



## What Was Reuven Thinking?

*By Rabbi Raphi Mandelstam*

One of the most difficult stories to understand in Tanach is the selling of Yosef by his brothers. We are all perplexed as to how such a thing could happen; these are, after all, the children of Yaakov Avinu, people we would certainly regard as Tzaddikim. Yet, the brothers are not only guilty of torturing Yosef, but they even go to great lengths to deceive their father to cover it up. What were they thinking?

We know that the Pesukim clearly attest to the original murderous intent of the brothers, and that when they saw Yosef approaching, they decided then and there that they were going to kill him: "Ve'Ata Lechu VeNahargeihu VeNashlicheihu Be'Achad HaBorot VeAmarnu Chayah Ra'ah Achalatehu VeNireh Mah Yihyu Chalomotav," "And now, let us go and kill him, throw him into one of the pits, and we will say that a wild animal ate him, and we will see what will become of his dreams" (BeReishit 37:20). As we know, the brothers plan never comes to fruition as Reuven steps in and famously saves Yosef. After hearing the plot of his brothers, Reuven provides an alternative to disposing of Yosef by killing him: "Al Tishpechu Dam; Hashlichu Oto El HaBor HaZeh Asher BaMidbar VeYad Al Tishlechu Vo," "Do not spill blood; throw him into this pit in the desert and do not lay a hand on him." Why did Reuven suggest this change of plan? The Pasuk (ibid.) itself explains Reuven's intentions, "LeMa'an Haztil Oto MiYadam LeHashivo El Aviv" -- Reuven intended to return later and return Yosef to his father, saving his life from the brothers. On the surface, Reuven's plan seems reasonable, but upon further analysis, it doesn't make sense. Chazal tell us the pit Yosef was thrown in was filled with snakes and scorpions. Can one survive in a pit with such company? The Gemara (Yevamot 121a) tells us, in the context of confirming the death of a husband to allow the wife to remarry, that if there is testimony that a man was thrown in a pit of snakes or scorpions, even if the witnesses didn't actually see the dead body, the woman can remarry because someone can't survive such an ordeal. If Reuven is trying to "save" Yosef, how is throwing him in the pit helpful if Yosef would have died anyway? Additionally, from the perspective of the brothers, who were initially intent on killing Yosef and simply burying him in a pit, how is Reuven's plan any different?

The various Mepharshim make some remarkable suggestions to explain Reuven and the brothers' conversation and actions. Ramban (37:22 s.v. Al Tishpechu Dam), for example, explains that Reuven was simply trying to limit the

brothers' sin by creating a situation where Yosef would die on his own rather than the brothers actively killing him themselves. Ramban also suggests that Reuven must not have realized that the pit was full of snakes and scorpions. Rav Avigdor Nebentzahl makes a beautiful insight in his shiurim on the Parashah, assuming, like the Ramban, that Reuven didn't see the snakes or scorpions. The Gemara (Shabbat 22a) quotes R' Tanchum as saying that a Menorah that is more than twenty Amot high is unfit for Chanukah because people don't look higher than twenty Amot up, and the lack of Pirsumei Nisa (publicizing the miracle of Chanukah) disqualifies such a menorah. Immediately after that statement of R' Tanchum, the Gemara quotes yet another statement in his name, seemingly unrelated to the first, wherein he famously derives that Yosef's pit was full of snakes and scorpions. What is the Gemara getting at by connecting these two unrelated statements? Rav Nebentzahl suggests that in quoting the second statement, the Gemara is actually proving the point of the first. Just as people do not look twenty Amot up, they also do not look twenty Amot down, and the pit must have been more than twenty Amot deep, and so too, Reuven didn't see that there was a real danger to Yosef's life by putting him down into the pit.

I would like to add an insight, suggested by many, which speaks to a much greater connection between Reuven's attempt to save Yosef and Chanukah in general. What is most glaring about Reuven's actions is that they ultimately fail, as Yosef ends up getting sold as a slave. Yet, the Pasuk seems to give Reuven a little more credit than he deserves as it states, "VaYatzleihu MiYadam," "He saved Yosef from their hands" (BeReishit 37:21). Reuven indeed tried to save Yosef from his brothers, and he may have spared his life by throwing him into the pit, but didn't he really fail Yosef in not protecting him from the fate of slavery?

There is one Halachah about the lighting of the menorah that seems a bit puzzling, but it will help us understand and appreciate why Reuven can be construed as the savior of Yosef by the Pesukim. Although the purpose of the Menorah is to publicize the miracle of Chanukah, which is why it is to be lit by the window when most people are around and outside, the Halachah is that if your candles blow out, even just a few seconds after lighting them, as long as they had the potential to last for a half an hour or so you have fulfilled your obligation and do not need to re-light your menorah. Why is this so? There seems to be no actual Pirsumei Nisa if the candles immediately blow out after lighting them! Perhaps, Chanukah is a time when we must appreciate that our efforts may not always come to fruition, yet we do our best anyway.

