



Yesodos m' ha Sedra

LESSONS IN HASHKAFKA & HALACHA FROM THE PARSHA

In memory of R' Shmuel Shmelka ben HaRav Moshe Kizelnik z"l



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the Rosh Kollel...*

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תשפ"ו

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When Yaakov met Rochel at the well, he knew that she was his besherte. Realizing that he had nothing to offer her father in exchange for her hand in marriage since he had given everything to Elifaz in order to escape with his life, Yaakov agreed to work for Lavan for seven years. Seven years of working around the clock was worth a pretty penny, but for Yaakov, it was all worth it because building k'lal Yisroel is far more valuable than anything money could buy.

At the end of the seven years, Lavan tricked him into marrying Leah and wiped his hands clean of any guilt because it was against local custom to marry off a younger girl before her older sister. By rights, Yaakov could have complained in so many ways. First of all, he worked for Rochel, and not Leah, so at the very least, postpone the wedding. Why trick Yaakov into marrying the wrong girl? Second, Lavan had seven years to work on finding a shidduch for Leah, and it wasn't that he just wasn't successful; Lavan didn't even try! Moreover, now Yaakov was faced with no other choice but to marry Rochel as well, and he wasn't happy about it. In fact, Chazal tell us that after Moshiach comes and the tzadikim will partake of the Leviasan, Yaakov will be offered to lead the bentching but will refuse because he married two sisters, something that the Torah would eventually forbid. This likely pained Yaakov tremendously because the avos strived to keep all of the mitzvos, even those which are d'rabanen, and now Yaakov had to deviate from this in order to build K'lal Yisroel together with Rochel. Still, Yaakov kept quiet and didn't complain.

As with all of sefer Bereishis, in studying the avos, it behooves us to understand them and their actions. So what enabled Yaakov to keep quiet? The Sefer Be'er Yosef posits that Yaakov had internalized the understanding that whatever happens is with good reason and is for the best, and so, he kept quiet. Ultimately, he points out that it not only worked out well, but Chazal tell us that Yaakov's marriage to Leah will be merit which will tip the scales in our favor and bring about our final geulah: The medrash (Eicha) tells us that when the Beis HaMikdash was destroyed, a discussion ensued in shomayim. Each of the avos and Moshe Rabeinu stepped forward to argue in K'lal Yisroel's defense; although we were guilty of idol worship,

they each forwarded an argument that Hashem shouldn't hold it against us, however the Ribono shel Olam didn't accept any of their points. The destruction and exile would have been final until Rochel Imeinu stepped up and questioned how Hashem could be "jealous" of false gods? She, a mere mortal, was able to overcome feelings of jealousy and divulge the secret "simanim" to her sister Leah so that she wouldn't be embarrassed when led to stand under the chupah with Yaakov. Certainly then, Hakadosh Boruch Hu should be able to put His jealousy aside. Her argument was accepted and Hashem promised that one day we will return home to Eretz Yisroel and rebuild the Beis HaMikdash.

We know that everything Hashem does is for the good. Sometimes it is hard to see and even impossible to imagine, but often the greatest difficulties lay the groundwork for the biggest yeshuos. Yaakov likely didn't understand how at the time, but he knew that fighting Lavan was of no use and so he accepted his fate by placing his emunah in the Ribono shel Olam knowing that it was not only for his good, but for the good of the nation who he set out to build. It's a lesson we ought to internalize.

However, if we fast-forward to the end of the parsha, we see that Yaakov speaks with a very different tone. He not only runs away, but when Lavan catches up with him, he argues and stands his ground. What changed?

Perhaps the answer lies in two pesukim which introduce us to his decision to leave: There, the Torah tells us that Yaakov saw that Lavan related to him differently than he had in past. What exactly does this mean? Since the outset, Yaakov's father-in-law was conniving and forever trying to trick him, yet something changed and Yaakov took this as a sign that perhaps he should leave. In the very next posuk Hashem appears to Yaakov and tells him to go. Yes, Yaakov accepted everything without a fight. He understood that what had seemed to be unfortunate was all part of Hashem's plan, but now he was receiving signals that maybe things are different and he should fight and stand up for his rights. Still unsure, he turned to Hashem, who confirmed that this was the correct plan of action.

There is a profound lesson here. While we can daven, we don't have nevuah and most of us don't have ruach ha'kodesh. How then, are we to know when to make more hishtadlus in any area, and when to just have bitachon that Hashem is taking care of things? The answer is that in our times, when we turn to our rabbonim and seek their opinion as daas Torah, we are seeking out guidance from Hashem. Although they are also not neviim, this is the most we can do and after seeking out their daas Torah and following their advice, we can further place our trust in Hashem that we have pursued the correct plan of action.

