



## All for One and One for All

By Rabbi Ben Krinsky ('05)

In Chamishi of Parashat VaYishlach, Yaakov Avinu famously wrestles with an angel. At the end of the wrestling match, the angel blesses Yaakov Avinu with a new name, Yisrael. However, there is debate amongst the Mefarshim as to whether this was an official name change or just a Berachah that would come in the future. Toward the end of the Parashah, Hashem ratifies the name change. After, Yaakov returns to Beit-El to fulfill the vow of building a Mizbei'ach he made at the beginning of Parashat VaYeitzei, and Hashem appears to Yaakov and gives him a series of Berachot. First, Hashem agrees that Yaakov Avinu should be named Yisrael, signifying a change from Yaakov Avinu being an individual with a large family to the father of a nation. This transformation leads to the next set of Brachot, that 1) he will have more children, 2) they will grow into nations, 3) have kings, and 4) they will inherit Eretz Yisrael. Rashi is bothered by the phraseology used for the Berachah that Yaakov Avinu's descendants will grow into a nation. The Pasuk reads: "כָּרָה וּרְבָה גוֹי וְקָהַל גוֹיִם יִהְיֶה מִמֶּךָ וּמְלָכִים מִתְּלֻצֵיךָ יֵצְאוּ," "be fertile and increase, a nation and a congregation of nations will come from you, and kings shall emerge from you" (BeReishit, 35:11).

What is the meaning of: "וְקָהַל גוֹיִם," "a congregation of nations"? Of the three Avot, Yaakov Avinu is the only one who did not have his descendants split into other nations. Avraham Avinu had seven sons other than Yitzchak, who became progenitors of many nations appearing later in Tanach, including Yishmael, Midyan, Medan, and others. Yitzchak Avinu had Eisav – who fathered the nation of Edom and was Amalek's grandfather–had many nations other than Am Yisrael descend from him. Yaakov


Avinu had none of those, therefore being the exception of the Avot as the only one who had all his children stay as part of the nation. So why does Hashem refer to his descendants as a "congregation of nations"?

Rashi (ibid., s.v. גוי and גוים) understands that the Berachah of "גוי," "nation" refers not to the entire nation but instead, to a particular tribe because Yaakov Avinu's twelfth son Binyamin, who was not born yet, will develop into an additional tribe. וְקָהַל גוֹיִם refers to the tribe that is a group of tribes, namely Yosef HaTzaddik splitting into the two tribes of Menasheh and Efraim. The Berachah, therefore, is not really about Bnei Yisrael at the time of the Berachah but the completion of the nation in the future. Rashi's answer, however, leaves a question as to the word choice that Hashem uses. If Hashem really was just referring to tribes, then why does he use the word "גוי," "nation" as opposed to the word "שבט," which means tribe? What is the deeper meaning of referring to each tribe as its own nation?


When I was in Israel for the year, there was a story going around about the time a certain Rebbe attended a Brit Milah the week of Parashat VaYechi. At the Brit Milah, every speaker spoke about Yaakov Avinu's Berachah to his son Yissachar. Yissachar's Beracha, as understood by Chazal, was that his descendants would be Talmidei Chachamim and leaders of the Sanhedrin, so every speaker gave the baby a Berachah that he would grow up to be a Talmid Chacham. When this Rebbe got up to speak, he mentioned that Yaakov had 11 sons other than Yissachar. Of course, we want all of our sons to grow up to be Talmidei Chachamim, but it is also important to realize that every Jew has different strengths, and they connect to different Mitzvot. Some have the organizational skills to spearhead Chessed programs or the charisma to collect Tzedakah, while others have the boundless energy needed to teach 5-year-olds; while some connect to Hashem through Talmud Torah, others connect through other Mitzvot, like Tefilah, Chessed, Shofar or any of the other 613 Mitzvot. Everyone is different. Obviously, we must keep every one of them, but the ones through which we bond with Hashem vary from Jew to Jew. We must recognize that we are a קהל גוים, a diverse collection of individuals and that we will not serve Hashem the same as anyone else.


