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THE YOSEF-YA'AKOV ENCOUNTER AND THE TRANSMISSION OF MESORAH

by *Rabbi Daniel Fridman*

In what is unquestionably one of the Torah's most dramatic moments, Yosef and Ya'akov are reunited after a separation of over two decades. Yosef's movements and response are tracked closely by the Torah, from his noteworthy preparation of his own chariot, "ויאסר יוסף מרכבתו,"¹ to his traveling in the direction of his father, "וירא אליו," to the actual visualization, "ויפל על צוואריו ויבך על צוואריו" to Yosef's collapse into his father's arms, "ועוד." Noting Ya'akov's sheer silence, or inaction, throughout the dramatic encounter, Rashi² cites the rabbinic tradition that Ya'akov Avinu was reciting the Shema.

In attempting to discern the meaning of this Midrash, it is perhaps the most straightforward approach to note that Ya'akov thought that he was truly about to die from this heightened emotional state, and thus, he recited the Shema in the context of his anticipated demise. After all, in the very next verse, Ya'akov indeed does say that he will not die, "אמותה הפעם אחרי ראותי את פניך."³ While Ya'akov may simply have been saying something to the effect that he may not die in peace, that he has seen his beloved Yosef, it is entirely possible that the Midrash read Ya'akov's words with more of a literal interpretation. In further support of this particular interpretation of the Midrash, when Ya'akov first learns that Yosef is alive, he makes direct reference to the fact that he may soon die, "רב עוד יוסף בני חי אלקה ואראנו בטרם אמות."⁴

The Rav, however, opted for an entirely different reading of this Midrash⁵. Noting that the first paragraph of שמע is not merely a statement of faith in Divine unity, the mandate to love God, but also to study the Torah with one's children, "ושננתם לבניך," the Rav argued that Ya'akov was engaged in a moment of profound recognition that he would be able to resume this sacred endeavor with Yosef. After all, the first seventeen years of Yosef's

life were marked by, according to the rabbinic tradition, immersive study with Ya'akov, as father poured into his extremely talented and gifted son⁶ all of the Mesorah which he had absorbed⁷.

In the brief space which follows, I would like to try to develop the Rav's approach to the Yosef-Ya'akov encounter further, and explore some of its implications. First and foremost, something tantalizing about this reunion emerges according to the Rav's reading. As is well known, the Midrash⁸ relates that Ya'akov was only convinced that Yosef was actually alive when he saw the royal wagons which Yosef had sent to transport him back to Egypt, "וירא את העגלות אשר שלח יוסף לשאת אותו ותחי רוח יעקב אביהם."⁹ The Talmud explains that Ya'akov understood that it in fact had to be Yosef, and no one else, who sent these, as only Yosef could have known that the final Sugya which they had studied together was the topic of the עגלה ערופה.

According to the Rav's approach, however, it is not merely that Yosef was sending Ya'akov an ironclad proof that he was still alive, but communicating to his father something of far greater import. Yosef was suggesting to Ya'akov that he was, in effect, ready to pick up from the same Sugya, the same line. Life may have cast him into the role of the ruler of Egypt, but, as far as Yosef was concerned, he never ceased being his father's devoted Talmid. It was this very self-understanding as his father's son and Talmid which carried Yosef through the most challenging moments of his exile in Egypt, "גראתה לו דמות דיוקנו של אביו בחלון."¹⁰ Ya'akov's response to Yosef's message takes on an entirely new significance in light of this approach: "רב עוד יוסף בני חי."¹¹ It is not merely that Yosef is alive, but Yosef "my son," my partner in the transmission of the Mesorah, is alive – "ושננתם לבניך."

Yet, according to the Rav's approach, one must ask a basic question: is it indeed the case that Ya'akov and Yosef resumed their Talmud Torah? It seems, from the simple reading of the Torah, that the answer is no. Yosef continued to execute the government from the capital of מצרים, while Ya'akov was insulated with the family in the friendly confines of Goshen¹². Yosef is deeply devoted to Ya'akov, provides sustenance for him and his brothers, and rushes to his father's side when he hears Ya'akov is not well. Yet, one does not get the impression that there was a great deal of daily interaction. Did Ya'akov actually resume the project of "ושננתם לבניך" with Yosef? In the direct sense, it seems that he did not.