The Chashmonaim, in an attempt to perform the Mitzvah of lighting the Menorah in the Beit HaMikdash, filled the Menorah with oil that they knew wouldn't last. They thought that it would last a day at best, and they would have to wait until more oil reached Yerushalayim. How did they proceed? They simply did what they could, and low and behold, an unbelievable miracle occurred that would inspire the world for centuries. Hashem rewards us when we do our best, even when we know we won't be able to finish the job or do it as well as someone else. Reuven may have known that there was nothing he could say to convince his brothers to let Yosef go, but he did what he could to save him. Even though what Reuven did was far from a success in our eyes, the Torah says that he saved Yosef. We know that Chanukah is all about going above and beyond to preserve the religious identity of the Jewish people. However, there are times when we must remember the Mishnah in Pirkei Avot (2:16): "Lo Alecha HaMelachah Ligmor VeLo Atah Ben Chorin LeHibatel Mimenah," "It is not on you to finish the task, but neither are you free that you might desist from it." You don't always have to complete the task as long as you try your best. Shabbat Shalom and Happy Chanukah!

like the candles need to burn for a half-hour after צאת הכוכבים so too the lighting needs to be done in the context of a home.

Rav Yehuda Turetsky (TABC '01) quoted a more Machshavah-oriented answer to this question from the Sefat Emet (הנוכה תרל"ד). The Sefat Emet explains that the holiday of Chanukah falls when it is cold and becomes dark outside early. Therefore the role of the candle is to "light up" the physical and emotional darkness. To bring אור to somewhere where it is dark. This is why the Mitzvah of lighting is supposed to be done outside when possible. The Mitzvah of Neir Chanukah represents trying to bring light to somewhere wholly dark, to bring a positive attitude to a cynical, gloomy environment. But this can be quite challenging; how could one do this?

The Sefat Emet explains that it is only difficult if you are alone, but if you act together with a group of people, each person can encourage and support the other. Overcoming challenges are often easier when done with others. Therefore, the house, which symbolizes a family, is the appropriate starting place to light up the darkness. Once a foundation is established with a single candle, we can start adding more per person and all the other Hiddurim. That one light is the most important, and everything else is built based on that.

## The Role of the "House" in Hadlakat Neir Chanukah

By Sarel Rotblat ('23)

The Gemara in Shabbat states that to fulfill the mitzvah of Hadlakat Neir for Chanukah on a basic level, a person only needs to light נר איש וביתו, one candle per "household," regardless of the number of people that reside there. Apparently, the Ikar Mitzvah is keyed to the "home."

A further indication of the connection between the Mitzvah of Ner Chanukah and the household appears in a Tosafot in Masechet Succah (מג. ד"ה הרואה). The Gemara discusses the case where a person walking in the street sees a Menorah. The Gemara says that the person is required to make a Berachah of שעשה ניסים. Tosafot gives two explanations for this unique Halacha: (1) the שעשה ניסים is due to the special excitement around the Mitzvah of Neir Chanukah or (2) it allows one who does not have a home to be able to fulfill some form of the Mitzvah. From the second answer of Tosafot, we can see the ideal way to perform this Mitzvah is when one lights in his home.

As a general rule, most Mitzvot depend on the person performing the Mitzvah, but it seems here that the Mitzvah of lighting candles is in part an "obligation of the home," not the person, or, as some would say, "it's a דין in the home."

The Pnei Yehoshua asks, while it makes sense that a Mitzvah such as Mezuzah needs a doorpost or מעקה needs a roof, what does a house have to do with the obligation to light a Menorah? Why is it specifically an obligation connected to a home and not a person?

The Pnei Yehoshua answers that, in fact, the Mitzvah of Neir Chanukah is really a חיוב על הבית. Just like Mezuzah and מעקה needs a house, so does Neir Chanukah.

