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WHAT CAME FIRST?

by *Rabbi Yaakov Blau*

A curious detail emerges from the story of Eliezer first meeting Rivkah. In BeReshit 24:22, he gives her several pieces of jewelry, and only in Pasuk 23 does he ask who she is. It would seem unusual that he would give something so valuable to a total stranger. The issue is compounded later on in the Parashah, when Eliezer retells the story of his meeting Rivkah to her family. There, in Pasuk 47, he claims that he first asked who she was and only then gave her the valuables. The Mepharshim deal with the issue differently, and their approaches reveal a broader understanding of how they interpret Tanach.

Rashi (24:23 s.v. VaYomer Bat Mi At) says that Eliezer has so much faith that she will be the right wife for Yitzchak that he is willing to give her the jewelry before even knowing who she actually is. However, Eliezer realizes that saying as much to Rivkah's family would not be taken well, so when he retells the story, he switches the order (Rashi 24:47 s.v. VaEsh'al).

The Ibn Ezra in Shemot 19:9 discusses, as he does many times in Tanach, his idea of the "Vav HaZman," that in Tanach the letter "Vav" ought to be translated as "and this had transpired previously." He quotes several examples, one of which comes from our Pesukim. He believes that Eliezer asks Rivkah who she is before giving her jewelry and that Pasuk 23 ought to be understood as "and he had already asked her" who she was. With that understanding, there is no discrepancy between the two accounts of the story, since the order of Eliezer's retelling of the story in Pasuk 47 is the accurate one.

A similar Machloket appears towards the end of the Parashah. 24:64 seems to imply that when Rivkah first sees Yitzchak, she falls off her camel even before discovering that the person she sees is Yitzchak. Rashi explains that Yitzchak's countenance is so overwhelming that just seeing him makes Rivkah fall, even before knowing who he is. The Ibn Ezra, however, assumes once again that the "Vav" is a Vav HaZman, that when Pasuk 65 says "VaTomer ... Mi HaIsh HaLaZeh," "She [asks]... 'Who is this man?'" it means "she already asked," and she falls off because she is about to meet her future husband.

This is a good example of Mepharshim being "LeShitatam,"

Pesukim. It is also an opportunity to understand the Ibn Ezra's approach more broadly, as his idea of Vav HaZman is one that he employs many times throughout Tanach.

FAMILY AND COMMUNITY: AVRAHAM AVINU AS A PARADIGM

by *Shmuel Bak* ('18)

A closer analysis of the Pesukim found in Parashat Vayera and Chaya Sarah provides greater insight towards understanding the overall structure of a significant portion of Avraham Avinu's life. Overall, this structure consists of five seemingly haphazard events. However, upon closer inspection they all are connected and together express Avraham's ultimate purpose.

When Avraham Avinu descended to Egypt (20:2-18), he claimed that Sarah was his sister, in order to prevent his being killed and Sarah Imeinu from being taken to their king, Avimelech. Avimelech nevertheless took Sarah into his palace; Hashem subsequently came to Avimelech in a dream and told him he was going to die since Sarah was a married woman. In addition, the entire household was unable to give birth throughout the duration of Sarah's stay in the palace. In response, Avimelech claimed that he was misled by Avraham's claim that Sarah was his sister. Hashem responded to Avimelech, and told him to go return Sarah to her husband and ask Avraham to daven for him. Avimelech was successful in appeasing Avraham, and he convinced Avraham to pray on behalf of his entire household to rescind the punishment visited on them. This is the first of five connected events; when Avraham Avinu prayed on behalf of Avimelech's household, he prayed for someone other than himself, and this was to have a major positive effect on his own life.