וַיִּבְרַח יַעֲקֹב שָׂדֵה אֲרָם וַיַּעֲבֹד יִשְׂרָאֵל בְּאִשָּׁה וּבְאִשָּׁה שָׁמֶר: (הושע יב:ג)

Yaakov was the bechir sheh'bavos - of superior quality and ultimately he built K'lal Yisroel but it was not under the best of conditions, running away to escape his brother's wrath, he set out to Aram to marry two of our imahos but this too required him to work hard and live in close proximity to Lavan, the epitome of lies and trickery, and the antithesis of emes and temimus, which Yaakov personified and stood for.

The journey of the Jewish people in golus is similar. We did not go there for good reasons. Rather, we were banished from the King's palace and sent into golus. Soon though, we will emerge from it and rebuild in a most fabulous way.

Efraim is the symbol of the Jewish people. We fall but will rise again, and that which we delay in recognizing our failures and repenting for them only makes things more difficult. Hashem guarantees that he will accept our teshuva and urges us to do so, so why do we delay?

MULTI - GRALA

Chazal tell us that when Yaakov Avinu stopped on his way to Charan, he davened an "extra" tefilah and thereby established Maariv as the third tefilah of the day. (Although regarding most matters, halacha considers nightfall the beginning of a new day, Maariv is slightly different since its institution was also intended to serve in place of the burning of the fats and limbs of the korbanos offered throughout the daytime.) The Daas Zekeinim writes that Yaakov Avinu davened Maariv before nightfall. He proves this from the fact that the Torah first reports that he davened (va'yifga ba'makom) and then it says that he slept there for the sun had set. However, upon careful examination of the trop (cantillation notes) it seems as though "ki vah ha'shemesh" is the reason why Yaakov davened. (See Sefer Vayavinu ba'Mikrah by R' N. Z. Y. Gettinger who understands it this way.) If so, it would seem that Yaakov only davened Maariv after nightfall, and not before.

The Mishna in the fourth perek of meseches Berachos discusses until what time one may daven mincha. According to the Chachamim, one may daven until nightfall. R' Yehuda disagrees and understands that one must daven mincha before plag mincha, which is 1 1/4 halachic hours before nightfall. (A "halachic hour" is calculated by dividing the total number of daytime hours by 12. For example, if the day begins at 5 am and ends at 9 pm, each halachic hour is 1 hour and 20 minutes.) It is generally assumed that the earliest time for Maariv is immediately following the latest time for Mincha. (See however, the Aruch Hashulchan who understands that this is not necessarily so.) Accordingly, according to R' Yehuda, one can daven Maariv as early as plag ha'mincha, and according to the Chachamim, one must wait until nightfall. The gemara says that one can conduct himself according to either opinion, although the Rishonim point out that one should not daven Mincha after plag and Maariv before sunset, especially on the same day.

There is a dispute among the poskim regarding how to calculate halachic hours, when the day begins and ends. The Terumas haDeshen understands that a day is calculated from alos ha'shachar (72 (or 90) minutes before sunrise) until tzeis ha'kochavim (72 (or 90) minutes after sunset). (This is not necessarily dependent on the opinion of Rabeinu Tam regarding tzeis ha'kochavim, although according to some opinions it is. See for example Shu"t Mishnas Rebbe Aharon #1.) The Magen Avraham writes that one should follow this opinion for the latest time to recite krias shema (in the morning) and the Terumas haDeshen's opinion came to be known as the opinion of the Magen Avraham. The Levush and Gra however, maintain that halachic hours are calculated from sunrise until sunset.

According to the Levush and Gra, plag ha'mincha is an hour and a quarter before sunset, and accordingly, one could daven Maariv from this time onward. (The fact that this time appears to be "in the middle of nowhere" needs an explanation, but this is not the topic of our discussion.) This is indeed the minhag followed by most people who accept Shabbos early in the summer months. According to the Terumas haDeshen, however, plag mincha comes out 3 minutes before sunset. Halachic sunset is determined after the ball of the sun disappears below the horizon. It is well known that the ball of the sun takes about 3 minutes to set. Therefore, the plag of the Terumas haDeshen is at the point when the ball of the sun touches the horizon.

According to this calculation, one would be permitted to daven Maariv from sunset, according to R' Yehuda. According to the Chachamim however, one could still daven Mincha after this point. The question becomes, until when. If the Chachamim allow one to daven Mincha only until shkiah (sunset), then their entire argument is only over 3 minutes, which is a highly unlikely. On the other hand, were we to suggest that according to the Chachamim, one could daven Mincha until tzeis ha'kochavim, this presents another problem: The gemara is clear that "dam nifsal b'shkiyas ha'chamah" - the blood of a korban, if not yet sprinkled on the mizbayach, becomes invalidated at sunset. (Even according to Rabeinu Tam who maintains that there are 2 shkiyahs, this occurs at the first one, our sunset.) Since Chazal instituted the times of our tefilos to correspond to the times of the korbanos, it would seem that one should only be able to daven Mincha until sunset. The P'nei Yehoshua however writes that although this is technically true, since tefilah is only in place of the korban, it does not become invalid and one could still daven until tzeis ha'kochavim since it is technically still daytime. R' Yehuda however requires one to daven mincha while it is still visibly day. (See Rabeinu Tam Sefer HaYashar and Levush - hilchos lulav who imply that

"yom gamur" is only from sunrise to sunset, although the day starts at alos ha'shachar and doesn't end until tzeis ha'kochavim.)