Rav Yosef Tzvi Rimon (p. 156 in his Sefer on Chanukah) explains that maybe Neir Chanukah is really a Chiyuv on the individual but can only be done in a house. In other words, one of the conditions to fulfill the Mitzvah is to do it in a house. Just

## Yosef's Sale: Who, What, Where, When, How?

By Abie Russ-Fishbane ('23)

In Parashat VaYeishev, we come across the striking story of Yosef and his brothers, the beginning of the story of Bnei Yisrael's enslavement in the land of Egypt. Yosef's brothers had been pasturing their father's sheep in Shechem, so Yaakov sent Yosef to check on them and the flocks. Upon his arrival, the brothers strip him of his colorful tunic and throw him into a pit, intending to let him die there. They then leave the site of the pit to eat a meal, during which they devise a new plan to sell Yosef to the Ishmaelite caravan they had just seen in the distance. But meanwhile, a caravan of Midianites arrived: וַיַּעֲבְרוּ אַנְשֵׁי מִדְיָנִים סְחָרִים וַיִּמְשְׁכוּ וַיַּעֲלוּ אֶת-יוֹסֵף מִן-הַבּוֹר וַיִּמְכְּרוּ אֶת-יוֹסֵף לְיַחְזָקָרְאֵל מִן-בְּנֵי מִדְיָנִים, "Midianite men, merchants, passed by, and they pulled and raised Yosef from the pit, and they sold Yosef to the Ishmaelites for twenty pieces of silver, and they brought Yosef to Egypt" (BeReishit 37:28).

Note the grammar of the פסוק. The "they" is never specified, leaving confusion about who it might have been referring to. רש"י explains the פסוק as referring to the brothers (ibid. s.v. VaYimshechu). While this answers the question of who pulled Yosef out of the pit and sold him to the Midianites, it raises another question, namely: Why, later on, would the תורה say וַיִּמְכְּרוּ אֶת-יוֹסֵף לְיַחְזָקָרְאֵל פוֹטִיפָר סְחָרִים פֶּרְעֵה שַׂר הַטַּבָּחִים אִישׁ מִצְרָיִם (ibid. 39:1), that Potiphar purchased Yosef from the Ishmaelites who brought him down to Egypt?

רמב"ן offers an explanation for our questions, suggesting that the Ishmaelites and Midianites were all part of one large caravan, with the Ishmaelites serving as camel drivers for the Midianite merchants. Yosef, the רמב"ן explains, was sold from the brothers to the passing caravan of Ishmaelites and Midianites, then from the caravan to Potiphar. The references in the text to the Ishmaelites underscore their

role as the ones who physically brought him to Egypt, while the Midianites are the ones who bought and sold him.

רשב"ם gives an idea radically different than any of the previous ideas: the brothers were not part of the sale, meaning all of the "they"s in the passage refer to the Midianites. This changes our entire perception of the incident, leaving the brothers totally out of the equation.

Suppose we are to subscribe to the idea that the brothers were none the wiser that Yosef was being sold. In that case, we must then explain what Yosef said to his brothers later in Parashat Vayigash: "וַיֹּאמֶר יוֹסֵף אֶל-אֶתְוֵי גִשְׁוֹתָא אֵלָי וַיִּגְשׁוּ וַיֹּאמְרוּ אֵלָיו: "I am Yosef your brother, whom you sold to Egypt" (ibid. 45:4).

Per the רשב"ם, the brothers did not sell Yosef to Egypt, and were not part of the whole episode! How does that fit in with this פסוק, in which Yosef seemingly clarifies that it was, in fact, the brothers who sold Yosef into slavery?

Benno Jacob, cited by Nechama Leibowitz, suggests that "sale" in the Torah does not just cover the financial side of the transaction, but also the more general "disposing of" the object. Yosef's point that the brothers sold him, then, makes sense. They didn't actually sell him, but they planted the seeds for him to be sold, making it one and the same.

Additionally, Rabbi Menachem Liebttag suggests that we must look at the story from Yosef's point of view: "Yosef was not aware of the conversations between his brothers or of their three plans. All that he knew was that as soon as he arrived, his brothers took off his coat and threw him in the pit. A short time later some Midyanim passed by, took him out of the pit and sold him to the Yishmaelim, who later sold him to the Egyptians. Yosef, trying to piece together what happened, may have assumed that his brothers had this all planned out with the Midyanim. Since his brothers did not have the 'guts' to watch him scream, they preferred not to be present when the Midyanim took him away."<sup>1</sup> Hence, in Yosef's mind, his brothers actually had sold him into slavery, and so that's what he said when he revealed himself to them.

No matter which opinion you subscribe to, the fact that there are so many speaks volumes. Why is this whole episode related in a general, vague manner? What benefit is there for the Torah to give over the story in a way that leaves it up for interpretation? Rabbi Shmuel Goldin suggests that at the end of the day it doesn't matter. Whether the brothers physically sold him or just set the stage for him to be sold, "their guilt remains constant." The Torah, in Sefer VaYikra, says: "לֹא תַעֲמִד עַל-יְדֵם רֵעֶךָ" (VaYikra 19:16). If you witness danger to someone, you are obliged to act. We are responsible for the pain we cause others, so at the end of the day, the specific details of the story don't matter.