Immediately following Avraham's Tefillah for Avimelech's household, the Torah recounts Yitzchak's birth (21:1-8). Yitzchak's birth, at first glance, was seemingly the result of countless years of Avraham's beseeching Hashem to permit Sarah to conceive and give birth, and did not relate to the prior story in any way. However, on close inspection, we can see that Avimelech's and Avraham's households shared a common plight -- childlessness. And like Avimelech's family during Sarah's stay in the palace, Sarah too was unable to have children. Therefore, Avraham's prayer for Avimelech's household must have been largely connected with his Tefillah for his own household. As stated by Chazal (Bava Kama 92a), the moment when Avraham davened for an extra-familial cause, he not only affected Avimelech's household, but his own as well. The Gemara

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meaning that they have similar, consistent approaches to different

understands that the juxtaposition of Avraham's Tefillah for Avimelech's household and Yitzchak's birth teaches us that when one who asks for help on behalf of his friend and he himself is in similar need, he is answered first. We can further explain that as a result of this occurrence, Avraham Avinu experienced a stark realization about how his hopes and dreams connected to everything around him, and how everything was correlated, even when it might seem otherwise, and this can be seen in the subsequent story in BeReishit.

After having navigated the Avimelech episode and the birth of Yitzchak successfully, Avraham found himself in a risky situation. Avraham Avinu, at the request of Avimelech, made a covenant with the Pelishtim to never deal with them harshly (BeReishit 21:23-24). Chazal (cf. Gemara Sotah 10a) see this covenant as a terrible mistake perpetrated by Avraham, as it put himself and future generations in potential danger should the Pelishtim turn against him or his descendants, as they eventually would in the days of Shimshon, Sha'ul and David HaMelech. Having successfully dealt with Avimelech previously, Avraham thought only of the great possibilities that could emerge from such a deal, while unfortunately disregarding the negative potential outcomes of unfettered involvement with those around him.

Rashbam (BeReishit 22:1 s.v. VaYehi Achar HaDevarim HaEileh) understands that Akeidat Yitzchak, which is found directly after the story of Avraham's negotiations with Avimelech in Sefer BeReishit, was Hashem's direct response to the prior story; Akeidat Yitzchak taught Avraham that such an action was a mistake, and that he should restrain his involvement with the outside world. Extending the Rashbam's approach, Akeidat Yitzchak can be understood as a divine warning not to disregard one's own family, even accidentally -- i.e., to not set up one's descendants for failure by making far-reaching decisions such as forming a covenant with the Pelishtim. Yitzchak Avinu had to be put in mortal danger in order to teach Avraham that excessive involvement with the outside world can lead one into a very precarious situation. Hashem wanted to show Avraham that unchecked entanglement in the world's affairs is not the proper path to take in life; a more balanced approach is necessary.

Therefore, after all of these connected events, when Avraham requested burial land for Sarah from B'nei Cheit, he began to define himself in a seemingly contradictory fashion: as a "*Ger VeToshav*", "a stranger and a dweller" (BeReishit 23:3). Avraham Avinu made it very clear from the description which he attached to himself that he had finally come to a full realization regarding his life goal and lifestyle; he was someone who dwelled in the midst of the B'nei Cheit, but at the same time he stayed apart from them, a stranger in their land. In doing so, Avraham modeled the kind of values the Jewish people aspired to attain in future years. Avraham Avinu's experiences teach

us that we must always scale back our adopted national identity in light of our global identity as part of the Jewish people. At the same time, Avraham's example teaches us that Jews should never forget that they are not meant to excessively involve themselves with their surroundings, as he did with the Pelishtim, but rather should to a certain extent separate themselves. This is what is meant to be simultaneously a "stranger and a dweller". Thus, in addition to teaching Avraham the valuable lesson of balance in regards to societal involvement, Avraham's experiences serve as a beacon and an important lesson for all future generations of Jews as well.

YISHMA'EL'S TESHUVAH

by Zach Greenberg ('16)

At the end of this week's Parashah, Chayei Sarah, Avraham dies at the age of 175. The Torah says describing the burial, "VaYikberu Oto Yitzchak VeYishma'el Banav," "[Avraham's] sons Yitzchak and Yishmael buried him" (BeReishit 25:9).

