



HaRav Shaul Israeli zt"l  
Founder and President

# HEMDAT YAMIM

## Parashat HaShavua

Vayeishev, 23 Kislev 5779

### Fire on the Fire of Hatred

Harav Yosef Carmel

Yosef's behavior in relation to his brothers raises many questions. In the first stage, we find that the brothers hated Yosef because of Yaakov's preferential treatment. However, afterwards, the dreams that Yosef had, which demonstrated his expectation to have full leadership, and especially the fact that he shared these dreams with his brothers, just made things worse. Regarding the dreams, the matter happened in two stages – first, he told them that he had dreams; then, he specified their details (see Bereishit 37:3-8). Why did Yosef, who saw that his brothers already hated him due to the special cloak his father made for him, continue to do things that exacerbated the hatred?

Let us suggest the following answer. Yosef actually intended to appease his brothers, when he saw that the fact that he was favored created resentment. He told them that the fact that he was elevated among them was not his own fault or that of his father, but that actually it was part of a divine plan. He was the one who would be the dreamer of the next generation, like Avraham, Yitzchak, and Yaakov. (Realize that throughout *Sefer Bereishit*, every single dream, even those by non-Jews and non-*tzaddikim*, such as Paroh, Avimelech, and Lavan, were prophetic.) Since this was already decided from Above, it made sense that they should accept what they viewed as their father's decision, without anger or hatred.

The brothers did not accept Yosef's argument. Perhaps the reason is that he spoke to them too harshly, as the Torah uses the word "*vayaged*" for what he said to them, and this is the term used for the harshest statements (See Rashi, Shemot 19:3). The result was additional hatred. But why did he seem to ignore the likelihood of their not surprising reaction?

One possibility is that he had no choice because a prophet is forbidden to withhold the prophecy he was given to share. The Rosh says that it was divinely communicated to Yosef that he would be guilty before Hashem if he did not share his dreams. Yosef preferred his brothers' wrath to that of Hashem.

Abarbanel has another explanation. The brothers feared that the future held Yosef being the preferred son, as the firstborn of the wife Yaakov had chosen and loved, and that history would repeat itself. They would be removed from the family and the nation-in-the-making as Yishmael and the children of Avraham's concubines had, and as Eisav had. That is why Yosef told them his dream in which, true, he was the prominent one, but they at least remained together "in the same field." His hope to allay their fears was, though, not appreciated.

We will expand on this theme next week. In the meantime, let us pray that the light of Chanuka candles will increase the love and unity between the sons of Yaakov/Yisrael.

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**Those who fell in wars for our homeland. May Hashem avenge their blood!**



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# Ask the Rabbi

by Rav Daniel Mann

## Shaming those who do Not Vaccinate

**Question:** Is it permitted to publicly shame those that do not vaccinate their children for measles and put people in the community at risk in order to get them to vaccinate?

**Answer:** [*Presumably, some readers will find our response offensively strong and others will find it vexingly weak – this is often a sign of reasonable balance.*]

Let us first summarize the medical consensus. (We do not give medical advice when there is not a consensus). Measles is a highly contagious disease that is at least unpleasant but more importantly can cause severe long-term health problems, and occasionally death. Immunization includes an extremely low chance of severe problems and normally only causes mild discomfort. It is recommended by virtually all doctors. Although the vaccination is not foolproof, its success rate in preventing contracting measles is well above 90 percent. Therefore, when almost the entire population is vaccinated, there are only a handful of cases of measles a year, and such a disease has a chance of being eradicated. When many are not vaccinated, an outbreak can occur, as has happened in Jerusalem. Then, while each individual vaccinated person is unlikely to contract measles, a certain percentage of the many exposed to it will. Children before their second dose are slightly more susceptible, and babies under a year old, who are too young to be vaccinated, are at great risk.

Halacha believes in following the instructions of doctors, whether Jewish or not, to the extent that their orders to save lives are sufficient grounds to violate Torah-level Shabbat violations (Shulchan Aruch and Rama, Orach Chayim 328:10). When there is disagreement between doctors, weight is given to both the number and the level of expertise on the various sides (see Biur Halacha ad loc.). The obligation to protect one's health is a more severe matter than avoiding *aveirot* (Chulin 10a). Therefore, it is not surprising that *poskim* rule that one who refuses to follow doctor's life-saving orders can be coerced to do so (Magen Avraham 328:6). The matter is even clearer when one not only endangers himself but is endangering others. If vaccination was being done almost universally, one might have the right to listen to his medical advisor (non-standard doctor or rabbi or "guru"), as the risk raised by a small number of not vaccinated people is small. But when it becomes a trend, it is dangerous, and when an area is in the midst of an outbreak (because of the prevalence of such people), the situation is grave, as is unfortunately the case in Jerusalem at the time I am writing.

