

MDTorah WEEKLY

	ירושלים	בית שמש	בני ברק
הדלקת נרות	4:00	4:00	4:18
צאת השבת	5:15	5:17	5:15

Parshas Vayigash - ויגש
Dec 14, 2002 – ט' טבת תשס"ג – Vol. 4 No. 10

Talking Business

Everyday Jewish Business Law



Living Education

Principles of Education Gleaned from the Weekly Parsha

Visiting The Infectiously Sick

Question

Yankel has a good friend who has unfortunately come down with a highly infectious disease. Although Yankel very much wishes to visit this friend, he is concerned about the possibility of his catching the disease. Does the *mitzvah* of visiting the sick even apply under such circumstances? Could he fulfill the *mitzvah* by speaking to him by phone, even though he is not in his presence?

Answer

There is a difference of opinion amongst the *Rishonim* (Earlier Commentaries) as to whether the *mitzvah* of visiting the sick is a Torah obligation (*Rabenu Yona* and *Ritva*) or just rabbinically ordained (*Rambam*, but see *Tshuvos V'hanhogos* by Rav Moshe Sternbuch, 2:592). Our Sages highlight the importance of this *mitzvah*, pointing out that even though we reap the fruits of these good deeds in this world, this does not prevent us receiving a full reward in the World-to-come (Tractate *Shabbos* 127a). Indeed, by visiting the sick we are walking in the footsteps of our Maker, who visited our father, *Avrohom*, after he was circumcised (Tractate *Sotah* 14a). The *Shulchan Oruch* (*Yoreh Deah* 335:3) rules that even the great should visit a lowly sick person. It is therefore not surprising that great sages made an unusual effort to

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A Time to be Soft and a Time to be Harsh

In Parshas Mikeitz (41:56) we are told that a great famine fell upon the world. Yaakov saw that there was still food in Mitzrayim (42:1) and sent there all his sons, excluding Binyamin, to bring back food to Yaakov and his family in Eretz Yisroel.

When the brothers reached Mitzrayim, they met Yosef. We will see in the following pesukim that although Yosef still had great love and respect for his brothers, he nevertheless admonished them harshly for having committed the sin of throwing him into the pit and then selling him to traders.

We can learn from here that a teacher or parent should act tough when necessary, although he may have great feeling for the child; that there is no contradiction between a tough and a gentle approach, just each should come at the educationally right time.

In posuk 42:7, Yosef recognized his brothers, but they did not recognize him. He took advantage of this situation to speak to them in a harsh manner (Rashi in the name of *Midrash Rabbah*) and then suspected them of spying out the land.

When one needs to give a strong warning, punishment or admonishment, even if the receiver is as close as a brother, a parent and certainly a principal or teacher, needs to completely remove all personal and emotional concerns from his heart and give over his message in a clear, beneficial manner, as though he has no interest in the person's reaction; only in the message being given over.

Yosef accuses his brothers of coming to

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Rav Leff Speaks

The Tenth of Teves and The Lesson of Vermaisa

The Tenth of Teves is unique in that, unlike the other fasts that are related to the destruction of the Temple, it relates only to the First Temple. The Ninth of Av marks the destruction of both Temples; likewise, the Seventeenth of Tammuz concerns the breaching of the walls of Yerushalayim in both Temples. (*Tsom Gedalia*, which commemorates the assassination of Gedalia ben Achikam in the period of the First Temple, is an exception, since it was established to teach that the death of the righteous is comparable to the destruction of the Temple.)

The Tenth of Teves, however, marks the siege of Yerushalayim of the

First Temple only. This is because the essential features that were lost—the *aron*, the *luchos*, the *Urim V'Tumim*, the *kaporis* and the *keruvim*, the Divine Presence itself—were not restored in the Second Temple. The Tenth of Teves was the beginning of the process, and as such is the root of the national tragedy that we mourn to this day.

By way of explaining its meaning, I would like to recall here the story of the city of Vermaisa (Worms, Germany), which was devastated twice during the Crusades.

In his historical work *Shearis Yisrael*, the author recounts the tradition of the SeMA (Rabbi Yehoshua Falk) regarding the fate of that city: When Ezra went to build the Second Temple, he invited all the Jews of the exile to return

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Parsha Points to Ponder

Go in Peace

...no one remained with him when Yosef made himself known to his brothers. (Bereishis 45:3)

Before kiddush on Friday night we sing *Shalom Aleichem*. The second stanza invites angels. The fourth stanza dismisses them. This passage suggests why we invite them and why we send them off.