However, Hashem doesn't refer to us as a קהל גוים alone. Hashem starts by calling us a גוי. We are not different groups of people, but rather one. We may seem vastly different with so many distinct labels: Chassidish, Litvish, Yekke, and Modern, and those are just Ashkenazim! There are Edot Hamizrach, Teimani, Moroccan, Parsi, and many more. But in truth, we are

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not that different from each other. A story that my father loves to tell illustrates this point. The Chafetz Chaim was visiting Rav Chaim Soloveitchik in Brisk. While they were talking, a person rushed into the room and started complaining about Rabbis. “You rabbis,” he said, “all you ever do is argue. The Talmud is just one large book of arguments.” Rav Chaim looked at him for a moment and responded that it was not true. Yes, there are arguments in the Gemara, but most of it is statements that everyone agrees to. Every segment of Torah Judaism is much more in agreement than in disagreement. The basic foundational tenets are the same, and we quibble on some technical details. We have the same Tanach, Mishnah, and Gemara, even if we might learn each in a different style. We keep Shabbat on the same day each week, even if we might disagree on exactly what minute it starts or ends. No one thinks you can eat Chametz on Pesach, only whether we include extra foods in the prohibition. It is details that differentiate us, but we contain the same essence. We are servants of Hashem and try to serve him to the best of our ability.

We can have a deeper understanding of what Hashem is telling Yaakov Avinu. Yaakov Avinu’s descendants will grow into one nation based on one Torah. They will have one goal in mind, to serve Hashem as a unified whole. However, Hashem reassures Yaakov Avinu that they will not become a uniform homogeneous group indistinguishable from one another. We will be unique from each other, serving Hashem in different yet equally appropriate ways. Those differences aren’t ones we should shy away from but rather something to embrace and be proud of.

## Yaakov: A Physical Approach to a Spiritual Life

*By Tzvi Schreiber (23)*

The first wrestling match in recorded history took place in Parashat Vayishlach: “וַיֵּשְׁבַר יַעֲקֹב לְבָדּוֹ וַיֵּאָבֵק אִישׁ עִמּוֹ עַד עֲלוֹת הַשָּׁחַר” “Yaakov remained there alone, and a man wrestled with him until dawn. Chazal explain that this “man” was “שְׂרֵי שָׁל עֵשָׂו,” “Esav’s guardian angel”—the spirit of Esav. The fight was not physical but a spiritual battle between Yaakov and Esav. Many find in this struggle an allusion to Chanukah, as Chanukah was the first time the Jews faced religious persecution. The spiritual battle of Chanukah was foreshadowed by the confrontation between Yaakov and the “spirit of Esav.” Interestingly enough, Esav’s spirit was separated from his body in this battle. Yaakov’s spirit and body, however, were combined as one.

This ties into the notable miracle of the oil in the Menorah. We can ask the question — why is it that right after the Jews beat the Greeks, the Jews lit the Menorah? Why was this act in particular so important?

There are two aspects of the human being. One is the physical, the גוף, and the second is the spiritual aspect, the נשמה. As it says in BeReishit: “וַיִּפֶחַ בְּאַפִּירֵיהֶם נְשַׁמַּת הַיָּיִם,” “Hashem blew a spirit into the body.” The spiritual element in a person can also be called the נפש. The נפש is the bridge between the two worlds of the body and soul, and it helps them work together. The main difference between the Greek and Jewish societies, which made them clash, was their belief about this subject. The Greeks believed in the separation of the spiritual and the

physical—spirit had no impact on the physical aspects of life. This is why the Greeks built many monuments and sculptures, achieving the epitome of physical construction. We, the Jewish People, believe that the two elements of body and soul are intertwined. The physical, in a sense, serves the spiritual. The physical body enables the Neshamah to bring light and holiness to the world.

After the Jews won the battle against the Greeks, it is only fitting that they lit the Menorah. The Menorah is the perfect symbol of our philosophy—the oil is the physical part of the lamp, the flame is spiritual, and the wick is the bridge between the two. The wick draws the oil up, which fuels the intangible flame. This symbolizes what we should be doing with our physical bodies—transforming our physical energy into spiritual energy. It is fascinating that the נפש, the bridge between the two worlds, is composed of the three letters, נ, פ, ש. These three letters can stand for, נר, פתיל, שמן, the flame, wick, and oil. Our נפש is like a candle.