In theory, then, it is justified to take steps to pressure people to vaccinate. Despite this, we at Eretz Hemdah oppose individuals taking the matter into their own hands by shaming (whether the old-fashioned ways or through social media). The precedent of condoning such behavior is extremely dangerous to society. One will shame over a medical matter; another over something religious; another for a political cause, etc. Do realize that when rebuking people for doing *aveirot*, one must not do so by means of shaming a person, especially publicly (Rambam, De'ot 6:8)

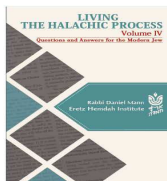
We are believers in steps being taken by those with responsibility and authority. In this case, public health officials, in cooperation with other government arms, should take the steps their experts deem appropriate. In many cases, intense public education is more effective than attempts at coercion, but they have the prerogative and even responsibility to the public to take punitive steps if deemed necessary.

What an individual and an "unauthorized" group may do is take steps focused on protecting themselves. At a time of an outbreak, it is legitimate to avoid contact with friends or relatives who do not vaccinate, even when it is insulting. A shul, by decision of its rabbi and officers, may decide that the danger at a given time warrants demanding of such people not to come/bring their children to shul. But intentional shaming is not the way to go about it.

**Do not hesitate to ask any question about Jewish life, Jewish tradition or Jewish law.**

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# Ein Ayah

(from the writings of Harav Avraham Yitzchak Hakohen Kook, z.t.l.)

## Broad Knowledge for those on the Verge, Not Beyond it

(condensed from Ein Ayah, Shabbat 8:8)

**Gemara:** Rav Zeira found Rav Yehuda when he was by the entrance of his father-in-law's home. He saw that Rav Yehuda was in a happy mood and that if he asked him any question about anything "in space" (i.e., in the world), he would give the answer.

**Ein Ayah:** There is a phenomenon of an elevated spirit to the point that it conceives all sorts of conceptions that exceed all boundaries, including the boundaries of the holy confines of the details of the Torah. Realize that the Torah is compared to a woman, as it is the practical, outward expression of the wisdom. In contrast, the wisdom itself comes from Hashem, Who is represented by the woman's father.

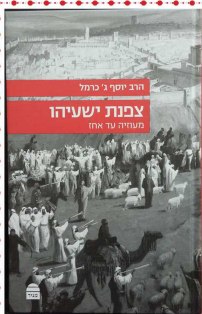
When one has an elevated soul, the happiness exceeds all boundaries, and the whole world can be seen from the internal side of the wise spirit. The paths of wisdom break forth to be able to view everything, from the lofty to the lowest and most trivial matters. He can view not only matters that can be grasped through intellectuality and logic, but even things that seem to be improper for the developed mind to spend time thinking about, things that can be expressed in terms of air and space. These too will be illuminated by the great person's mind when it "flies" beyond all boundaries.

This is represented by the metaphor of Rav Yehuda being by the entrance of the home of his father-in-law (i.e., Hashem), at which time his spirit was open to understanding everything without limitations. While he would naturally be focusing on lofty matters, the questioner would be able to take him to any matter, including those that are simple and insignificant, and Rav Yehuda would be willing to answer.

When one is on the verge of divine understanding, the flow of understanding could even take him to matters in the simple physical world. The abundant inspiration of the hidden world actually makes all of wisdom open before him. Everything becomes clear and unified. When one has both the highest thoughts and also connects to the most mundane things, this is described as a happy mood, and questions of limited depth are solved immediately.

It is different when the scholar goes beyond the entranceway but actually "goes into his father-in-law's house." While he enjoys his exposure to the light of Hashem and His goodness, he is no longer described as being in a good mood, which allows him to look from above to below, from the sacred world to the mundane world. Along with the spiritual enjoyment of one who is inside, there is a certain "heaviness of the head" and a joyous trembling, as the greatest lights shower down upon him, taking him to a place higher than the place from which he came. His thirst for Hashem and his fear, full of an appreciation of sanctity, grow. At the same time, he is distanced from the logic of mundane matters, as thoughts of the divine erase them. He is not able to answer questions about matters in "the space of the world."