Yet, in a larger sense, he certainly did. In next week's Sedra, Rashi quotes the rabbinic tradition that it was Ephraim who

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¹ בראשית מו:כט

² פרשי בשם מדרש אגדה (שם)

³ בראשית מו:ל

⁴ בראשית מה:כח

⁵ The Rav's approach was relayed to me by our Rosh HaYeshivah, Rabbi Yosef Adler.

⁶ עיין תרגום אונקלוס ופרשי לבראשית לו:ג.

⁷ עיין רשי שם

⁸ בראשית רבה (וילנא) צד:ג

⁹ בראשית מה:כז

¹⁰ תלמוד בבלי סוטה לו:

¹¹ בראשית מה:כח

¹² בראשית מה:י, מז:ו, מז:כז

informed Yosef that Ya'akov was sick, "אפרים היה רגיל לפני",¹³ יעקב בתלמוד. The seventeen years during which Ya'akov poured the Mesorah of Avraham, Yitzchak, Shem and Ever into Yosef were matched year for year by the seventeen years which Ya'akov had with Ephraim in Egypt.

While one might argue – due to the disparate nature of the Mitzvah of Talmud Torah with one's child as opposed to one's grandchild – that Ya'akov's learning with Ephraim is considered a different Mitzvah than his learning with Yosef, it seems to me that Rambam considers them part of the same קיום in the Mitzvah of תורה תלמוד:

קטן אביו חייב ללמדו תורה שנאמר ולמדתם אותם את בניכם לדבר בם...
כשם שחייב אדם ללמד את בנו כב הוא חייב ללמד את בן בנו שנאמר
והודעתם לבניך ולבני בניך (רמב"ם הלכות תלמות תורה א-א-ב)

Rambam's use of the telltale terms "כשם" and "כך" clearly indicate that Rambam's view is not merely that one is obligated to learn with one's grandchild¹⁴, just as one is obligated to learn with one's own son, in the sense of two distinct obligations. Rather, on the basis of the Gemara in Kiddushin¹⁵, Rambam uniquely read the Gemara as teaching that the Mitzvah to learn with one's grandchild is both an intrinsic element of learning with one's son and a natural extension of the father-son learning commitment. In light of this Rambam, then, the Rav's approach takes on new vitality. While Ya'akov may not have resumed his learning directly with Yosef, he certainly merited reactivating that very same קיום, which would be actualized through his learning with Ephraim.

In that moment of dramatic encounter between father and son, after twenty-two years, Ya'akov recited the Shema, internalizing the reactivation of his role as בעל המסורה. Ya'akov's *raison d'être* in Egypt would be to ensure that the truths of his father and grandfather would be conveyed forward to the next generation and the generation which would follow. In his twilight years, Ya'akov succeeded in bridging the world of אברהם and יצחק with those of his Egyptian-born grandchildren – "המלאך הגואל אתי מכל רע יברך" –¹⁶ In so doing, Ya'akov demonstrated the eternal nature of the Mesorah, its capacity to inform, illuminate, and inspire in every context, geographic location, and surrounding cultural milieu.

UNITED WE STAND; DIVIDED WE FALL

by Efraim Helfgot ('20)

Finally, in this week's Sidrah, Yosef and his brothers are reunited (BeReishit 45:3). After twenty-two years of separation, preceded by a period of strained relations, all twelve brothers are finally on the same page.

In looking back on the saga of Ya'akov Avinu, it is apparent that only those in his family could do him damage.

After the destruction of Shechem by Shimon and Levi, Ya'akov fears retribution from other inhabitants of the land; however, God protects him. Yet, when his sons are the assailants, as is the case in Mechirat Yosef, then he is susceptible.

This idea of weakness in the face of related assailants holds true for Ya'akov's sons as well. Yosef is the prime example in the Peshat, but the Midrash Tanchuma fleshes out the theme of family vs. outside world to greater detail.

The Tanchuma (VaYigash 4) records that, previously in Egypt, when the brothers agreed to hand over Shimon as collateral until their return, Shimon acquiesced; however, he exclaimed, "Let's see who can bring me into prison!"

Yosef requested and received seventy warriors from Pharaoh, who together tried to subdue Shimon; however, he let out a powerful scream, and all of them were knocked to the ground, with their teeth broken.