We can learn a critical lesson from the confrontation between Yaakov and the angel. Their fight was between the two ways of life; the Greek’s separatist view regarding the physical and spiritual worlds against the Jewish view where the two are merged. In the end, Yaakov wins the battle, and the message is clear: the physical being cannot successfully exist independent of its spiritual counterpart, but when we unite them, we become an illuminating force with limitless potential.

## Hashem Hotline

*By Eitan Barenholtz (23)*

Do we need a divine message to tell us every course of action in life? In Parashat VaYishlach, the Mefarshim debate the meaning of the word מלאכים in “וַיִּשְׁלַח יַעֲקֹב מַלְאָכִים לְפָנָיו אֶל-עֵשָׂו” “and Yaakov sent מלאכים before him to Eisav, his brother” (BeReishit 32:4). Rashi (s.v. VaYishlach Yaakov Malachim) argues that מלאכים means angels, while Chizkuni (s.v. VaYishlach Yaakov Malachim) maintains מלאכים means a regular messenger.

Rav Moshe Feinstein formulates a beautiful compromise for this debate. First, he asks why it would mean human messengers: מלאכים literally translates to angels. However, how could Yaakov Avinu send angels to Eisav and rely on a miracle when we know “אֵין סוֹמְכִים עַל הַנֶּסֶם,” we do not rely on miracles, no matter how great a person is! Rav Moshe answers that a miracle is something that breaks the laws of nature. Yaakov Avinu was so great that angels were a part of his life and not a rare occurrence for him, so he could comfortably send angels as messengers.

Yet this answer raises another question based on the next Pasuk: “וַיִּצַו אֹתָם לֵאמֹר כֹּה תֹאמְרוּן לְאֲדֹנָי לְעֵשָׂו כֹּה אָמַר עַבְדְּךָ יַעֲקֹב” “And he commanded as follows: “Thus shall you say, ‘To my lord Eisav, thus says your servant Yaakov’” (ibid 32:5). It is clear Yaakov Avinu is still scared of Eisav, referring to himself as a servant and Eisav as his master, despite his ability to rely on miracles! Ramban (s.v. Ko Tomeroon) explains that Yaakov Avinu sent messengers out of fear of Eisav, a fear so great that Yaakov Avinu ignores his first-born rights and respects Eisav instead because of the magnitude of his fear. To strengthen the

question, Ramban writes in his introduction to Parashat VaYishlach that Yaakov sent מלאכים specifically to not depend on his righteousness to save him.

There are at least two answers to defend Rav Moshe's interpretation. First, there is a clear distinction between waiting for a miracle to save Yaakov's life and using a miracle to send messengers; it is like buying lottery tickets in addition to earning a steady salary versus depending on the lottery to live life. A second answer can be found in Ramban's introduction to VaYishlach: Yaakov Avinu was setting a precedent for future generations – essentially מעשה אבות סימן לבנים, forefather's actions are a sign for descendants – for dealing with Eisav. We should follow in Yaakov Avinu's footsteps and take his blueprint of splitting his camp, davening, and sending presents to Eisav; we should both turn to Hashem and take matters into our hands. Yaakov Avinu took this course of action to prove that a "Hashem Hotline" – and divine advice – is not necessary to survive; rather, all we need is trust in Hashem and a desire to succeed.

## Demystifying Mamzeirut

*By Rabbi Chaim Jachter*

Much confusion persists regarding the institution of Mamzeirut, illegitimacy, in Torah law. Let us briefly outline the basic points and try to achieve some clarification.

The Torah (Devarim 22:3) states, "A Mamzer shall not come into the congregation of Hashem." The Mishnah and Gemara set forth the details of implementing this Halachah.

### **What is and is Not a Mamzer?**

Halachah considers a child a Mamzer only if he is the result of a relationship punishable by Karet. An exception to this rule is a child born from a woman with the status of Niddah. In addition, unlike other law systems, the Torah does not consider a child born from an unmarried man and an unmarried woman as illegitimate, so long as the relationship is not incestuous.

