbi Y. H. Henkin, Introduction to B'nei Banim 3

Translated by Rabbi Jonathan Ziring

הנה נא לא זקנתי לא ידעתי יום מותי, לכן ארשום קצת מהנהגותי בברור הלכה למען יהיו הדברים למוכרת.

בשאיני ניגש לשאלה חדשה או חמורה אני עובר תחילה על הסוגיות ועל דברי הראשונים והאחרונים ברפרוף, גם אם טרם עמדתי על דבריהם, ואחר כך חוזר עליהם בשניה ובשלישית וכו' וכל פעם מדייק יותר. נמצאים אצלי הרבה מספרי הראשונים ואני מנסה לעיין בכלם וכן באחרונים, ומדפדף הרבה וגם נעזר בספרים כמו אור הישר, בני ציון על אורח חיים שנדפס מחדשן גליוני הש"ס, יד תמר על הירושלמי, מרגליות הים, משנת אברהם על ספר חסידים ועל הסמ"ג שכל אלה מציינים מקורות וספרים אחרים. בחלק ג' השתמשתי בתוכנית מחשב בשנים או שלושה מקומות, ובחלקים א' וב' אף פעם לא.

לפעמים אני יודע מראש את המסקנה שאני אליה, ולפעמים איני יודע אלא שוקל ובודק את הדברים תוך כדי כתיבה, פושט צורה ולובש צורה עד שיוצאת סולת נקיה. בהרבה מקומות שחדשתי בעצמי ואחר כך מצאתי הדברים בספרים כתבתי "וכן כתב פלוני" ואילו במה שראיתי תחילה אצל אחרים כתבתי "וכמו שכתב פלוני". ובהרבה מקומות שחדשתי דבר ולא ראיתיו בספר אחר כתבתי בסתם, כי אי אפשר לכתוב לע"ד בכל משפט, גם לפעמים תרצתי איזה קושי דרך אגב בלי לציין מה היה הקושי ורק הקורא המשכיל יבחין.

כשאני עסוק בתשובה אני מהרהר בה בחלום ובהקיץ בלכתי בדרך ובשכבי ובקומי, וקם באמצע הסעודה ויורד מעל מטתי בלילה לעיין שוב בספרים או לרשום איזה רעיון, כי היא כאש עצור בעצמותי. זכרה לי אלקי לטובה, והאר עיני בתורתך והנאני מזיו שכינתך בזה ובבא וזכני בבני בני העוסקים בתורה וזיכוי הרבים.

Behold, have I not become old, and I do not know the day of my death. Therefore, I will note some of my practices in clarifying halachah, so that these words will be a commemoration for me.

When I approach a new or weighty question, I first cursorily review all of the [relevant talmudic] sections, the words of the early and late commentaries as a survey, even if I've just dealt with their words. Then I review them a second and third time, etc., and each time I am more precise. I have many works by the early commentaries, and I try to look at all of them, and so too with the late commentaries. I skim all of them, and am also aided by [list of reference books], for all of these reference other books and sources. In Volume Three I used a computer database two or three times, although in Volumes One and Two I never did.

Sometimes I know the conclusion I will reach in advance, and sometimes I don't, and I weigh and examine the issues while writing, removing one form and taking on another, until pure flour emerges. In many places where I said something novel and then found that other books had said it, I wrote, "And so X said". If I saw it first by others, I wrote, "And as X said." In many places where I said something novel that I had seen in no other book, I just wrote, because one cannot say "in my humble opinion" in every sentence. Sometimes, I answered a question inter alia without noting the question, and only the insightful reader will understand.

When I am involved in a responsum, I think about it while dreaming and while awake, when I am walking on the way, when I lie down and when I get up. I get up in the middle of the meal, get off my bed at night to look at books again or to jot down an idea, because it is like fire trapped in my bones. My G-d, remember me for good, and enlighten my eyes in Your Torah, give me pleasure from the radiance of Your Shechinah, in this world and the next, and may I merit descendants who are involved in Torah and providing merit for the community.