Rashi explains that the Torah writes Yitzchak's name first to reveal that Yishma'el does Teshuvah by letting Yitzchak go first in the burial process, even though Yishma'el is the older son.

How could Rashi claim that Yishmael has done full Teshuvah just because of this small act of letting Yitzchak go first? It was just last week's Parashah where Yishmael was "*Metzacheik*," explained by Rashi himself to mean that Yishma'el broke the three cardinal sins of Judaism: worshipping idols, adultery, and murder. What is so significant about letting Yitzchak go first?

Further adding to the problem is another puzzling question. The Mishna and Gemarot often quote the great Rabi Yishma'el (ex. Mishna Shabbat 2:2). Why would any parents want to name their child after Yishma'el? Yishmael not only wasn't Jewish; he was a Rashah! Rabi Yishma'el was one of the greatest Rabbis of all time, yet he was named after such a lowly man. What is the reason for all this?

Rav Mordechai Kamenetzky explains that Yishma'el letting Yitzchak go first is not just a nice gesture, nor is it just to show that Yishma'el no longer harbors hard feelings for Yitzchak. Avraham Avinu, the greatest man to ever walk the earth at this time, has just died. Avraham was a Ba'al Chesed, always had people staying at his house, and always was involved in Kiruv. He spread monotheism across the world and changed the way humans think. On top of all that, he was a war hero and a great leader. People across the world traveled to this funeral. The whole world is watching this procession.

Not only that, but all of Yishma'el's sons and grandsons are present at the funeral. All of his children assume that they are the chosen descendants of Avraham, since Yishma'el is the oldest and not Yitzchak. They know that they are the future of Avraham.

This is the perfect opportunity for Yishma'el. He can go into the cave first, showing that he is the true heir to Avraham and that his descendants, not Yitzchak's descendants, are the chosen people. The whole world would be watching and they would see

that Yishma'eil is the real deal and there is no one greater than him.

But Yishma'eil steps back and lets Yitzchak go first. Yishma'eil is telling the whole world, including his own family, that Yitzchak and his descendants, not Yishma'eil and his descendants, are the chosen people. Yishma'eil puts down his own selfishness to show proper respect to Avraham and to his true heir, Yitzchak.

The hardest Middah that a person needs to work on is Ga'avah, having a big ego, and in front of the whole world, Yishma'eil lets it go. With this statement, Yishma'eil, although a huge Rasha early on in life, does Teshuvah. The great Rabi Yishma'eil is named after him because Yishma'eil is the perfect example of someone who improves himself and does full Teshuvah.

It is important to learn from this story that sometimes even though a person may think he deserves something, it is best to let it go and recognize the importance of putting other people first.

SEPHARDIC BISHUL AKUM STANDARDS - PART ONE

by Rabbi Chaim Jachter

It was the New Jersey celebration of Yaakov Douek's marriage to his distant relative Sari Gabbay in July 2013. Yaakov and Sari had married in Israel and had come to the United States to celebrate with the Douek family and friends in the local area. Yaakov's father Ezra is a professional caterer and prepared a festive meal replete with grilled steaks.

As I arrived at the event I discovered that there was an intensive discussion underway regarding the proper manner of preparing the food. Ezra had turned on the fire with which the Nochri workers would cook the steaks, in order to obviate the prohibition of Bishul Akum, the rabbinic prohibition to eat food cooked by a Nochri¹.

Ezra's cousin, Rav Ben Zion Gabbay, who served for years as a senior Kashrut specialist working for Hacham Ovadia Yosef, objected to this means of food preparation. He argued that Sepharadim require that the steaks must be placed on the fire by a Jew in order to obviate the issue of Bishul Akum. Merely turning on the fire is insufficient, he argued. After insisting on following the Sephardic practice, Rav Gabbay proceeded to place the steaks on the fire, after Ezra assented to his request.