### **What are the Implications of Being a Mamzer?**

A Mamzer cannot marry almost all Jews; they may only wed other Mamzerim. They cannot marry into the "mainstream" Kehilah. It is noteworthy to clarify that a Mamzer is not an outcast from Torah society; he is only restricted about whom he is permitted to marry (Yevamot 22b). The Sefer HaChinuch (560) writes: "But to reside in any Jewish community and be fully involved in all communal matters is entirely permissible [for the Mamzer] just as any other Jew. Chazal already taught (Horayot 13a) that a Mamzer who is a Torah scholar is called to the Torah before an ignorant Kohen."

### **Classic Examples of Mamzerim**

Unlike other Halachic situations deemed strictly hypothetical by some opinions that appear in the Gemara (Sanhedrin 71a), it is clear that Mamzerut is unfortunately not one of those elusive impossibilities but rather a concrete reality. We know that in Talmudic times, people were assigned the status of a mamzer. For example, the Mishnah records Rabbi Shimon ben Azzai as testifying, "I found a genealogical scroll in Jerusalem, in which was written: So-and-so is a Mamzer born from a married woman [to a man other than her husband]" (Yevamot 4:13).

## Contemporary Examples of Mamzerim

Unfortunately, the problem of Mamzeirut persists to our days. Sadly, it is more significant in recent generations due to the tragic defection from tradition by too many Jews.

For example, in 1990, I was on a second date with a woman recommended by a prominent rabbi. We were driving in Brooklyn, and suddenly she mentioned that she was a child from her mother's second marriage and her mother never received a Get from her first husband! So, naturally, that raised the fear of Mamzeirut!

This event launched my passion and my joining the ranks of Mesadrei Gittin, who make every effort to ensure that all divorcing Jews receive a kosher Get. My biggest passion is Gittin for non-Orthodox Jews because they often do even know about a Get and its importance. They need our help and outreach.

Very often, there are solutions to Mamzeirut concerns. For example, American Dayyanim often explore if the mother's first marriage constitutes a valid Kiddushin. It is widely accepted to follow Rav Moshe Feinstein's rulings that most non-Orthodox wedding ceremonies are invalid. In the end, the conclusion to most potential situations of Mamzeirut is that the individual is not a Mamzer.

However, not every story has a happy ending. For example, a man reached out to me saying he needed a Get because he was about to remarry, and the rabbi officiating was not willing to serve without the groom giving a Get to his first wife.

It turned out the ex-wife remarried. So we executed the Get through Shelichut (agency) with the husband appointing me as his Shaliach to deliver the Get to his first wife. The husband told the Sofer to write a Get, Eidim to sign it, and me to give the Get. The gentleman then left.

About fifteen minutes later, while the scribe wrote the Get, the wife arrived with her new husband and their little child! And she was pregnant!

I sat down, trying to control myself, put on my best "poker face," and began asking for information. I asked what sort of rabbi officiated at her first wedding, and she proudly said it was an Orthodox rabbi. A look of horror passed over my face as I valiantly tried to maintain composure. I then wrote a note on her certificate stating that more research was needed about the status of the children in her second marriage, and I sent her on her way.

### **Partnering with Hashem to Prevent Mamzeirut**

A gentleman who works in the Gittin field once explained to me why he never donates his time to Gittin. He told me, "I am not Hashem's policeman." I was horrified by the response. A fundamental Torah idea is our partnering with Hashem (Shabbat 10a). A central difference between Noach and Avraham Avinu is that Noach viewed himself only as an employee of Hashem, unlike Avraham Avinu, who saw himself as a partner with Hashem. As such, we are very much supposed to partner with Hashem to ensure every divorcing Jewish couple has a Get to avoid issues of Mamzeirut. I testify that Hashem does His part in the partnership as well!

Great Mesadrei Gittin, such as Rav Nota Greenblatt, Rav Yirmiyahu Benyowitz, Rav Mendel Senderovic, and Rav Shmuel Khoshkermann, donate their time and even pay for Gittin when necessary and appropriate. They all report that whenever they work for free or pay to complete Gittin, their Partner - Hashem - repays them for their kindness.