Every mitzvah we do creates an angel, and it's these angels created by the good deeds of the week that we address when we sing the second stanza of *Shalom Aleichem*: "Come in peace, angels of peace". For just as all the mitzvos of the week are exalted on Shabbos, the angels that were created by those mitzvos are exalted on Shabbos. Now, the angels created by doing mitzvos are of two groups: one group serves us in this world to protect us from evil; the other serves us in the world to come. Shabbos is like the World-to-Come. That is why there are no mitzvos on Shabbos that require us to get up and do something. Shabbos is a day of dveikus—contemplation and inwardness (*penimius*)—not a day of action.

(Talking Business—Continued from page 1)
visit the sick. Rav Shlomo Zalman Auerbach, zt"l, was known to go to great lengths to visit the sick and care of their needs.

Does this *mitzvah* extend to visiting those who are suffering from infectious diseases, Heaven forbid? The *Rema* (Responsa, end of No.20) writes that we find no distinction drawn between infectious and non-infectious diseases, with the exception of *ba'alei ro'oson* (interpreted as epilepsy or leprosy). According to the *Rema*, one would be obligated to visit the infectiously sick. The *S'dei Chemed* (Vol.1, *Ma'reches Beis*, No.116) quotes the *Knessess HaGedolah*, who is of the same opinion as the *Rema*. On the other hand, he cites the *Shulchan Govo'ah* who wonders if anyone would be prepared to put himself into danger by visiting a person infected with an infectious disease. He therefore writes that the custom is to refrain from visiting those who are infectiously ill. The *S'dei Chemed*

The mitzvah of Shabbos is pleasure (*oneg*) rather than joy (*simcha*). Pleasure is inward and concealed, in contrast to joy, which is revealed and expresses itself in dancing. On Shabbos, the curtain that separates G-d and His People is withdrawn—each person according to his spiritual level. Just as a father sits down with his family and renews his relationship with his children on Shabbos (*Tana Dvei Eliyahu*), G-d removes the veil that obscures our awareness of Him and, like Yosef, makes himself known to His First Born, to the People of Israel. At that point, the angels created by our mitzvos no longer have a role to play. Their whole purpose was to bring us to that intimacy with the Divine which we experience on Shabbos. Their task is "to protect you in all your ways" (Tehilim 91), to guard us while we are still—physically or spiritually—on the road. On Shabbos, we arrive. We invite them because they have brought us to Shabbos, and having brought us to Shabbos, in both the material and spiritual sense, they have a portion in it, and through that portion they are exalted. But now that we are in Shabbos, we no longer need them. For now with are with G-d.

Based on sefer *Shem Mishmuel* MD

concludes that it is difficult to come to a decision on this subject. However, it is accepted practice not to visit those suffering from a contagious disease.

Can one then fulfill this important mitzvah by speaking to the patient by phone? The object of visiting the sick is to give them encouragement and to enquire as to their needs. Additionally, one is meant to pray for the patient's recovery at his bedside, since the Divine Presence rests over the head of a sick person. It is for this reason that one should not visit the sick during the first three hours of the day, since he is generally feeling better and one does not feel a strong need for prayer. Similarly, visiting him during the last three hours of daylight is also not advised, since his condition has a tendency to worsen. A visitor might then despair of his recovery and see no point in praying for him. Obviously, this special type of prayer can only take place at the patient's bedside, and not over the phone. Therefore, Rav Moshe Feinstein (*Igros Moshe, Yoreh Deah 1:223*) rules that one should make every effort to go and visit the sick in person. However, he adds that if this is not possible, as in the case of contagious disease, one should speak to him by phone, encouraging him and enquiring as to his needs. After the conversation has ended, one should pray for the patient's recovery, at home or in the synagogue. MD

MDbusiness illustrates general Halachic guidelines, only. If you have a question, please consult a Rabbi who is well versed in these laws. You are welcome to direct your specific questions to Rav Moore at 02-651-9258 or write to RavMoore@machondaniel.org

(Living Education—Continued from page 1)

Egypt as spies. The brothers try and explain that they have no intention of harming the Egyptian monarchy or people and have only come to take food back to Israel and to find their brother, Yosef (Rashi). Nevertheless, Yosef does not relent and simply repeats his contention that they have come as spies. This consistent, although accusing tone, causes the brothers to reconsider the true intent of their actions, until in 42:21 they remind themselves of their mistreatment of Yosef and their refusal to listen to Ruvane's advice to save him.

A teacher or parent need not enter into a debate with his student/child as to whether he did right or wrong. A suspicion on the part of a parent or teacher in itself has validity, for if the child had not previously misbehaved the parent or teacher would not suspect him. The child should be left to feel that he alone is responsible to clear his name.

In 42:16, we find that Yosef first decided to put all the brothers in jail and send only one brother to bring back Binyamin. This plan lasted three days. Afterwards, Yosef changed his mind. He now told his brothers that only one brother need remain in custody, while the others were free to go and bring back Binyamin.