Upon learning of this intense discussion, I was quite surprised (as was Ezra). After all, Rav Ovadia Yosef in Teshuvot Yechave Da'at (5:54) presented what seemed to me to be a cogently reasoned responsum explaining why Sephardic Jews can rely on the Ashkenazic standard of merely turning on the fire. While Hacham Ovadia concluded "HaMachmir Tavo Alav Bracha", it is preferable to be strict, Rav Yosef gave the right to Sepharadim to be lenient. If Ezra had every right to rely on

merely turning on the fire, why did Rav Gabbay insist on placing the food on the fire?

Background to the Issue - Three Debates

There are three basic disputes regarding Bishul Akum that are relevant to this discussion.

Debate #1 - Turning on the Fire

The Gemara (Avoda Zara 38b) rules that if a Jew played a significant role in the cooking of the food, the Bishul Akum decree does not apply. The Rishonim debate how far we may extend this leniency. Rav Yosef Karo (Yoreh Deah 113:7) rules in accordance with the Rashba (Torat HaBayit end of Bayit no. 3), Ran (Avodah Zarah 38a) and Teshuvot Rivash (no. 514) that if a Jew merely turned on the flame but did not participate at all in the cooking process then the Bishul Akum prohibition does apply. The Rama (ibid.) disagrees and rules that even if the Jew merely turned on the fire this avoids the Bishul Akum prohibition. He follows the rulings of the Ra'avan (Avodah Zarah no. 303) and the Mordechai (Avodah Zarah ch. 2).

Debate #2 - Nochri Cooking at a Jew's Home

Tosafot (Avoda Zara 38a s.v. Ela) cites two opinions whether the Bishul Akum prohibition applies when a non-Jew cooks the food in a Jew's home. Rabbeinu Avraham ben David rules that the prohibition does not apply because the reasons for the prohibition do not apply. Only when the non-Jew prepares the food in his own home is the concern for intermarriage relevant. Rabbeinu Tam rejects this view stating that we do not find that Chazal made such a distinction. The Halacha, both according to Sephardic and Ashkenazic standards, follows the view of Rabbeinu Tam (Y.D. 113:1).

Debate #3 - Nochri Workers at a Jew's Home

Some Rishonim and Acharonim rule that the Bishul Akum decree does not apply to a non-Jew whom you employ. They reason that only in a relationship of peers does the concern for intermarriage constitute a concern. The Rama (Y.D. 113:4) rules that one may rely on these lenient views BeDi'eved (i.e. that initially one should not rely on these opinions, but if the food was already cooked one may rely on the lenient opinions and eat the food). The Shach (113:7) the Aruch Hashulchan (Y.D. 113:4) and Chelkat Binyamin (113:40 and Bi'urim s.v. U'BeDi'eved Yeish Lismoch) express serious reservations about relying on the lenient opinions even BeDi'eved.

Maran/the Mechaber (Rav Yosef Karo; Y.D. 113:4) first cites the lenient view and then cites the stricter view. Hacham Ovadia writes in many places² that in such a situation Maran considers the second opinion as the primary one. Thus, Rav Yosef Karo rules that the Bishul Akum restriction applies even to food cooked by a Nochri employee.

¹ My essay, archived at <http://www.koltorah.org/ravi/12-16%20Bishul%20Akum.htm>, presents the basic parameters and scope of this prohibition.

² One example is Teshuvot Yabia Omer 2 Orach Chaim 16.

Rav Ovadia Yosef - Teshuvot Yechave Da'at (5:54)

Rav Ovadia Yosef in *Teshuvot Yechave Da'at* (5:54; published in 1983) notes that Israeli restaurants and hotels whose Kashrut supervision is provided by Israel's Chief Rabbinate follow the lenient Ashkenazic standard³. He continues and observes that Sephardic Jews regularly patronize these establishments and no one raises an objection to the fact that this practice runs counter to the view of Rav Yosef Karo, to which Sephardic Jews subscribe.