Yosef then turned to his son Menasheh and asked him to place Shimon in jail. Menasheh hit him once, brought him into the jail, and chained him. Shimon's power, so potent against seventy Egyptian warriors, was useless against Menasheh.

The Pardes Yosef explains the symbolism of the Midrash. When we are pitted against other nations plotting our destruction, our powerful voice of prayer can overpower them. "HaKol Kol Ya'akov VeHayadayim Yedei Eisav" – the Midrash Rabbah (BeReishit 65:20) explains that as long as Ya'akov's voice is heard (through prayer), Eisav's hands are weak.

But when it is another Jew who is the assailant – when the Jewish people are fighting one against the other – then we are susceptible to those who seek our harm. Without Jewish unity, there is no survival.

Chazal explain the Torah prohibition of Lo Titgodedu (literally, "do not cut yourself") as "Lo Ta'asu Agudot Agudot" (do not divide yourselves into different factions). While the 14 million Jews worldwide may have varied beliefs and practices, we are all one people: Am Yisrael.

In a world so polarized and divided as our own, it is well that we all strive to join together for a greater mission rather than divide ourselves based on the small differences between various communities. In the words of a certain George Washington: "The common and continual mischiefs of the spirit of party are sufficient to make it the interest and duty of a wise people to discourage and restrain it."

May we all be Zocheh to see the ultimate Jewish unity with the arrival of the Mashi'ach, he should come swiftly and in our days, Amen.

¹³ פרשי בראשית מה:א

¹⁴ עיין השגות הרמב"ן על ספר המצוות לרמב"ם שכחת הלאוין ב' שמגדיר לימוד עם הנכדים כלימוד אמנות התורה. מאידך, הוא משהו את זה ללימוד התורה עצמה.

¹⁵ עיין שם תלמוד בבלי מסכת קידושין ל. "הוא דאמר כי האי תנא; דתניא: ולמדתם אותם את בניכם - אין לי אלא בניכם, בני בניכם מנין? ת"ל: והודעתם לבניך ולבני בניך; א"כ, מה "ת"ל בניכם? בניכם - ולא בנותיכם".

¹⁶ בראשית מה:טז

UNLOCKING THE MEANING BEHIND THE LAWS OF MIKVEH CONSTRUCTION

By Rabbi Chaim Jachter

Introduction – Seeking to Satisfy Every Opinion

It is unparalleled in any other area of Halachah – the degree of stringency regarding which we treat the construction and maintenance of Mikveh is simply astounding. Already since the time of the Rishonim, the practice has been to act exceptionally strictly regarding a Mikveh's construction and maintenance¹⁷. We seek to accommodate even opinions that represent a small minority of Halachic authorities and are not even cited in the Shulchan Aruch.

Indeed, although Rav Moshe Feinstein (Teshuvot Igrot Moshe, Orach Chaim 1:136) regards the size of an Amah (cubit) to be 21.25 inches in the context of almost all Halachot, including the laws of Shabbat, regarding Mikva'ot, Rav Moshe urges treating an Amah as 24 inches. Moreover, in a later responsum (Y.D. 2:89), Rav Moshe is even stricter and advises treating an Amah as 24.5 inches in the context of Hilchot Mikva'ot. A popular story about the Chazon Ish claims that he once remarked that he had never seen an invalid Mikveh, due to the many stringencies that we practice when constructing Mikva'ot. Moreover, my cousin Rav Yosef Singer (who, for many decades, supervised the Lower East Side of Manhattan Mikveh under the guidance of Rav Moshe Feinstein) relates that Rav Moshe utilized every possible opportunity to enhance and upgrade the Mikveh. For example, although the Mikveh originally used metal pipes to transport water from the roof to the Mikveh, Rav Moshe later installed plastic pipes.

The most obvious situation in which we seek to accommodate every opinion is the enormous effort expended to satisfy the opinion of Rambam and Ra'avad regarding Natan Se'ah VeNatal Se'ah¹⁸, the attempt to preserve a significant amount of the original rainwater used to create the Mikveh. The split level Bor HaShakah¹⁹, introduced for the first time in Zurich in 1959 by Rav Ya'akov Breisch²⁰, is an extraordinary means of satisfying this opinion. This style of Mikveh construction has emerged in the last fifty years as the standard²¹ approach in communities of significant size throughout the Jewish world²².

