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Parashat VaYeira

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VAYEIRA EILAV HASHEM: THE SILENT

CONVERSATION

by *Naftali Kruman* ('18)

This week we read Parashat VaYeira, which begins with Avraham sitting outside in the sun shortly after his circumcision. You might be wondering: Why is he outside on a hot summer day when he is still in pain? Rashi (BeReishit 18:1 s.v. Petach HaOhel) cites a Gemara (Bava Metzi'a 86b) in which Chazal explain that Avraham was waiting outside in case travelers passed by to perform the Mitzvah of Hachnasat Orchim, welcoming guests. From Avraham's example, we can learn the importance of Zerizut—rushing to do Mitzvot in any opportunities—and how we should love Mitzvot.

This is a beautiful lesson, but it's not what I'm going to talk about in this Devar Torah. I'm not trying to underplay the importance of Zerizut or Hachnasat Orchim, but I have a different message to share.

At the beginning of the Parashah, Avraham is sitting outside and Hashem appears to him, as the Pasuk says, "VaYeira Eilav Hashem BeEilonei Mamrei," "Hashem appeared to [Avraham] in the plains of Mamrei" (BeReishit 18:1). Usually in Tanach, when Hashem appears to someone, He communicates with that person, but this isn't the case in VaYeira. The next Pasuk abruptly shifts to Avraham seeing the three Mal'achim, angels, and inviting them to his tent.¹ Why does the Torah record that Hashem appears to Avraham but not record what Hashem says to him?

There are two ways to understand Hashem appearing to Avraham in VaYeira with no recorded conversation. It could be that there is a conversation between Avraham Avinu and Hashem, but it isn't recorded because it isn't Nitzrechah LeDorot—applicable to future generations. Or it could be that Hashem never communicates with Avraham at all. Even if you believe that a conversation occurs between Avraham Avinu and Hashem that isn't recorded, the fact that the Torah records Hashem appearing to Avraham but does not record the conversation shows that the appearance alone must be significant. Regardless of how you perceive the incident, the mere presence of Hashem before Avraham must be more important than any conversation they may have had.

Now that we've settled on the appearance of Hashem before Avraham being the important factor, we need to understand why it is important. To accomplish this, we need to look at the text to understand why Hashem appears to Avraham at this point.

VaYeira resumes the story of the preceding Parashat Lech Lecha after Avraham circumcises himself and his family. Rav Elie Munk, in his work *Kol HaTorah*, notes the juxtaposition and explains that immediately after Avraham Avinu gets a Brit Milah, he fears it will alienate him from others and force him to live in isolation. In Parashat VaYeira, Hashem appears to Avraham to let him know that even if the Brit Milah alienates him from others, it is bringing him closer to HaKadosh Baruch Hu, and that is all that matters.

Ramban (18:1 s.v. BeEilonei Mamrei) adopts the position that Hashem and Avraham do not have engage in conversation but that Avraham benefits from the presence of Hashem. Building on Rav Elie Munk's words, we can explain that the Ramban means that Hashem doesn't have anything urgent to communicate to Avraham but that Avraham has the Zechut of being in relationship with Hashem where Hashem's presence is in his home post-Brit Milah. I'd like to suggest a radical view that maybe Hashem never specifically visits Avraham at all, because Hashem is everywhere already. However, because of his Brit Milah, Avraham is more in tune with God's presence in his everyday life. Stop to think about it: It's unbelievable for a person to feel Hashem's presence vividly in his mundane life. This is something everyone can aspire to.

Rav Elie Munk takes things a step further and adds that alongside Avraham's new close relationship with Hashem is an increased responsibility towards his fellow man as "Av Hamon Goyim," "father of many nations" (17:5). This could explain why we immediately see Avraham exercising this responsibility by performing Hachnasat Orchim to "travelers" (he doesn't know they are Mal'achim). Additionally the interaction with the traveling Mal'achim demonstrates to Avraham that his close relationship to Hashem will enrich his life, not force him into isolation.