While dealing with this whole story, however, we overlook an even more fundamental question: how can the brothers carry any guilt for what they did if it was already foretold to happen? רש"י, on the fact that the Torah records Yaakov sending out Yosef "מִעֵמֶק הַבְּרִוִן" (BeReishit 37:14), asks why the phrase עֵמֶק is used. עֵמֶק means "valley" but הַבְּרִוִן is on a mountain, so the word עֵמֶק is seemingly contradictory! He

concludes by defining עֵמֶק as a deep or mysterious place. Since הַבְּרִוִן is also the place of Avraham's burial, רש"י says that this is figuratively referring to Avraham and the Berit he made with Hashem in which Hashem foretold that his descendants would sojourn in a land not their own. So the entirety of the story shows Hashem's influence to make sure that Yosef ended up in Egypt. As Rav Soloveitchik put it, "Divine Providence caused Jacob to act so God's stipulation in the Berit Bein HaBetarim would come to pass, and Jewish destiny could unfold."

But, by understanding it this way, an apparent conflict of free will arises. How can Hashem influence Yaakov, Yosef, and his brothers' lives to fulfill the prophecy while maintaining everyone's free will, which is essential?

Rabbi Goldin answered this critical question by giving the example of Mashiach. While Hashem has foretold that Mashiach will come, it is up to us to freely choose when he will come, how he will come, and who he will be. As he said, "while our nation's destination may be clear, the parameters of the journey towards that destination are not. Within the broad brushstrokes of preordination, we each freely choose the role we will play in our people's unfolding story."

May we learn from the story of Yosef and his brothers to make sure to take account of our actions and choices – because they are truly ours – as well as to pay more careful attention to our impact on others.

## Understanding Yibbum and Chalitzah

*By Rabbi Chaim Jachter*

### Yibbum

Devarim 25:4-11 teaches when two brothers live at the same time, and one dies without children, the wife is not allowed to remarry anyone other than one of her deceased husband's brothers. This process is referred to as Yibbum. Yibbum is a shocking Mitzvah since the Torah (VaYikra 18:16) includes Eishet Ach (a brother's wife) on the Arayot/ forbidden relations list.

The Seforno (to Pasuk 6) explains that with Bi'ah (relations), the Yavam (brother) is picking up where his deceased brother left off. The offspring from this relationship is viewed, according to the Seforno, as children of the late husband. We add that Yibbum is not only a Chessed on behalf of his departed brother (as emphasized by Rabbeinu Bachya) but also a Chessed for the widow, for she is given a substitute for her lost husband.

### Chalitzah

If the couple does not wish to do Yibbum, they go to the Beit Din and perform a ceremony known as Chalitzah, where she removes his shoe and spits in front of him.

### Which is Preferred?

The straightforward reading of Devarim indicates that Yibbum is the preferred option. This is the opinion of the Chachamim (Yevamot 39b), Rambam (Hilchot Yibbum Ve'Halitza 1:2), and Shulchan Aruch (Even Ha'Ezer 165:1). However, Abba Shaul (Yevamot 39b) believes that Chalitzah is prioritized. Rabbeinu Tam (cited in Tosafot Yevamot 39b s.v. Amar Rav) and the Rama follow Abba Shaul.

<sup>1</sup><https://etzion.org.il/en/tanakh/torah/sefer-bereishit/parashat-vayeshev/vayeshev-who-really-sold-yosef>

The Sephardic tradition follows the Chachamim, Rambam, and Shulchan Aruch and prefers Yibbum when appropriate (Teshuvot Yabia Omer 6 Even HaEzer 14). On the other hand, the Ashkenazic tradition strongly favors Chalitzah (see, for example, Teshuvot Heichal Yitzchak 1 EH 5 page 51 in the 1960 edition)<sup>2</sup>.

Abba Shaul, Rabbeinu Tam, and the Rama are animated by the concern that one violates the severe prohibition of Eishet Ach unless one does Yibbum purely for the sake of the Mitzvah<sup>3</sup> (Yevamot 39b).

#### **Explaining Chalitzah - Chizkuni**

Chalitzah seems to degrade the Yavam for failing to fulfill the Mitzvah of Yibbum (as noted by the Chizkuni to Pasuk 9). Embarrassing the Yavam is reasonable when he shirks his responsibility to do Yibbum. However, why does the brother deserve degradation according to the Ashkenazic tradition that does not permit him to perform Yibbum? Moreover, even according to the Sephardic tradition, there are times when it is not appropriate to do Yibbum (see Yevamot 4a), and yet Chalitzah is nonetheless performed in such a situation. For such circumstances, there must be a different explanation for the Mitzvah of Chalitzah.