The Posekim offer a number of reasons for this stringency. The Divrei Chaim (Yoreh Dei'ah 2:99) writes, "One should strive to construct a Mikveh that will be acceptable to all opinions because Mikveh embodies the holiness of the Jewish People." Rav Ya'akov Breisch (Teshuvot Chelkat Ya'akov 3:57) notes that if a community's rabbis decide to rule leniently when certifying the Kashrut of a particular food product or establishment, then those rare individuals who observe additional Chumrot (stringencies) may simply decline to purchase their food there. However, we must create a Mikveh with the highest possible standards, accommodating the needs of even the most pious and stringent

individuals, for they cannot refrain from using the Mikveh. The most intriguing of the explanations for this practice is that of the Satmar Rebbe. He is quoted (in the Teshuvot Minchat Yitzchak 9:94 and the aforementioned Teshuvot Chelkat Ya'akov) as saying that the Mikveh is supposed to purify us, rather than us needing to "purify" it by defending its validity. Therefore, we seek to satisfy every opinion regarding the Kashrut of a Mikveh.

Rabi Akiva - Man's Work is Greater than God's Work

This relentless and unique pursuit of perfection may be explained in light of the most basic rule of Mikveh construction. The Torah (VaYikra 11:36) presents two means of purification - a Ma'ayan (spring) and a Bor Mikveh Mayim (or Mikveh for short), a collection of rainwater. The Sifra (commenting on VaYikra 11:36) draws a parallel between the Ma'ayan and the Mikveh, teaching that just as God creates Ma'ayanot naturally, without human intervention, so, too, must the water in a Mikveh reach it without passing through receptacles.

This preference for the natural runs counter to basic Jewish philosophy. Unlike classic Greek philosophy, which reveres nature, and unlike classic Christian rejection of nature, Judaism adopts the view that nature is in a state of imperfection which calls for man to intervene and improve it. This unique Jewish philosophical approach is best expressed in a stunning Midrash Tanchuma (Parashat Tazria) which records a poignant debate between Rabi Akiva and a leading Roman figure named Turnus Rufus:

Turnus Rufus asked Rabi Akiva, "Whose acts are greater, man's or God's?" Rabi Akiva answered him that man's acts are greater. Turnus Rufus responded that the heavens and the earth are divine creations which man cannot equal. Rabi Akiva disqualified this proof as out of man's realm, and thereby unfair to compare. Turnus Rufus then asked why Jews are circumcised. Rabi Akiva responded that he knew that this question was coming, and that was why he answered the way he answered. But to prove the point itself, Rabi Akiva brought sheaves of wheat and cakes, and said to Turnus Rufus: "These sheaves were made by God, while these cakes were produced by man!" Turnus Rufus then reformulated his previous point: "If God wants children to be circumcised, why does the child not leave the womb circumcised?" Rabi Akiva responded: "And why does his umbilical cord come out with him, with the child hanging by his stomach until the mother cuts it?" Rabi

¹⁷ See Tashbetz 1:17, Beit Yosef 201 (p. 100a in the new editions), and Teshuvot Radbaz 1:85.

¹⁸ This issue is explained in some depth in my *Gray Matter 2* (286-288, available online at http://www.rabbis.org/pdfs/gray_matter_2.pdf).

¹⁹ Described in *Gray Matter 2* (296-298).

²⁰ Author of Teshuvot Chelkat Ya'akov, a premier mid-twentieth century work of Halachic rulings.

²¹ With the very significant exception of Lubavitch Mikva'ot, which are made using the Bor Al Gabei Bor style of construction, described in *Gray Matter 2* (294-296).

²² This approach is adopted in Modern Orthodox as well as Chareidi communities. For example, the Mikveh in Teaneck, New Jersey, included a split level Bor HaShakah. The schematic illustration of a typical modern day Mikveh that appears in the Mikveh entry of Wikipedia depicts a split level Bor HaShakah.



Akiva concluded: "Regarding your question as to why the child is not born circumcised, this is because God gave the Mitzvot to the Jewish people in order to refine them, an idea expressed by David in the verse, 'God's word is refined' (according to his understanding of Tehillim 18:31)."