Now everything comes full circle. We began with Rashi's statement about Avraham performing Hachnasat Orchim after his Brit Milah, and I said that we can learn from Avraham the importance of Zereizut, rushing to fulfill Mitzvot at any opportunity, and the importance of loving Mitzvot. But it's more than that. I also mentioned that Avraham is worried about his Brit Milah alienating him from others and is reassured by Hashem that his Brit Milah just brings him closer to Hashem. When Hashem appears to Avraham Avinu, Avraham realizes that even though Mitzvot might alienate him from others, they bring him closer to Hashem. But at the same time, Avraham embraces the Mitzvot, as evidenced by his Zerizut, and he applies them to

¹ It is possible to claim, as Rambam does (Moreh Nevuchim 2:42), that Hashem appears to Avraham through the Mal'achim or that the interaction with the Mal'achim is all part of a Nevu'ah from Hashem. However, according to a literal reading, Hashem Himself appears to Avraham.

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connect to his fellow man, as evidenced by his Hachnasat Orchim.

It's incredible what you can learn from one Pasuk. Even though Brit Milah is acceptable in America, our generation has its own "Brit Milah" Mitzvah that alienates us from others. No matter where we go in life, we will have experiences where we might feel pressured by external influences to compromise a seemingly minor Mitzvah that alienates us. But we need to recognize that these Mitzvot only bring us closer to Hashem, to embrace them wholeheartedly like Avraham, and to bridge our relationship in an appropriate way with our fellow man.

HASHEM'S PHYSICAL MANIFESTATIONS

by *Elä Schloss* ('19)

In this week's Parashah, Hashem informs Sarah that she will soon bear her first child. Upon hearing this, Sarah laughs and says, "Acharei Veloti Hayetah Li Ednah? VaAdoni Zakein!" "After I am old, shall I have pleasure? And my lord is old!" (BeReishit 18:12). The first half of her comment is straightforward, but to whom does the phrase "And my lord is old" refer to? And what does this phrase have to do with Sarah laughing because she will have a child at age 90?

We can resolve this by looking at Rashi's commentary on the next Pasuk. Hashem speaks to Avraham Avinu and repeats what Sarah Imeinu said about the news. However, instead of Hashem repeating "And my lord is old," He says "And I am old" (BeReishit 18:13). Rashi explains that Sarah referred to Avraham, but Hashem changed her words to refer to Sarah herself, to preserve peace in the household. Why would Sarah call Avraham old? She did this to show that it was not merely she who was too old to bear a child, but Avraham was also too old; Hashem would have to perform a double miracle.

My great-great grandfather Rav Ephraim Fischel Conterman, who served for many decades as a Rav in New Orleans, offered another approach to Sarah's strange language in his Sefer Sha'ashu'ei Ephraim. He writes that when Sarah states "And my lord is old," she is referring to Hashem.

What does it mean that Hashem is "old," as it were?

Chazal teach us that Hashem's abilities that He manifests in different situations run parallel with his different perceived physical attributes. For example, when Hashem acts outside of nature by the Yam Suf, He is described as "Hashem Ish Milchamah," "Hashem, a man of war" (Shemot 15:3), i.e. a young, powerful warrior.

Rav Conterman explains that the Rashbam applies this teaching of Chazal in a line of his An'im Zemirot,² which

states, "Ziknah BeYom Din UVacharut BeYom Kerav KeIsh Milchamot Yadav Lo Rav," "Old age on the day of judgment and youth on the day of battle, like a warrior, His hands fought for Him." The second half of this sentence corresponds to Hashem's actions at the Yam Suf, in which He is physically described as a warrior when He acts outside of nature. "Ziknah BeYom Din" corresponds to Hashem's actions that fall within the natural order. In those cases, He is compared to an old man in judgment. An example of "Ziknah BeYom Din" is when Hashem teaches the Torah to Moshe to give to Bnei Yisrael; Hashem would be perceived as an old man in judgment, as opposed to the warrior He is compared to during Keriyat Yam Suf.

Applying this concept back to Sarah Imeinu, Hashem appears to Sarah in a prophecy and proclaims that she will have a child. The fact that Hashem informs her of a coming miracle does not surprise her, but Sarah is surprised that Hashem appears to her as an old man. Since the miracle that Hashem says He will perform is outside of the natural order, He should have appeared to Sarah as a young warrior. Instead, Sarah "sees" Hashem as an old man, confusing her and leading her to state, "And my lord is old."