#### **Alternative Explanations – Rabbeinu Bachya and Chizkuni**

According to Rabbeinu Bachya, removing the shoe is an expression of Aveilut, mourning the lost brother (just as an Avel removes his shoes).

The Chizkuni presents an intriguing idea. He writes that the Chalitzah ceremony is intended to soothe the widow's emotions.

Let us try to develop Chizkuni's approach. A widow often feels outraged at her husband for abandoning her. These feelings could be exceptionally sharp if he left her alone without children. We suggest that Chalitzah is a controlled expression of a widow's anger at her husband for leaving her. The brother-in-law is the recipient of the anger since he represents the husband. Chalitzah gives the widow a safe outlet to express her anger and helps her achieve closure.

#### **Conclusion – Humbly Searching for Reasons for Mitzvot**

Many years ago, I raised these questions and suggestions regarding the Mitzvah of Chalitzah. A young student remarked that he was unsatisfied with my explanation and disturbed by the Torah's Mitzvah of Chalitzah. I told the student that it was fine not to accept my approach, but we do not (Chas VeChalilah) devalue a Mitzvah if we do not understand it. I told the young man that if he did not like my explanation, he should search for and develop a different approach he found compelling.

While trying to find reasons for Mitzvot, we are not, Chalilah, placing Hashem's holy Torah on trial. On the contrary, we are being tested to see if we articulate a convincing explanation. If we do not find a persuasive rationale, we can intensify our search for alternative answers from traditional and contemporary sources or try to develop a new approach. Therefore, failure to discover an explanation for Hashem's Mitzvot does not reflect a shortcoming in the Torah but rather our deficiencies in understanding His holy Mitzvot.

When trying to explain a Mitzvah, a heaping helping of humility is sine qua non.

---

<sup>2</sup> In 1950 the Sephardic and Ashkenazic Chief Rabbis, Rav Ben Zion Uzziel and Rav Yitzchak Herzog made a number of Takanot (enactments) to unify the Jewish People, such the acceptance of Chereim DeRabbeinu Gershon forbidding polygamy. Included in the Takanot was an agreement that all Jews would eschew Yibbum in all circumstances and opt for Chalitzah instead.

Hacham Ovadia notes, however, that Sephardic Jews have accepted the rulings of Rambam and Shulchan Aruch that Yibbum is preferred and to be encouraged. In 1951, at the age of 31, Rav Yosef courageously upheld Sephardic tradition and ruled that the Takanah of the Chief Rabbis is invalid! He argued that we are forbidden to abandon our traditional customs and practices for the sake of national unity.

Rav Yosef did not make this ruling in a vacuum – he issued it acting as a Dayan on the Beit Din of Petach Tikvah in an actual case. The Sephardic Chief Rabbi of Jerusalem, Rav Shalom Messas (Teshuvot Shemesh UMagein 1 EH 8), supported Rav Yosef's bold ruling and followed it in practice in actual Beit Din situations. The approach of Rav Ovadia and Rav Messas has emerged as the accepted view by Israel's Chief Rabbinate, as noted by Rav Eli Mansour. Indeed, Rav Mordechai Lebhav (Magen Avot, Even HaEzer 165) writes that the universal practice among Sephardic Jews in Israel and outside Israel is to do Yibbum.

<sup>3</sup> The dispute between the Chachamim and Abba Shaul hinges on whether one believes that the Yavam's intentions define his actions. The Chachamim argue that the Yavam does not violate the prohibition of Eishet Ach since he is performing a Mitzvah. According to this approach, the Yavam's intentions are irrelevant. Abba Shaul, on the other hand, believes that in the case of Yibbum, one's intention determines whether one is doing the great Mitzvah of Yibbum or the terrible Aveira of Eishet Ach.

<p><b>Editors-In-Chief:</b> Kivi Davis and Ariel Kryzman <b>Publication Editors:</b> Micah Cyrulnik, Azarya Tiger, Eitan Barenholtz, and Eitan Book <b>Head of Operations:</b> Sarel Rotblat <b>Head of Submissions:</b> Chaim Mermelstein <b>Business Manager:</b> Gavri Segal <b>Public Relations:</b> Shua Schloss <b>Communications:</b> OG Avi Rosenberg <b>Rabbinic Advisor:</b> Rabbi Chaim Jachter</p> <p>Questions, comments? Contact us at: Phone: (201) 837-7696 <a href="mailto:webmasters@koltorah.org">webmasters@koltorah.org</a></p>
------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------