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**Parashat Toledot**

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## Explaining Eisav: A New Perspective on the Brothers' Relationship

by Tani Greengart ('18)

Parashat Toledot brings us the beginning of the relationship between brothers Eisav and Ya'akov, a relationship that persists through Parashat VaYishlach. The most momentous event in the relationship is undoubtedly their father Yitzchak's blessing of the firstborn, which Ya'akov steals from Eisav (BeReishit 27:1-35). When Eisav realizes what Ya'akov has done, he vows to kill Ya'akov after Yitzchak dies, forcing Ya'akov to flee for his life to the land of Charan (28:1). But when Eisav meets Ya'akov twenty years later in Parashat VaYishlach, Ya'akov sends gifts of animals to Eisav and the brothers mend their relationship, going their separate ways. And when Yitzchak dies many years later, Ya'akov and Eisav bury him together (35:29), yet Eisav still does not kill Ya'akov. Three questions arise:

1. Why does Ya'akov's theft of the blessing warrant Eisav's murder vow?
2. Why does Eisav promise to wait to kill Ya'akov until after Yitzchak dies?
3. Why does Eisav later change his mind and not kill Ya'akov?

To answer the first two questions, we must return to Yitzchak's blessings. When Eisav finds out that Ya'akov stole the firstborn blessing, he is understandably furious at Ya'akov. But Eisav does *not* promise to kill Ya'akov at this time; he just makes a derogatory pun about Ya'akov's name (Ya'akov's name is etymologically similar to "Ya'akeiv," meaning to deceive [27:36]). Eisav promises to kill Ya'akov only *after* hearing the blessing that Yitzchak gives Eisav, the end of which reads: "*Al Charbecha Tichyeh*

*VeEt Achicha Ta'avod, VeHayah Ka'asheir Tarid UPharakta Ulo MeiAl Tzavarecha,"*

"You will live by your sword and serve your brother, but when you grieve, you will break his yoke off your neck." Only after hearing this blessing does Eisav profess his hatred for Ya'akov and promise to kill him after Yitzchak dies.

Based on the order of the Pesukim, it appears that Eisav does not hate Ya'akov because Ya'akov stole his blessings. Eisav hates Ya'akov only because of the blessing that *Eisav* was given, that Eisav will serve Ya'akov. Eisav does not want to be a servant to Ya'akov; as an expert hunter, he craves his freedom.

Eisav promises to kill Ya'akov only after the death of Yitzchak because he misinterprets the end of his blessing, "when you grieve, you will break Ya'akov's yoke from your neck." Yitzchak probably intends for this part to mean that when Eisav grieves, he will be free from service to Ya'akov. Eisav misinterprets the blessing to mean that when he grieves, he will be able to throw off the yoke of servitude forever by killing Ya'akov. Given that the beginning of that Pasuk is "you will live by the sword," this is not an unreasonable conclusion to draw. And when will Eisav be grieving? After the death of his beloved father. Eisav's misinterpretation of the blessing is evident from his words: he promises to kill Ya'akov in "*Yemei Eivel Avi,"* "the days of my father's mourning" (27:41). He specifies the days of his father's *mourning* rather than the days of his father's death because the mourning aspect is what he thinks triggers the blessing to give him the right to kill Ya'akov.

When Eisav meets Ya'akov on the way back from Charan in Parashat VaYishlach, he thinks that Ya'akov will try to enslave him, as the blessing predicts. Eisav is prepared to hate Ya'akov, but most likely not expecting to kill Ya'akov, as Yitzchak has not yet died.

When Eisav receives gifts of animals that Ya'akov sends to appease him, he is confused as to why Ya'akov, the master, is offering gifts to Eisav, the servant. Therefore, he politely turns them down, asking why they were sent (33:8). And then Ya'akov's

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answer completely blows Eisav away: “*Yeish Li Kol*,” “I have everything” (33:11).

In this short line, Ya’akov tells Eisav that he does not need the gifts he sent him, because Ya’akov already has everything that he needs. For the first time, Eisav realizes that Ya’akov does not want to enslave him, even though Ya’akov has the right to do so, because Ya’akov does not want anything more than he already has. If Ya’akov does not want to be the master of Eisav, there is no reason for Eisav to hate Ya’akov. So Eisav lets go of the twenty-year-old anger. The brothers part amicably and go their separate ways, seemingly removing any and all enmity that there had been between them. And this rekindling of the brotherly pact reaches its pinnacle with the joint burial of Yitzchak many years later.