The Rambam writes that l'chatchila one should be careful to daven Mincha before plag ha'mincha, following the opinion of R' Yehuda, and not the majority. We would like to suggest that perhaps the Rambam understood that these times are calculated like the opinion of the Terumas haDeshen, and since dam nifsal b'shikyas ha'chama, he concluded that the halacha follows the opinion of R' Yehuda, since then the sun is fully visible.

When Yaakov Avinu davened Maariv on his way to Charan, he davened after the sun set "ki vah ha'shemesh". The Gra understands that these words mean the setting of the sun quite literally and is independent of what is to be considered the beginning of the night. Accordingly, although the Gemara in berachos clearly states that the day begins at alos ha'shachar and ends at tzeis ha'kochavim, certain halachos are dependent on "bias ha'shemesh" - the setting of the sun. The Gra himself speaks about when a kohein who immersed himself in a mikvah will be permitted to eat terumah. There, the posuk states "u'vah ha'shemesh v'taheir" - and the sun will set and he will become purified. We would like to suggest that the Torah's use of the words "ki vah ha'shemesh" in our parsha indicate that Yaakov Avinu davened Maariv immediately after shkiya, although it was technically still day.

The above discussion is but a glimpse of a much more complicated sugya. The reader should be aware of this and not draw any practical halachic conclusions from it. Although we have taken the approach of the Terumas haDeshen's approach in calculating hours of the day, the prevalent custom is to follow the opinion of the Levush and Gra. This applies both l'chumra and l'kula, and one should consult his own Rav as to how to conduct himself vis-a-vis davening Mincha after shkiya and/or Maariv before nightfall. Additionally, one should be aware that the halacha follows the majority of Rishonim who rule that plag mincha is a leniency to be applied to tefilah only. Regarding kri'as shema, however, one should be careful to repeat all three parshiyos after tzeis ha'kochavim. As far as what constitutes tzeis ha'kochavim for reciting krias shema one should consult his own Rav. (This does not necessarily mean that one would be permitted to do melacha on motzei shabbos at this time.)

One who hasn't davened Maariv or has davened before shkiah and must repeat krias shema, may not eat a full meal. Chazal were very concerned that he might continue eating and forget to daven and recite krias shema and expressed their dismay at those who don't heed their warning in very harsh terms. If however, one appoints a "shomer" to remind him to daven, he may wash, however, the shomer may not join him in his meal, even if he has already davened. According to most poskim, an alarm clock can serve as a shomer, especially if he attaches a note to the alarm reminding him to daven. The Aruch Hashulchan says that if one has a regular minyan in which he davens, he may also rely on this since it is part of his schedule. Contrary to popular belief, this does not mean that the minyan is kavuah or regular, but that this is where and when he usually davens maariv.



R' MICHOEL BER WEISSMANDL

6 Kislev 5718

R' Michoel Ber Weissmandl was born in Cheshvan of 5664 in Debrecen, Hungary and grew up in Tyrnau, Slovakia. He excelled in his learning from a very young age, and studied in the yeshivos of Sered, Galanta, and Nitra. He was an ilui and a mathematical genius who learned to speak eleven languages. Before the war, he married the daughter of the Nitra Rav, R' Shmuel Dovid Ungar ztz"l, and had five children together, but soon lost his entire family at the hands of the Nazis (ym"ss).

Long before the world realized the destruction the war would bring, R' Michoel Ber realized the horrors the Germans were planning for the Jews, and he worked hard to bribe the Germans to delay the deportation of Slovakian Jews for almost two years, which allowed for thousands to escape. However due to lack of funds and support his activities were halted and he was sent to Auschwitz by train. En route, R' Michoel Ber cut the lock of the cattle car with a small saw he had hidden in a loaf of bread, and spent the rest of the war hiding in a bunker in Pressburg.

After the war, R' Michoel Ber began to rebuild in Nitra, starting a yeshiva whose student body were now, for the most part orphans. Despite his intense immersion in Torah, he connected with each boy on his own level, taking care of their every physical and emotional need, as well. However, because Nitra was now under Soviet rule, he moved the yeshiva to America, eventually settling in Mt. Kisco in upstate New York.

Understanding that not every bochur could sit and learn for an entire day, R' Weissmandl built the yeshiva in a way that many of the boys – especially those orphans who had survived the horrors of the holocaust – would take part in farming and other vocational training and activities in parts of the day.

Still, he demanded great commitment to Torah and bochurim were expected to learn before the 7 am shacharis minyan as well. R' Michoel Ber himself took no official position in the yeshiva, choosing to sit in the middle of the beis medrash. He was a visionary who not only remarried and have five more children, but gave others the hope and capacity to recover from trauma and rebuild their own lives and help grow k'lal Yisroel.