I have experienced this stunning phenomenon more than once. For example, one Friday in May 2022, I donated about one thousand dollars worth of my services to complete two very challenging Gittin. Upon returning home, I discovered a check that had just arrived for one thousand dollars! A partnership with Hashem, indeed!

### **Why Punish the Child?**

Mamzerut seems grossly unfair. As a result of a parent's illicit relations, the child suffers undeserved consequences to the extent that he is forbidden to marry most members of the Jewish community.

The Midrash (VaYikra Rabbah 32:8) represents the Mamzer legitimately complaining to Hashem about his status acquired due to no sin of his own. The Midrash sees a reference to the Mamzer's anguish in Kohelet (4:1): "and behold the tears of such as were oppressed, and they had no comforter." The Sanhedrin is viewed as the oppressors because they follow the Torah's mandate, "A Mamzer shall not come into the congregation of Hashem." The Midrash continues, "What is this person's sin, and why should his father's actions concern him? And yet the Mamzer has no one to comfort him." God proclaims: "I will comfort him. It is only in this world that he is disqualified. In the world of truth, it will be different. I am with him in his suffering here and will be with him then as well."

### **Three Explanations for Mamzeirut**

While the Midrash validates the Mamzer's complaint, it does not explain why the children of a forbidden liaison are punished for their parents' sins.

The Chizkuni to Devarim 23:3 notes that Mamzeirut applies only when there is a punishment of Karet (excision) involved. Since this child was created through a Karet relationship, the child is cut off from the nation. Accordingly, Mamzeirut is an extension of the Karet upon the parents<sup>1</sup>.

Mamzeirut also generates reverence for family, the most critical institution in Jewish life. Mamzeirut emphasizes the seriousness and severity of the status of an Eishet Ish (a married woman). Disaster lurks for one who lacks profound respect and reverence for the institution of the family!

Finally, the Gemara (Bava Batra 73b) relates a story of a group of Jews on a boat who saw a whale covered in sand that they thought was an island. The whale jumped up, and they nearly drowned. Had their boat not been close by to save them, they would have drowned. Similarly, the only hope for someone distanced from Torah observance is to not stray too far from

<sup>1</sup> The Chizkuni's approach fits well with Rav Moshe Feinstein's ruling (Teshuvot Igrot Moshe Even HaEzer 1:10 and 71) that a child from a married woman who was artificially inseminated with donor sperm is not a Mamzer. Rav Moshe insists that Mamzeirut is created only from relations for which there is a punishment of Karet.

the boat of the Torah. Otherwise, they will not be able to get back on the ship!

In my thirty years as a Get administrator, I have seen how the threat of Mamzeirut keeps many Jews from straying too far from the "Torah boat." I have administered many Gittin for non-observant couples for whom a Get was their only connection with an Orthodox rabbi in their lives. The looming threat of Mamzeirut keeps such partially estranged Jews from straying so far from the "Torah boat" that they no longer have the ability to reboard the boat. Mamzeirut happens when people stray so far from Torah that they either do not care or do not know of the threat of Mamzeirut.

The following story demonstrates how Mamzeirut motivates Jews not to stray too far from the Torah boat. Many years ago, I administered a Get where the husband was a Conservative Rabbi, and the wife was a Reform Rabbi. The husband wanted a Conservative Get, and the wife wanted an Orthodox Get. The wife wanted to ensure that the children she would have from a future husband could marry within the Orthodox community. So she sought and succeeded in allowing her children to reboard the boat.

### **Conclusion**

Mamzeirut is a bitter pill to swallow in theory and practice. However, Mamzeirut is a potent medicine necessary to preserve the integrity of the family and Torah. While Mamzeirut exacts a steep price, the resulting benefits are priceless and worth the sacrifice. Mamzeirut imposes a responsibility on parents, Get administrators, and the broader Jewish community. One thing for sure is that Hashem reciprocates to those who make to partner with Him to make exceptional efforts to avoid the catastrophe of Mamzeirut.

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