Hacham Ovadia, in turns develops a Halachic justification of this practice. He notes that it is a situation of *Sefeik Sefeika*, a double doubt in which one can be lenient. One doubt is that perhaps turning on the fire suffices to eliminate concern for *Bishul Akum*. The second doubt is perhaps the prohibition does not apply when the food is prepared in a Jewish home. There is even a third *Sefeik*, perhaps the prohibition does not apply if the *Nochri* is an employee.

Hacham Ovadia concludes that since *Bishul Akum* is a rabbinic restriction one may rely on the combination of these three considerations -- a non-Jewish employee may cook the food for a Jew in the latter's home if the Jew turned on the fire. Rav Ovadia ends by stating that nevertheless, *HaMachmir Tavo Alav Bracha*, encouraging those who adopt the stricter approach.

Criticism of Rav Yosef's Ruling - Rav Ben Zion Abba Shaul and Rav Messas

Two leading Sephardic Halachic authorities, Rav Ben Zion Abba Shaul and Rav Shalom Messas strongly reject Rav Ovadia's lenient ruling. Rav Messas (*Teshuvot Shemesh U'Magein* 2 Y.D. 11) notes that Maran rules stringently regarding each prong of the *Sefeik Sefeika*. Citing the premier Sephardic authority Rav Yosef Chaim of Baghdad (the *Ben Ish Hai*; *Teshuvot Rav Pe'alim* 2 Y.D. 7 and 3 Y.D. 9), Rav Messas insists that it is not legitimate for Sephardic Jews to rely on a *Sefeik Sefeika* when both its sides run counter to rulings of Maran.

Thus, since Maran forbids food cooked by a non-Jew if the Jew only a lit a fire, food cooked by a *Nochri* in a Jewish home and food cooked by a *Nochri* employee, Rav Messas disqualifies Hacham Ovadia's *Sefeik Sefeika* since all of its sides run counter to Rav Yosef Karo's explicit ruling.

Rav Messas adds that a close reading of the *Shulchan Aruch* reveals that Maran does not accept Rav Ovadia's approach. The *Shulchan Aruch* forbids food cooked by a non-Jewish employee but does not qualify this by saying that it is permissible if a Jew lit the fire. Alternatively, Maran did not write that a Jew lighting the fire is sufficient if the *Nochri* cooks the food in a Jew's home and

serves as an employee of that Jew. Accordingly, Rav Messas outright rejects the view of Hacham Ovadia⁴.

Hacham Abba Shaul (*Teshuvot Ohr L'Tzion* no. 2, introduction §2) argues that even if one believes that a Sephardic Jew may rely upon a *S'feik S'feika* where both prongs run counter to the ruling of Maran, this applies only if Maran does not completely dismiss the opinion. In our situation, since Maran in his *Beit Yosef* commentary to the *Tur* (Y.D. 113, s.v. *VeLo Asru*) does not even cite the opinion that permits *Bishul Akum* if a Jew lights the fire, it cannot be used as a prong in a *Sefeik Sefeika*. The fact that Rav Karo does not record the opinion demonstrates that he rejects it and its use as a component of a Halachic decision is not legitimate for Sephardic Jews.

Conclusion

Next week *iyH* we will present how Hacham Ovadia and his son Hacham Yitzhak on the one hand defend their views from the critique of Rav Messas and Hacham Ben Zion, and on the other hand, modify their position regarding this issue in light of the cogent critique.

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³ Two Sephardic food industry professionals, Nissim Douek and Shalom Shushan of Congregation Shaarei Orah, report that the Sephardic standard is very invasive, awkward and cumbersome to implement in a professional cooking setting. This explains why even the *Badatz*, the *Chareidi Beit Din* of Yerushalayim which adopts a very strict stance regarding Halacha, follows (or followed) the lenient approach (as noted by Rav Yosef, *Yabia Omer* 9 Y.D. 6:2).

⁴ Rav Messas is particularly incensed at establishments with a "Kosher L'Mehadrin" designation whose *Bishul Akum* standards do not meet Maran's requirement of placing the food on the fire.