Therefore, the time to ask questions about matters of the mundane world is when one is by the entrance to the deeper levels. Then, questions can bring him to focus on solutions to simple dilemmas.



### Tzofnat Yeshayahu- Rabbi Yosef Carmel

The Prophet Yeshayahu performed in one of the most stormy and dramatic periods of the Israeli nation's life, a period of anticipation for the Messiah that was broken by a terrible earthquake, and also caused a spiritual and political upheaval. The light at the end of the tunnel shone again only in the days of Chizkiyah.

"Tzofnat Yeshayahu – from Uziya to Ahaz" introduces us to three kings who stood at this crossroad in our nation's history: Uziya, a king who sought God but was stricken with leprosy because of his sin; Yotam, the most righteous king in the history of our people; And Ahaz, the king who knew God but did not believe in His providence.

In his commentary on the prophecies of Yeshayahu, Rabbi Yosef Carmel, Head of the Eretz Hemdah-Gazit rabbinical court and a disciple of Rabbi Shaul Israeli zt"l, clings to the words of Hazal, our sages, and to the commentaries of the Rishonim, the great Jewish scholars of the middle ages, and offers a fascinating way to study Tanach. This reading attempts to explain the Divine Plan in this difficult period and to clarify fundamental issues in faith. Tzofnat Yeshayahu reveals to the reader the meaning of the prophecies in the context of the prophet's generation and their relevance to our generation.

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# P'ninat Mishpat

## Delay in Providing Documentation

(based on ruling 71027 of the Eretz Hemdah-Gazit Rabbinical Courts)

**Case:** The plaintiff (=pl) bought an apartment for 463,000 shekels from the defendant (=def) under a contract with normal requirements from the sides, including dates of payment, transfer of possession, and providing of necessary documentation to the other side. One of the documents that def was supposed to provide was a letter of intent from the mortgage bank, stating the terms under which the lien on the apartment would be lifted. She failed to provide this letter by the time prescribed. Pl claims that this delay caused the following damages: 7,500 shekels difference in the mortgage pl was able to get, as mortgage rates went up before he was able to secure one; 2,500 shekels for a delay in being able to rent out the apartment; varied other small expenses involved in taking care of the matter. Additionally, the contract ascribes \$50 a day for delays in fulfilling its terms. Def admits the delay but explains that she was out of the country and was not aware that the delay was of importance to pl. She also notes that she allowed def to move in to the apartment before he had paid the full amount spelled out to receive control. Def also complains that because pl has not finished paying municipal fees, it has not been possible to transfer official ownership, which pl has used as an excuse to withhold the final 30,000 shekels.

**Ruling:** Regarding the \$50 payment for the delay, pl is misrepresenting the contract, which calls for such a fine only for delay in transferring possession of the apartment. It is true that control is supposed to be transferred when a host of responsibilities are taken care of, including completing necessary paperwork. However, it is clear that the control itself is the issue. Considering that def was nice enough to allow pl to move in before he had paid the requisite amount, such a claim is not in good faith.

Regarding the more expensive rate of mortgage that pl was forced to accept, we calculated the damage, which comes to 1,233 shekels (not 7,500). However, pl does not deserve damage payment because of the following considerations. His behavior (we will skip details in this forum) demonstrated that he did not impress on def that receiving the document at the appointed time was important to him, and that it indeed was not a priority of his. Furthermore, the payment of the bulk of the cost of the apartment, in which pl was significantly late, is worth more money than that.

It was possible for pl to have rented out the apartment after receiving control even if all the paperwork was not complete. Therefore, the delay in renting it out is not def's doing. The only damage that def should compensate pl for is for the 60 shekel fee of reapplying for a mortgage.

Pl must pay municipal taxes immediately, finish the transfer of ownership, and make the final payment.

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Ro'i Moshe Elchanan ben Gina Devra / Eliezer Yosef ben Chana Liba  
Yair Menachem ben Yehudit Chana / David Chaim ben Rassa  
Meira bat Esther / Rivka Reena bat Gruna Natna  
Yafa bat Rachel Yente / Lillian bat Fortune

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