This Week in Israeli History: 25 Kislev 5768 (2007) Discovery of Queen Helena's Palace is Announced

Yisroel Meir Rosenzweig

25 Kislev is Monday

On the 25th of Kislev, 5768, (December. 5, 2007), the Israel Antiquities Authority announced that an archaeological dig led by Dr. Doron Ben-Ami had discovered an edifice beneath a parking lot in the City of David. Dated to the end of the Second Temple Period, the structure is believed to have been built by the royal Hadyab family that originated in the Kingdom of Adiabene, located in present-day Iraq.

The most notable member of the family and owner of the palace was Queen Helena (Heleni HaMalkah). She lived in immediately before the destruction of the second Beit HaMikdash, passing away ca. 50-56 CE. Born in Adiabene, she converted to Judaism, moved to Israel, and eventually settled in Jerusalem. She is mentioned numerous times in

the Talmud, including Yoma 37a-b, Nazir 19b, and Sukkah 2b. These sources speak of her commitment to Judaism as well as her contributions to the Beit HaMikdash. Josephus (Antiquities II 5:2) records that Queen Helena spearheaded an effort to provide much-needed food to the residents of Jerusalem during a famine.

Inside the palace complex, archaeologists found basement openings that are believed to have been used by the residents to flee before the destruction of the Beit HaMikdash. Additionally, stones and building material from the upper stories were found in the basement; the structure appears to have been intentionally demolished, although the exact motivation is unclear.

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Weekly Highlights: Dec. 5 – Dec. 11 / 23 Kislev – 29 Kislev

Time	Speaker	Topic	Location	Special Notes
שבת Dec. 4-5				
After Hashkamah	R' David Ely Grundland	Yosef	Shaarei Shomayim	
Before minchah	R' Jonathan Ziring	Daf Yomi	BAYT	
After minchah	R' Mordechai Torczyner	Gemara Avodah Zarah	BAYT	
6:30 PM	R' David Ely Grundland	Parent-Child Learning	Shaarei Shomayim	
Sun. Dec. 6				
8:45 AM	R' Mordechai Torczyner	Medical Halachah w/CME The Laws of Giving Up	BAYT	Non-doctors welcome
8:45 AM	R' Josh Gutenberg	Contemporary Halachah	BAYT	Chanukah
8:45 AM	R' Jonathan Ziring	Hosheia	BAYT	Hebrew
9:15 AM	R' Shalom Krell	The Book of Shemuel	Associated (North)	Hebrew
10 AM to 11:20 AM	Mrs. Ora Ziring R' Jonathan Ziring	Yehuda, Tamar & Marriage Chanukah & Yom ha'Atzmaut	Forest Hill Jewish Centre	Midreshet Yom Rishon For women
Mon. Dec. 7				
Chanukah Day 1				
7:30 PM	Yisroel Meir Rosenzweig	Modern Karaites	Yeshivat Or Chaim	Beit Midrash Night
7:30 PM	R' David Ely Grundland R' Mordechai Torczyner	Daf Highlights Medical Halachah	Shaarei Shomayim	Beit Midrash Night
Tue. Dec. 8				
Chanukah Day 2				
10:00 AM	Mrs. Ora Ziring	Women's Beit Midrash	Ulpanat Orot	
10:00 AM	R' Mordechai Torczyner	Menorah and Messiah	Adath Israel	There is a fee info@adathisrael.com
12:30 PM	R' Jonathan Ziring	Profit from Unethical Businesses	Miller Thomson 40 King St. West	Lunch served; RSVP pwatson@millerthomson.com
1:30 PM	R' Mordechai Torczyner	Iyov: Chap. 25: Bildad's Last	Shaarei Shomayim	
Wed. Dec. 9				
Chanukah Day 3				
10:00 AM	R' Mordechai Torczyner	Peace III: Jews & Non-Jews	Beth Emeth	Register with savtaletta@gmail.com
11:15 AM	R' Jonathan Ziring	Playing G-d III: GMO Foods	Beth Emeth	
12:30 PM	R' Mordechai Torczyner	Professional Malpractice	Miller Bernstein	cchoi@millerbernstein.com
8:00 PM	Yisroel Meir Rosenzweig	Electricity on Shabbat II	Shaarei Tefillah	
Thu. Dec. 10				
Chanukah Day 4				
1:30 PM	R' Mordechai Torczyner	Yehoshua: Cities of Refuge	49 Michael Ct.	