We learn from here that a teacher may at first make one determination and later change it when he takes a second look at the situation. Also, a first reaction tends to be the strongest and a less immediate reaction tends to be more balanced, achieving the same results without the same degree of punishment. Yosef's change to keep back only one brother teaches us that we need not be ashamed of changing or lightening a punishment if we feel we can achieve the same results with it. A teacher should punish when necessary, but not more than is necessary.

Sometimes a teacher may show his class as though he is punishing a particular student for an intended effect, while not really punishing him at all. This we see here in 42:24, where Yosef put Shimon in jail in front of his brothers and when they left, he freed him and fed him (Rashi).

Another important lesson can be learned from this incident with Yosef and Shimon. On one hand, Yosef had to put Shimon in detention to show he was serious about using him as ransom until Binyamin came to Mitzrayim. On the other hand, once the brothers left and there was no longer a reason to keep Shimon in jail, Yosef freed him and took care of his needs.

Even when a teacher or parent punishes a child, the child's personal needs do not wither away or become unimportant. And, if the teacher or parent shows concern for the child's personal needs even while punishing him, the child is sure to regard his punishment as sensible and consider that his parent/teacher is punishing him with his best interest in mind.

We see from the above posuk as well, that when Yosef heard his brothers lamenting over what they had done to him, deciding that it was wrong, he quickly left their company and found himself a room he could cry in without them noticing.

There are two lessons to be learned here. One, a teacher has to be an actor. His face and tongue must play the role of an educator, while his heart feels the needs of each student. Two, the purpose of admonishment and punishment is not to make the child suffer, but to encourage him to improve his ways. Just as Yosef was affected by his brothers sincere request, so too a teacher should react positively to the regret and apology of a student, as long as it's sincere.

In 43:11, when the famine became unbearable, Yaakov agreed to send Binyamin to Mitz-

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rayim. When Yosef saw Binyamin (43:29-30) he barely managed to hold back his tears before he left the room and cried. Yosef pulled himself together just in time.

If a teacher feels he needs a break to readjust himself to the needs of the class, he should take one, even in the middle of a class, as long as he asks the menahel to fill in for him. When he regains his composure and again feels that he can maintain control of the class on his conditions, he should return to his class.

In general, it is important for a teacher to remember, that the students must always feel that the teacher is in full control of the class and that the class is conducted according to the conditions of the teacher.

After the meal, Yosef gave gifts and food to all his brothers and returned their money they used to purchase the food. He ordered that his silver cup to be placed in Binyamin's saddlebags as the last step in his plan before he would reveal himself to his brothers. Yosef managed to keep his cool and continue acting out the role of the wicked ruler for as long as he found it essential.

The end of Parshas Mikeitz and the beginning of Parshas Vayigash finds Yehuda pleading for the life of Binyamin and showing a readiness to fight to the death for Binyamin (44:18 in Rashi).

Yosef at this point was so overwhelmed with Yehuda's sincerity and devotion for his brother, that he could no longer hold back his burning feeling to once again rejoin his brothers (45:1). However, he did muster up the strength to hold back his tears until all the Egyptians had left the room before he revealed himself to his brothers. This, Rashi explains, was to avoid them being unnecessarily embarrassed in front of them.

We learn from here an important lesson. Where on the one hand, when it is educationally necessary, a teacher or parent is allowed to embarrass a child, on the other hand he must make absolutely sure that no one outside the educational environment is witness to this embarrassment. Yosef showed full control on this point even at the height of his stiff treatment of his brothers.

Why did Yosef choose this path of harassment until he brought Yehuda to the point of readiness to give up his life to save Binyamin? We can suggest that when he saw Yehuda's willingness to sacrifice his life for his brother, he felt that he, representing all the brothers, had done complete *teshuvah* for what they had done to Yosef. When this point was reached, there was no longer any point in harsh talking as the objective had been reached. Immediately after he revealed himself, as well, when he saw that his brothers were embarrassed for what they had done, Yosef became overly brotherly.

In 45:5, Yosef tries to calm his brothers, telling them that it was in G-d's plan for him to come to Egypt in order to provide food for Yaakov and his family and therefore they shouldn't be upset. However, although Yosef had always felt this, he only mentioned it after the brothers had fully regretted their actions.

So too, a teacher or parent, although he may be aware of a bigger plan, his first obligation is to help his students admit to their mistakes and improve their ways.

Also, we see from here that the brothers' embarrassment and humbled state substituted their need for actual punishment. Why? For this is the purpose of all punishment: to have the child regret his actions and realize that he never should have done them in the first place. Embarrassment is a sure sign that this stage had been reached.

