

A LESSON FROM THE PARASHA

Brotherly Justice

GUEST CONTRIBUTOR
RABBI ELI POLSKY

"They saw him from afar. And before he approached them, they plotted against him to kill him" (37:18).

What were they thinking?! This was Yosef *Hatzaddik* that the Tribes were plotting to kill! We are not in a position to judge these *tzaddikim*, the sons of Yaakov, but we still want to understand their reasoning. It certainly was not a crime of passion!

Our sages tell us that they formed a court of law with the Divine Presence to judge Yosef as a capital case. But this just raises even more questions; namely, what could he have done to deem him worthy of the death penalty? And, if he was, in fact, deserving of capital punishment, what type of court of law absolves themselves of their responsibilities by selling a criminal who is guilty of a capital offense into slavery?

Actually, the verse should be interpreted that they felt that Yosef was plotting against **them** to kill **them**! Yosef, they thought, was **not** approaching to inquire of their welfare; rather he approached hoping find some type of shortcoming in their behavior or to goad them to sin, so that he could go back and report to this to their father, thereby inducing their father's curse upon them, or have Heaven punish them, respectively, and he, alone, would remain as the Blessed Son (S'forno).

But, where on earth would they have gotten such a far-fetched notion from? In fact, there was plenty of such precedent for it. And viewing Yosef—and the events of his life until now—through the lens of such precedent revealed a very startling, and disturbing, image of Yosef in their minds' eye.

Avraham had two sons. Only one was chosen to continue Avraham's mission of building *Klal Yisrael*. The other was pushed away. Yitzchok, had two sons. Only one was chosen to continue Yitzchok's mission of building *Klal Yisrael*. The other was pushed away.

And now...Yaakov had twelve sons. Only one seemed to be favored! What would be the fate of the others?

And, in fact, their fear was not really totally unfounded. Yosef was on a slightly different level than the others. He was—and still is—in a sense an "Av," a "father" of the Jewish people. Only his children took the status of Tribes upon themselves, while Yosef faded into the background; such as the other *Avos* did. In fact, our Sages say that Yosef, himself, should have begot twelve tribes on his own! In fact, Yaakov was called "Yisrael" only in Yosef's presence!

Consider the following words of our Sages:

- Now Yisroel loved Yosef from all of his sons – For he resembled him (Rashi 37:3).
- These are the chronicles of Yaakov; Yosef – All that happened to Yaakov happened to Yosef (Rashi 37:2).
- And when Rachel bore Yosef, Yaakov said to Lavan, "Send me off" – For now Eisav's nemesis was born. ... Now that Yosef was born, Yaakov trusted that Hashem had given him all the tools that he needed to confront Eisav, and he wished to return home (Rashi 30:25).

And so the Tribes sentenced him to death on charges of being a spiritual murderer. Yet, they did not charge him with the death penalty from the hands of **man**; rather they charged him to die from **Heaven**! This is the meaning of our Sages when they say that they included the Divine Presence in their deliberations! "And now we shall see what becomes of his dreams!" (37:20) (Ohr Gedalyahu)

And now we could understand how all of these *tzaddikim gemurim*, completely righteous men could have all come to the same conclusion: to kill him or sell him. In fact, later on, when they first expressed remorse over this whole incident, it was not regret over the decision itself; rather it was over their callousness ["But indeed we are guilty on our brother, in that we saw his pain when he pleaded with us, and we paid him no heed!" (42:21)] And so the verse is informing us of their real intent; they believed that Yosef was coming to assassinate them in either this world, or the next, or in both! And the Torah says, "One who comes to kill you, arise and kill him first!" (S'forno) 🕒

THE RABBI WAS ASKED

ADAPTED BY RABBI DOVID TZVI MEISSNER FROM
ME'AH SHE'ARIM BY RABBI YITZCHOK ZILBERSTEIN

There was a fellow who lost his parrot. One day, as he was walking down the street, he heard a parrot calling from the other side, "Adam, Adam!" This fellow's name indeed was Adam.

Q Can Adam rely on the parrot calling his name to prove that the bird is his, requiring the finder to return it?

A In general, one who finds a lost parrot need not attempt returning it to its owner. The *Rema* (C.M. 260:5) explains that a bird that flies always may be kept by the finder because we assume it belongs to the majority of birds (i.e. not to the one who lost it). One who acts beyond the letter of the Law should indeed try to return it to its owner.

The question still remains, though, if the parrot's talking is a sufficient enough sign to prove its ownership.

The Mishna in *Sotah* (6:1) states, one who warned his wife not to seclude herself with someone, and she went into seclusion, even if he heard about it from a passing bird, he must divorce her and pay her *kesuba* (marriage contract). Some commentaries explain that this bird is referring to a parrot which can repeat things it heard or saw.

Ultimately, it is unclear if we rely on such a "proof."