The reconciliation of Eisav and Ya’akov, specifically the line “*Yeish Li Kol*,” is the culmination of the story of Ya’akov in the Torah. Ya’akov still appears in the Torah, but he is not the main character anymore – that baton has been passed to his sons.

The story of Yitzchak also ends with the word “*Kol*.” In Parashat Toledot, when Yitzchak realizes that the person who received Eisav’s blessings was not, in fact, Eisav, he remarks to Eisav (27:33) “*Mi Eifo Hu HaTzad Tzayid VaYavei Li VaOchal MiKol BeTerem Tavo VaAvarecheihu?*” “Who then is the one who hunted game and brought it to me, and I ate of **everything** while you had not yet come, and I blessed him?” The food that Ya’akov brought Yitzchak was certainly not infinite and could not logically be described as “everything.” Yet Yitzchak describes it that way because, to Yitzchak, that food is everything he needs, and he does not desire anything more. Once he reaches this revelation, the narrative of the Torah switches to Ya’akov.

And the same thing happens by Avraham: after the line “*VaHashem Beirach Et Avraham BaKol*,” “God blessed Avraham with **everything**” (24:1), the Torah’s narrative switches to the story of finding a wife for Yitzchak.

Once the Avot realize that they have everything they need, their stories are complete, as there are no more lessons to be learned from them. It is for this reason that the word “*Kol*,” “everything,” has the same root as the word

“*Lechalot*,” “to complete.” When a person realizes he has everything, the story of his life is complete.

*Kol Torah proudly presents this fourth part of a very significant Halachic piece written by Rabbi Dr. Ephraim Rudolph, a TABC alumnus. His discussion on the permissibility of tooth brushing on Shabbat will be concluded in this issue. This issue will begin by discussing another possible reason to permit brushing teeth on Shabbat, namely the leniency afforded to a Refuah She’aino Nikeret.*

## BRUSHING TEETH ON SHABBAT: A REEVALUATION IN LIGHT OF RECENT RESEARCH – PART FOUR

by Rabbi Dr. Ephraim Rudolph DDS (TABC '98)

*Refuah She’aino Nikeret*

One might argue that toothpaste should be permitted as a *ma’achal beri’im* because most people still think that brushing teeth only prevents future cavities by removing plaque from the teeth. One of the explanations for why *ma’achal beri’im* is permitted on Shabbat is that it is unclear to the observer that the item is ingested for *refuah* purposes, as it is commonly taken by healthy individuals; it is a “*refuah she’einah nikeret*.”<sup>1</sup> Similarly, since most people are not aware of how fluoride really works, when people brush their teeth, it is *refuah she’einah nikeret*. Even though tooth-brushing constitutes *refuah*, one is not aware that *refuah* is taking place.

This argument may be questionable. *Refuah she’einah nikeret* may possibly refer only to a situation in which others will misinterpret what is taking place because of the normal usage of the item, not because people in general do not understand how the item is used.

However, according to Rav Weiss, who holds that the prohibition of *refuah* is based on the public perception and not science, perhaps the leniency of *refuah she’einah nikeret* is also based on the perception and not on science. But, as pointed out earlier, there may come a time when the general population does know that fluoride rebuilds teeth.

Rabbi Jachter adds an additional reason to the *refuah she’einah nikeret* approach. As noted, the impact of tooth brushing varies by individual and even varies from time to time for each individual. Thus, since absent a professional evaluation one cannot know if he is actually engaging in an act of *refuah*, tooth brushing should be considered *refuah she’einah nikeret*. Thus, since it is difficult to assess one’s dental health and since current scientific thinking is subject

<sup>1</sup> See previous issue.

to some debate and is liable to change in time, it is reasonable to argue that tooth brushing should be evaluated from a common sense perception which is, as stated by Rav Ovadia Yosef, that one is simply *mavriach ari* and not engaged in an act of *refuah* when brushing his teeth.

However, Rabbi Jachter's insight would only regard the medicinal aspect of toothpaste. With regards to the vitamin aspect of fluoride, however, almost all scientists are in agreement as to its benefit and also almost everyone can assume that the fluoride is strengthening or fortifying their teeth even without the diagnosis from a professional.