Asher Bara Elokim La'asot

This fundamental point is expressed in BeReishit 2:3, which describes Creation as "Asher Bara Elokim La'asot" (Hashem created to make), which teaches the importance of humanity improving upon the natural world. The divine preference for man's actions is so great that it applies even to the words of Torah, as expressed in the classic Talmudic story of the "Tanur Shel Achnai" (Bava Metzia 59b):

One day Rabi Eliezer and the Chachamim (group of Torah sages; in this case, it refers to the other great rabbis of Yavneh including Rabi Yehoshua and Rabban Gamliel) were having a Halachic argument over the purity of a specific type of oven referred to as a "Tanur Shel Achnai." Rabi Eliezer brought them all the evidence he possibly could to legitimize his argument but the Chachamim rejected him. Upon being rejected, Rabi Eliezer said to the Chachamim, "If the Halachah is with me, then let the carob tree prove it!" to which the carob tree uprooted itself and moved 100 cubits. Some say 400 cubits. The Chachamim responded by saying that one cannot prove anything from a carob tree. Rabi Eliezer then said to him, "then if the Halachah is with me, let the stream prove it!" to which the water responded by flowing in the opposite direction. The Chachamim responded by saying that one cannot prove anything with a stream. Rabi Eliezer then said, "then if the Halachah is with me, let these walls prove it!" to which the walls of the room began to cave in. Rabi Yehoshua then rebuked the walls by saying that the walls had no authority in a Halachic debate. The walls then stood at angles in respect to both of the rabbis. Finally, Rabi Eliezer said, "If the Halachah is with me, then may it be proven by heaven!" In response to this, a voice came down from heaven and said to the Chachamim, "why do you argue with Rabi Eliezer? The Halacha is in accordance with him in every way." Rabi Yehoshua boldly arose and said to the heavenly voice, "Lo BaShamayim Hi'," 'The Torah is not in heaven,' so we take no notice of heavenly voices since you have already written in the Torah to follow the majority." Eliyahu HaNavi reported to Rabi Natan that Hashem responded in delight, "my sons have defeated me, my sons have defeated me!"

Mikveh - God's Waters

We see that the Torah's strong preference is for man's improvement of nature. Why then does the Torah demand that Mikveh water be completely natural, free from human intervention? The answer is that Mikveh is the exception to the Torah's mandate to man to conquer and improve the world (BeReishit 1:28 with Ramban's commentary). When immersing in the Mikveh, we seek to immerse in God's water. This explains the great efforts to preserve the original rainwater, as per the opinion of Rambam and Ra'avad. It also explains the pursuit of Halachic perfection specifically in regards to Mikveh, since perfection is most appropriate in regards to God's waters. The clarion call of "Lo BaShamayim Hi" is to be avoided when possible regarding a Mikveh, as we seek to satisfy every opinion. We wish to be sure that we are creating God's waters²³.

Mikveh represents a return to the original state of the world, which began as simply water (BeReishit 1:2). Taharah, purity, is a return to the aboriginal state of the world²⁴. Immersion in a Mikveh is an opportunity to press the restart button and begin anew. Complete and total immersion, a sine qua non of Mikvah immersion²⁵, replicates the fetus in the womb enveloped by amniotic fluid²⁶. New beginnings, with the shedding of the burdens of past missteps, constitute the essence of the immersion experience. For this reason, immersion in the Mikveh is so central to both conversion and also the Yom Kippur service.

Conclusion

The Mikveh is a God-focused center of purity. In order to achieve the purity of Mikveh, God's rules and specifications must be adhered to the utmost degree, more than anywhere else in Creation, save perhaps for the Beit HaMikdash. All human agendas must be shed in this environment, as we seek to encounter Hashem purely on His terms.

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²³ This might be the deeper intent of the Satmar Rebbe when he asserted the Mikveh is supposed to purify us, rather than us needing to "purify" it by defending its validity.

²⁴ It is for this reason, Masechet Keilim teaches at extraordinary length, that Keilim, utensils, are capable of contracting impurity, whereas a raw, broken or unfinished product is incapable of impurity.

²⁵ The centrality of the experience of total immersion is expressed in the Halachic requirement of supervision of a required immersion, lest even a lock of hair remain outside the Mikveh.

²⁶ The Halachah's mandated stance for Mikveh immersion strikingly resembles the fetal position in the womb.