The Talmud (*Bava Metzia* 25b) rules that one who finds a coin need not return it to the supposed owner who provides identifying marks on the coin, because he may have recognized those signs when the coin was his, and

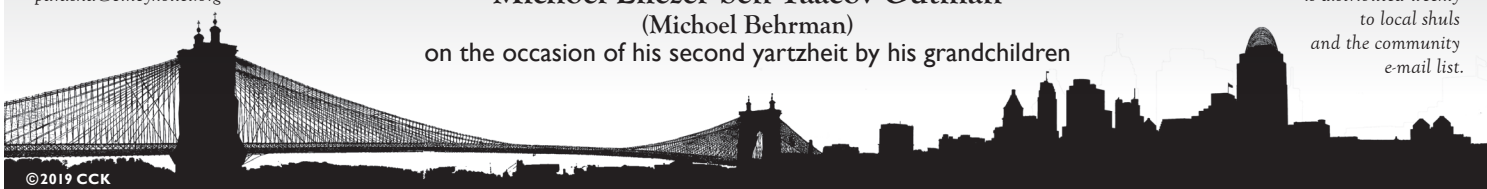
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THE RABBI WAS ASKED

CONTINUED

then transferred it to someone else. Perhaps here too, the parrot may have indeed been owned by Adam at some point, but he may have sold it to someone else.

However, there is a distinction between the two. *SM" A (C.M. 262:28)* explains that many coins look exactly alike for they are minted the same; therefore, we cannot rely on identifying signs, for we assume the coin isn't his (anymore). Regarding other items, however, the Ramban writes, we rely on the owner's identifying marks and don't assume he has since sold it. 🕒

IT HAD TO BE HASHEM

Polish Jews, many of them yeshiva students, escape from the invading Russian army to the city of Vilna, recently returned to Lithuania by the Soviet Union, but the threat of Soviet invasion into Lithuania loomed large...

The Jews now in Lithuania desperately looked for ways of escape out of Europe. The obvious choices of America and Israel were not viable. Israel's borders were tightly restricted by the British and, although there was the possibility of some taking that route, it was not a large number, and America ignored requests to allow emergency immigration. Just to undertake any travel of any kind there were several hurdles to be overcome. The first thing necessary was a passport, which most Polish refugees did not

A PARASHA Q 4 U

RABBI DOVID SPETNER

How many of Yaakov's descendants are mentioned by name in this week's *parasha*?

Bring this question to the Shabbos table and see who knows the answer! 🕒

GLIMPSES OF THE KOLLEL



have and seemed to be impossible to obtain in Lithuania. Now that Poland was overrun, the only place to go for a passport was to a Polish embassy, and there were none in Lithuania because of the long-standing enmity between the two nations. Rabbi Avrohom Kalmonowitz, who was the president of the Mirror Yeshiva and had already traveled to America several times, was able to secure a visa for himself to America and traveled through Stockholm, Sweden, to get there. Once in America, he set a goal for himself to at least get passports for the Mir Yeshiva students, while others worked to furnish passports for other Polish refugees. Once people had passports, they then would need entry visas to their final destination. Those lucky enough to have a passport now had to figure out who would take them if Israel and America were not options. During this time, Nathan Gutwirth, a Dutch young man learning in the Telshe Yeshiva, went to the Dutch consulate in the city of Kovno to visit with Ambassador Dekker to discuss options of where to run. Dekker

had a suggestion. There was a small island north of Venezuela that had been property of the Dutch for three centuries. Perhaps the Island of Curacao would be an option? To be continued... 🕒

Kollel Chanuka Event

Monday, December 23rd
THE SECOND NIGHT OF CHANUKAH
At CHDS | For men

FAST & FURIOUS EIGHT DIVREI TORAH in Five Minutes or less!

PROGRAM
8:30PM HOT BUFFET
8:45PM FAST & FURIOUS DIVREI TORAH
Followed by Dancing and Dessert
~10:00PM HAARIV

SPECIAL GUEST PRESENTER
Rabbi Moshe Tuvia Lieff

- R' Chaim Tropp
- R' Shmuly Botnick
- R' Yitzchok Rosedale
- R' Dov Katz MC
- R' Michael Rootman
- R' Chaim Heinemann
- R' Sam Shaffer
- R' Tzvi Fishman

BEYOND ELLIS ISLAND

THE TRAILBLAZERS, TRIALS, & TRIUMPHS OF AMERICAN JEWRY

RABBI MOSHE TZVI CRYSTAL

While the hardships of life in the Russian Pale of Settlement drove Jews to emigrate, it also stirred those left behind to turn to their brethren in their new countries for help, monetarily and otherwise. Rallies were held to protest pogroms and anti-Semitism and were attended by the likes of Ulysses S. Grant and Grover Cleveland. After the first World War caused upheaval in European communities, many organizations lost their avenues of support and began to rely on those across the Atlantic to keep them running. Yeshivos in Europe began to regularly send emissaries, whether the heads of yeshiva themselves or a designated fundraiser, to raise operating funds. The American communities benefited as well from these visitors who, while in America, worked together with community leaders to strengthen mitzvah observance and provided guidance to rabbis in dealing with communal issues. When World War II broke out, representatives of European yeshivos such as Mir and Telshe worked not only to save the students but to reestablish their yeshivos in America as well. 🕒

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