MD

Thoughts on the Midrash

The Ultimate Shame

Woe to us on the day of judgement... (Bereishis Rabbah 93:8)

When Yosef revealed his true identity to his brothers, they were shocked and distressed, deeply shamed that they had never seen through the veil of this world that conceals *kedushah* (holiness) and the true nature of things, and recognized the *kedushah* (holiness) of their brother Yosef. This is a shame that

we will all feel in the time to come when it is finally revealed that all matters of this world have an inner dimension which is filled with *kedushah* (holiness). And this is the main shame that a person should feel when he realizes that everything is sustained by the power of G-d: How could he use that very power to act against G-d's will? Yosef represents that inner dimension, for Yosef kept the covenant and the covenant is the essential inner dimension of all things.

Based on sefer Sefas Emes MD

(Rav Leff—Continued from page 1)

with him to Eretz Yisrael. The people of Vermaisa replied that they were happy where they were in the "little Jerusalem" of Vermaisa. As a punishment for so completely dismissing the opportunity to rebuild Eretz Yisrael, they were twice destroyed.

But why was their destruction deferred until the time of the Crusades? Why not back in Ezra's time? Perhaps we can answer in the following way: The Crusades were launched by thousands of Christians who were outraged that the Holy Land was under the rule of infidels. So they undertook an historic mission to liberate it for Christendom. They were willing to abandon their families for years and endanger their lives—for what? For Eretz Yisrael! That's when the *kiterug* (indictment in the Heavenly Court) was brought against the people of Vermaisa.

Some years ago, when I said this at the Aguda Convention, I was asked afterwards, "If that's the case, what about today?" I didn't want to speak as a *kiterug*. But there are Moslems who in their distorted way are ready to commit suicide for what they believe to be their homeland. At the same time, there are many Jews ready to give it away. They would happily take a reservation in Oklahoma, if the White House would make the offer. Anything for peace and the comforts of Western society.

Two days before that convention I read in the newspaper that 34 graves were desecrated in Vermaisa. There aren't any Jews living in Vermaisa any-

more, but when there are non-Jews who demonstrate their willingness to sacrifice for Eretz Yisrael, the Jews of Vermaisa—even in their graves—are punished!

The Jews have shown themselves all too willing to live in exile among the nations. So for two thousand years HaShem has taken us on an extended tour of all the *goyim*—Greeks, Romans, Persians, Spanish, British, French. Now we've seen them all, close up. Any Jew who has a brain in his head is disgusted by it all. The

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hope is that after all that, he'll want to come back to Eretz Yisrael. That process starts with the Tenth of Teves, with an understanding that we're not where we really should be. But because we don't want to be where we really should be, the *goyim* are needed to remind us. They lay siege to Yerushalayim, and the message is that that is where we belong.

On the Tenth of Teves we have to get in touch with our feeling for Eretz Yisrael and our purpose here. We have to feel the pain of the loss of the Divine Presence, the *aron*, the *luchos*, that departed with the destruction of the First Temple, and have yet to return. We have to cry out in pain that because of our sins things are so wrong, and that the holy Jewish nation in Eretz Yisrael has yet to be revived. If we can do that, it will make a difference. Otherwise, the willingness to sacrifice on the part of the Palestinians may, G-d forbid, be a *kiterug* against us; like the Crusaders were to the people of Vermaisa. MD

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Halacha L'Maase
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Amen

1. When the Jewish people praise G-d in their synagogues and batei midrash saying, *yehai shmei hagadol mevurach*, G-d says, "Happy is the King who is praised so in His home". Why should a Father send his children into exile, and woe to the children who have been exiled from the table of their Father. For at that moment, G-d is compassionate and concerned for his children and wants to take from darkness, draw them to His Light, free them from their servitude and redeem them. The Kaddish was written in Aramaic, a language which the angels do not understand, so that the angels would not hear the Jewish People praising G-d and attempt to intervene, insisting that they don't really mean what they are saying; that their words are not really coming from the heart. (Another reason that the Kaddish was written in Aramaic is that it reminds G-d of the destruction of the Beis Hamikdash and the exile of the Jewish people from their land.
2. Rebbe Yehoshua ben Levi said that when a person answers *amen yehay shmei rabbah* (Shabbos 119b) with all his might, Divine judgments against him are nullified. Rebbe Chiah bar Abba said in the name of Rebbe Yochanan that even if a person is guilty of a taint of idolatry, he is forgiven. According to Resh Lakish, when a person answers *amen* with all his might the gates of the garden of Eden are opened for him. Tosefos (in the Gemara cited above) says (citing a midrash) that when *yehay shmei rabbah mevurach* is recited aloud and with a raised voice, Divine edicts of punishments are nullified. **MD**

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