But how could Hashem perform a miracle outside of nature with the "physical appearance" of an old man? Hashem himself answers this question by stating, "HaYipalei MeiHashem Davar?" "Is anything too wondrous for Hashem?" (BeReishit 18:14). This means that regardless of any statements or theories of Chazal and the Rashbam, Hashem can do anything at all times, no matter the way that humans, as it were, "see" Him. Sarah errs in believing that G-d is confined to acting in accordance with his perceived "physical attributes"; Hashem is always capable of anything and everything.

My Wife is AN ALIEN!

by *Rabbi Chaim Jachter*

The Story

A number of years ago while administering a Get, the husband asked to speak to me privately. He then proceeded to inform me that his wife was an alien and that his children were the offspring of an alien! Needless to say, it was quite unsettling to hear this, as the Halachic implications were potentially catastrophic. A Shoteh (mentally incompetent or disturbed individual) is not eligible to give a Get (Shulchan Aruch Even HaEzer 121). In the words of the Mishnah, "Nishtatah Lo Motzi Olamit," "[a husband] who becomes a Shoteh can never divorce his wife" (Yevamot 14:1). I completed the administration of the Get but withheld the Petur (the certificate that proves the Get took place) until further investigation and study were completed.

Rav Feinstein's Ruling—The Man Who Thought He Was Mashi'ach

Immediately what came to mind was a celebrated responsum of Rav Moshe Feinstein (Teshuvot Igrot Moshe Even HaEzer 1:120). In this case, which occurred in Russia in 1929, the husband claimed to all that he was Mashi'ach and even walked around unclothed (among other highly irregular and aberrant behaviors), thinking that the Mashi'ach had arrived and that we had returned

² Rav Conterman understands in the tradition of Rav Ya'akov Emden (Sidur Ya'avetz) that the words "Shirat Rash," "The song of a poor one," are an acronym to reference the author, whom he takes to be "Rav Shmuel," i.e. the Rashbam. Most commentators attribute the poem to Rav Yehudah HeChasid.

to the time prior to Adam and Chavah eating from the Eitz HaDa'at, when clothes were unnecessary. The husband had settled down somewhat by the time he came to Rav Moshe for a Get, but he still maintained that he was Mashi'ach.

An Invalid Marriage

Rav Moshe Feinstein wrote a very long responsum justifying why the man was not a Shoteh and was eligible to provide a Get to his wife.³ Three of his reasons are relevant to the husband who claimed his wife was an alien. One argument is that the husband claimed he was Mashiach already at the time he married his wife. Rav Moshe reasons, MiMah Nafshach, if the marriage was valid despite his claiming to be Mashiach, he is eligible to give his wife a Get. If, on the other hand, we argue that by presenting himself as Mashi'ach he renders himself a Shoteh, he was a Shoteh at the time of the marriage as well and there is no need for a Get, as a Shoteh is ineligible to contract a marriage as well as give a Get.

In our case as well, it turns out that the husband presented himself in a highly unusual manner at the time of the wedding. I spoke with the Mesader Kiddushin, who was an Orthodox rabbi,⁴ who related that he had tried to convince the wife to refrain from marrying this man but to no avail.

An Exhaustive List—Chagigah 3b-4a

A second basis offered by Rav Moshe is as follows: The Gemara (Chagigah 3b-4a) cites a Beraita which lists three behaviors that could render someone a Shoteh: one who walks alone at night (presumably in an exceedingly dangerous area), one who sleeps in a cemetery, and one who tears his clothes. A second Braita is quoted as well, presenting one who destroys everything that is given to him as a Shoteh as well.

The Rambam (Hilchot Eidut 9:9) understands this list to be "Lav Davka," not limited to these examples. Rather, anyone who acts in any extremely bizarre manner is regarded as a Shoteh. The Beit Yosef (Even HaEzer 121 s.v. Simanei Shoteh) supports the Rambam from the fact that the Gemara does not mention that the two aforementioned Braitot contradict each other. If the list that appears in the first Braita were exhaustive, the second Braita, which presents a different example, would be seen as contradicting the first.