In summary, if many people are considered *cholim* with regard to their teeth, the *heter* of *ma'achal beri'im* may not apply. Even if that is not the case, and population-wise it could be that the non-*cholim* segment is large enough to create a *ma'achal beri'im* status, the classification of *ma'achal beri'im* may still not apply if fluoride is considered to be a type of medication. This would depend on whether or not aspirin is a *ma'achal beri'im*. Although one might argue that toothpaste is comparable to vitamins, which are permitted by some *Poskim* as a *ma'achal beri'im*, other *Poskim* do not permit vitamins on Shabbat. Also, although many people are not aware of how fluoride affects their teeth, that may not indicate that fluoride is in fact a *ma'achal beri'im*. However, based on the *teshuva* of Rav Weiss, as well as the insight of Rabbi Jachter, it may still be possible to utilize the *heter* of *refuah she'einah nikeret* and *ma'achal beri'im*.

#### Routine Medication

Rabbi Jachter suggests another leniency based on the opinions that the prohibition of *refuah* does not apply to an activity performed routinely. *Shemirat Shabbat Kehilchata* (34: note 76) cites Rav Shlomo Kluger and the Chazon Ish, who permit taking medicine on Shabbat if it is part of a routine that was established before Shabbat. Rav Yosef Adler cites Rav Yosef Dov Soloveitchik who reported that Rav Chaim Soloveitchik adopts the same approach. For example, if someone is taking antibiotics for ten days, he may take the antibiotics on Shabbat as well. A reason to be lenient in this situation is that the concern that one may grind

medicine on Shabbat is moot, as one usually obtains the medicine before Shabbat if he knows that he must take this medicine for a specific period of time.

According to this approach, there should not be concern for *refuah* regarding tooth brushing since it is done on a daily basis. Research has shown that a frequent, constant low concentration of fluoride is critical for the remineralization success and therefore it is important to brush on a daily basis<sup>2</sup>.

Rabbi Jachter notes, though, that Rav Moshe Feinstein (Teshuvot Igrot Moshe Orach Chaim 3:53), Rav Shlomo Zalman Auerbach (cited in *Shemirat Shabbat Kehilchata* 34: note 76), and Rav Eliezer Waldenberg (Teshuvot Tzitz Eliezer 8:15:15:15) express serious reservations about this lenient approach.

#### Brushing for non-health reasons

The *Mishnah* (Shabbat 14:3) writes that one is not allowed to drink "*may dekalim*" for *refuah* but one may drink it to quench one's thirst. *Rashi* (Shabbat 109b s.v. *may*) writes that this leniency refers only to healthy people; only healthy people are allowed to use the medication *may dekalim* for a non-medicated use. Many *Rishonim* disagree with *Rashi* and hold that even sick people are allowed to use medication for non-medicated purposes<sup>3</sup>. The *Biur Halacha* discusses this topic and concludes that most *Rishonim* reject *Rashi*, but he is still uncertain how to resolve this issue<sup>4</sup>.

Based on this, perhaps it could be argued that if people would like to brush on Shabbat, they do so purely for hygienic and esthetic reasons. People know that missing one morning brush will not affect their health and so they could have in mind that they are brushing only to have clean, fresh and good-smelling mouths<sup>5</sup>. Maybe it could be argued that since most *Rishonim* are lenient in this scenario and it is not certain that toothpaste is *refuah*, and perhaps the *heter* of *ma'achal bri'im* does apply to

<sup>2</sup> Rošin-Grget K<sup>1</sup>, Peroš K, Sutej I, Bašić K, "The cariostatic mechanisms of fluoride," *Acta Med Acad.* 42:2 (Nov 2013): 179-88; Nóbrega DF<sup>1</sup>, Fernández CE, Del Bel Cury AA, Tenuta LM, Cury JA, "Frequency of Fluoride Dentifrice Use and Caries Lesions Inhibition and Repair," *Caries Res.* 50:2 (March 2016):133-40.

<sup>3</sup> See *Biur Halacha Orach Chaim* 328 *dibbur hamatchil aval*

<sup>4</sup> *ibid*

<sup>5</sup> Some may object and claim that this may be an issue of *ha'ramah*, circumventing the *halacha*, and only those individuals who brush daily for hygienic reasons and not health reasons can utilize this leniency. Also, even though a constant low level of fluoride is necessary for remineralization, missing one morning brushing will not greatly affect the process.

toothpaste, as well as Rav Schachter's *heter*, it would be permissible for these individuals to brush their teeth on Shabbat as they are brushing their teeth for non-medicinal purposes. Rabbi Jachter believes that this is the implicit intention of those Bnei Torah who brush their teeth on Shabbat.