Nonetheless, the Beit Yosef cites a number of Rishonim who believe that the four examples presented in the Gemara are the only ones which render an individual a Shoteh to the extent that he is unable to give a Get. These Rishonim include Rabbeinu Simchah, Rabbeinu Avigdor, and the Maharik (no. 19). Interestingly, the Maharil cites a case that occurred in the German Jewish community of Wurzburg in which this approach was relied upon regarding a husband who may have been a Shoteh.

³ Simply the fact that someone is currently a Shoteh does not prove that he was a Shoteh at the time of the marriage. We must be concerned that perhaps his mental state deteriorated after the marriage to make him a Shoteh. In Halachic parlance, a Chazakah DeHashta does not create a retroactive presumption. For example, if a Mikveh is discovered to be missing the Shiur (required amount) of water, it does not prove that it lacked the Shiur prior to the discovery (see Mikva'ot 2:2 and Niddah 2a-2b).

⁴ Had a non-Orthodox rabbi conducted the wedding ceremony, the marriage most likely would have been invalid, as I discuss in Gray Matter 1:63-90 and Techumin 18:84-91.

Rav Moshe relies in part on these Rishonim, as the husband did not exhibit any of the Gemara's specific behaviors at the time of the Get. The same rationale may be applied to our situation, since claiming that one's wife is an alien is not one of the cases that appears in the Gemara.

A Rational Explanation of the Behavior

Rav Moshe's most creative and well-known aspect of his ruling is that the husband was not a Shoteh but rather was making a foolish mistake. Rav Moshe continues and argues that his aforementioned aberrant behavior was merely a reasonable conclusion that emerged from his foolish mistake. Rav Moshe notes that idol worship is utterly irrational, but belief that wood and stone is a god does not render one a Shoteh. He argues that just as the idol worshiper is regarded as severely misguided but not insane, so too the husband who thinks that he is Mashi'ach is simply misguided and not insane.

In our case as well it seems that the husband arrived at a very foolish conclusion about his wife but does not necessarily need to be classified as a Shoteh. The wife was Israeli and it is very possible that the husband heard from an immigration attorney or an immigration official that his wife is an alien, meaning not a citizen of the United States. The husband foolishly misinterpreted their words as saying that she originated from another planet. He was foolish to draw this conclusion from the words of a person of authority, but this misinterpretation does not render him a Shoteh.

Rav Soloveitchik's Criticism of This Prong of Rav Moshe's Ruling

We should note, though, that Rav Yosef Dov Soloveitchik forcefully rejects this last prong of Rav Moshe's ruling.⁵ Rav Soloveitchik argues that a Messianic delusion is a universally recognized symptom of psychosis and thus cannot merely be relegated to a mistake. Our case may be different, though, since (regrettably) many people in the United States believe in aliens. Thus, our situation is comparable to idol worshippers who believed in utter nonsense because many people in the surrounding culture subscribed to such belief. Thus, belief in aliens does not constitute evidence of insanity, since the husband is likely influenced by the segment of society that espouses such a belief.⁶

A Precedent - The Famous Clever Get

Our situation, nonetheless, may be compared to a classic situation that occurred in the eighteenth century referred to by Torah scholars as the "Clever Get."⁷ In this situation, the husband apparently suffered from paranoia, thinking that he had to leave Germany to England because people were trying to kill him. The Beit Din in the town of

⁵ As reported by Rav Hershel Schachter, Nefesh Harav p.264

⁶ It is certainly odd to believe one's wife is an alien, but as Rav Elazar Meyer Teitz told me on numerous occasions, a person is not necessarily classified as a Shoteh just because a he is somewhat unusual or strange.

⁷ The Encyclopedia Judaica (5:613-515) describes this event and the ensuing controversy at some length.

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Cleves⁸ administered the Get, but the Beit Din of Frankfort disqualified the Get on the grounds that the husband was a Shoteh. The case caused worldwide rabbinic controversy, and in the words of the Pitchei Teshuva (Even HaEzer 121:2), “all the Gedolim throughout the world sustained the validity of the Get.” In fact, two Sefarim, Ohr HaYashar and Ohr Yisrael, were written supporting the ruling of the Cleves Beit Din.