#### *Memarayach*

In addition to possibly violating the prohibition of *refuah* on Shabbat, tooth-brushing might potentially violate the prohibition of *memarayach* (spreading), a *toladah* of *memachek* (smoothing)<sup>6</sup>. R. Ovadia Yosef maintained that tooth-brushing does not pose a problem of *memarayach* because in order to violate the *malacha*, one has to have intention that the substance that he is spreading will remain on the surface. This is not the intention, he writes, of one who spreads toothpaste on his teeth; his intention is only that the toothpaste should facilitate the removal of plaque, not that it remain on his teeth<sup>7</sup>.

However, based on the new understanding of the mechanism of fluoride, there are new instructions for brushing teeth: one should have the toothpaste remain on the teeth for at least two minutes and then spit it out, without rinsing after brushing<sup>8</sup>. In order for fluoride to provide its health benefits, it must remain on the teeth for a significant period of time. Accordingly, if one brushes properly and follows the new guidelines, then he indeed intends to have the toothpaste remain on the teeth. Furthermore, the longer toothpaste remains on plaque, the more likely the antimicrobials in the toothpaste will be able to penetrate the biofilm and kill the bacteria, thereby reducing or preventing gingivitis<sup>9</sup>.

It is possible to argue that R. Yosef meant that one has to intend that the substance should remain on the surface for a significant amount of time, which is still not the case regarding toothpaste. Additionally, R. Soloveitchik ruled that tooth-brushing is not a problem of *memarayach*, as *memarayach* is violated only when the new and smooth outer coating remains on the surface on which it

is applied<sup>10</sup>. Toothpaste does remain on the surface in a significant way for a long period of time.

#### *Conclusion*

The new research regarding how toothpaste prevents cavities may significantly impact the *halachot* of brushing teeth on Shabbat. The halachic topics of *refuah* on Shabbat, the status of preventative medication, *ma'achal beri'im*, and *memarayach* must be re-addressed as the new science might undermine the lenient approaches of Rav Soloveitchik and Rav Ovadia Yosef to allow tooth-brushing on Shabbat. However, we have presented new *rulings* from Rav Asher Weiss and Rav Herschel Schachter, as well as other possibilities, that may enable the lenient position to remain intact despite these developments. Those who follow the lenient approach and brush their teeth on Shabbat should consult with their Rav to see if they are still permitted to do so. In addition, Rabbi Jachter notes that many people who adopt the strict approach of Rav Moshe Feinstein regarding tooth-brushing on Shabbat use either mouthwash or liquid toothpaste, formulated to avoid concern for *memarayach*. Based on the new research, without the leniencies mentioned, these items may also be prohibited on Shabbat due to the prohibition of *refuah* on Shabbat.

**Editors-in-Chief:** Hillel Koslowe, Yehuda Koslowe

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**Rabbinic Advisor:** Rabbi Chaim Jachter

Questions, comments? Contact us at:

*Kol Torah*

*c/o Torah Academy of Bergen County*

*1600 Queen Anne Road*

*Teaneck, NJ 07666*

*Phone: (201) 837-7696*

*koltorah@koltorah.org*

To subscribe to Kol Torah via email, message [webmaster@koltorah.org](mailto:webmaster@koltorah.org)

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<sup>6</sup> *Memarayach* is the prohibition of spreading a substance onto a surface. The consistency and density of that substance determines whether the violation is Biblical or Rabbinic. If the substance is a pliant solid, *memarayach* constitutes a Biblical prohibition; if the substance is a semi-solid, it would only be a Rabbinic injunction. Most *Poskim*, such as R. Yosef (*Yabia Omer*, *Orach Chaim* 4:27:1), maintain that *memarayach* with toothpaste would at most violate a Rabbinic prohibition. In his article, R. Lebowitz (n.5) notes that it is possible to argue that there is a Biblical prohibition

involved here as well based on a slightly different understanding of which substances are Biblically forbidden.

<sup>7</sup> *Yabia Omer*, *Orach Chaim* 4:27.

<sup>8</sup> K. Sjögren, J. Ekstrand, and D. Birkhed, "Effect of Water Rinsing After Toothbrushing on Fluoride Ingestion and Absorption," *Caries Res* 28 (1994): 455-9.

<sup>9</sup> P.D. Marsh, "Microbiological Aspects of the Chemical Control of Plaque and Gingivitis," *J Dent Res* 71 (1992): 1431-8.

<sup>10</sup> *Nefesh HaRav*, pp. 168-9.