Most significant for our case is the reasoning to sustain the Get presented by Rav Yechezkeil Landau, the author of Teshuvot Noda BeYehudah (printed in Ohr HaYashar no. 30). Rav Landau notes that the cases in the Gemara are ones in which the individual acts in a deranged manner. There is no example in the Gemara of someone who *speaks* in an irrational manner being defined as a Shoteh.

Rav Landau concludes that simply speaking irrationally about one matter does not render one a Shoteh.⁹ Thus, since the husband in the Clever Get did not act irrationally but spoke unreasonably only about being pursued by people trying to harm him, he is not a Shoteh and the Get is valid. In our case, the husband only spoke irrationally about his wife being an alien and thus, following in the footsteps of the Noda BeYehudah, the husband is not defined as a Shoteh and the Get is valid.¹⁰

A Precedent from Rav Kook

In 1932, Rav Avraham Yitzchak HaKohein Kook (Teshuvot Ezrat Kohen 67-68) was consulted by the Beit Din in Sao Paulo, Brazil about the following situation. The husband apparently needed to be hospitalized for a considerable period of time, and he attributed his hospitalization to being captured by those who hated him. Rav Kook was prepared to rule that this man was eligible to give his wife a Get on the basis of the aforementioned ruling of Rav Landau.¹¹

Rav Kook also writes, similarly to the aforementioned approach of Rav Moshe, that we may attribute his assertion of being captured to a mistaken belief. Rav Kook argues that it is not completely unreasonable for one to think he has been captured

and placed in a hospital if he believes himself to be healthy.¹² Rav Kook concludes that the husband is simple-minded (Peti) but not a Shoteh. Rav Kook also adds, similarly to Rav Moshe, that since it was reported that the husband was ill at the time of the marriage, we may argue that if the husband is currently a Shoteh he was also a Shoteh at the time of the marriage.

Conclusion

In our case, there are four reasons to justify the validity of the Get despite the husband’s assertion that the wife is an alien. The first reason is that we can argue that the marriage was invalid on the basis of his being a Shoteh at that time. Second, we rely on the Rishonim who believe only those who exhibit the four errant behaviors mentioned in the Gemara are described as a Shoteh. Third, we may attribute his unusual statement to his misinterpretation of an authority figure describing the wife as an alien due to her not being a United States citizen. Fourth, according to Rav Yechezkeil Landau, articulating one bizarre verbal statement does not render one a Shoteh. In addition, believing in alien life is an unusual but widely-held belief among certain segments of American society. The husband is merely echoing an errant, but accepted, belief. This, similar to idol worship, does not render one a Shoteh.

In the end, our Av Beth Din (Chief Justice) Rav Elazar Meyer Teitz ruled that the Get was valid and we issued the wife a Petur. The world-renowned Rav Yankel Lichter served as the Sofer for the Get, and he agreed with the assessment that the husband was not a Shoteh.

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This publication contains Torah matter and should be treated accordingly.

⁸ Cleves is located near the border of Germany and Holland.

⁹ Rav Landau cites as evidence for this assertion the Gemara (Gittin 68b) which states, “a Shoteh does not express his incompetence only in one area.” The implication is that if he makes only one bizarre assertion, he is not rendered a Shoteh.

¹⁰ In our case, our scribe was delayed for an hour in severe traffic and thus, I spent an extra hour with this couple before the Get began. Other than the bizarre comment regarding his wife being an alien, the husband comported himself and spoke in a fairly normal manner. Moreover, he was able to competently and intelligently participate in the entire Get process, which includes Hatarat Nedarim (dissolving of vows) and Bittul Moda’ot (nullification of disclaimers). Pitchei Teshuvah (op. cit.) writes that successful completion of these steps is evidence of mental competence. In fact, when training to serve as a Mesader Get (Get administrator), I asked Rav J. David Bleich how I could tell if a husband was sufficiently inebriated to the extent that he was disqualified to give a Get. He responded that a husband’s successful completion of the Hatarat Nedarim and Bittul Moda’ot suffices to indicate that he is not drunk to the extent that he may not give a Get (Lo Higi’a LeShichruto Shel Lot).

¹¹ The problem in this case was that this seemed not to be the sole aberrant verbal interaction of the husband.

¹² Rav Kook also explains that we may be Toleh (assume) that the man is arguing that he was captured in order to avoid embarrassment regarding the true reason for which he was hospitalized.