



Parashat Vayechi - #263

Ask Rav Aviner: mororly@bezeqint.net

Prepared by Rabbi Mordechai Tzion

Visit our blog: www.ravaviner.com

On the Haftarah...

A Strange Will

[Melachim 1 2:1-12]

Before his death our great King David delivered final instructions to his successor, the future King Shlomo: eliminate King David's two loyal friends: Yoav ben Tzeruyah and Shimi ben Gera (Melachim 1 2:5-9).

It is impossible not to be shocked by these words. True, King David had some conflicts with these two figures, but at this moment he is almost standing at the entrance to the supreme world: shouldn't he be striving to forgive everyone? And Yoav ben Tzeruyah faithfully served him over the course of many years! Shouldn't King David view his sins in a more proper perspective? Is this really the best advice to give to the young future King who is about to fill his role: to kill the great hero of the Nation? One who carried all of the Nation's battles for independence on his back?

We must first understand the sins of Yoav: "You also know what Yoav ben Tzeruya did to me and what he did to the two leaders of the armies of Israel, Avner ben Ner and Amasa ben Yeter, whom he killed; and shedding the blood of war in peacetime, and putting the blood of war on the girdle that was on his loins and on the shoes that were on his feet" (ibid. v. 5). What is this all about? In the first section, which is found at the completion of the ongoing civil war: "And there was a lengthy war between the house of Shaul and the house of David" (2 Shmuel 3:1) regarding the inheritance of the kingship. Avner ben Ner, the leading personality in Shaul's house, reached the conclusion that continuing this dispute would not be profitable, and therefore worked to unify all of the Nation of Israel around David. After this, he approached David, who was then living in Hevron, and informed him that he was now accepted by everyone. David honored him and sent him on his way. At that exact moment, Yoav, the leading personality in David's house, returned from a military

operation and harshly attacked his King: "What have you done?...You know that Avner ben Ner came to deceive you" (Shmuel 2 3:24-25). You are naïve, you do not understand anything about political ruses! Yoav immediately went after Avner, "Yoav took him aside in the gate to speak with him quietly and struck him there in the stomach and he died" (ibid. 27).

This is the exact model of political murder. Yoav thought he was acting for the good of the kingdom, and thought that he understood better than David what was for the best. In his Machiavellian zeal, the ends justified the means. In this sense, he was the anti-thesis of David: a person of pure conduct even under the most difficult circumstances. Do not be mistaken: Yoav was not a lowly adventurer. He was a person of stature, a spiritual giant and a national hero. But his national zeal created a context for depravity.

There is a second incident, with similar circumstances, that is connected to a new civil war. Sheva ben Bichri organized a revolt against King David. He succeeded in assembling almost all of the Nation of Israel under his flag other than the Tribe of Yehudah who remained loyal to its king. David appointed Amsa, his Chief of Staff, to quickly gather the men of the Tribe of Yehudah as a last hope to save his dynasty. "Amsa went to muster the men of Yehudah, but he was later than the set time which he had assigned to him" (Shmuel 2 49:1). The reason for the delay was that the soldiers were immersed in learning Torah and could not be drafted. It is true that it is permissible to cease learning Torah for an obligatory war, such as a war of independence or a defensive war, but not for a civil war, regardless of its importance. Amsa decided to nullify the King's order, considering it illegal (Sanhedrin 49a), which ignited the fury of Yoav. Yoav approached Amsa and tried to calm his suspicions by saying: "Are you well, my brother?" (Shmuel 2 20:9). Yoav held Amsa's beard with his right hand, as if he was going to kiss him, and then killed him with his sword (ibid. 10). Much later, in the time of King Shlomo, Yoav was tried by the Sanhedrin in a special session on these two counts of political murder (Sanhedrin ibid.).

Nonetheless, one question still remains: Why did David, who was justifiably shocked by these two transgressions of Yoav, keep him as the head of his army? Furthermore, why pass on the unfavorable task of punishing the guilty to the young King Shlomo – something that would endanger his standing in the eyes of the Nation, who saw Yoav as one of its greatest heroes?

Rabbi Shlomo ben Aderet, known as the Rashba and one of the most important Rishonim (early authorities), answered this question. The background of his halachic answer is a reality of sinners who have had much power and endangered the community. In order to completely eradicate the "sharks," the Rashba suggests cooperating with the "little fish," whose transgressions are less severe. It is always possible to judge those sinners later if they do not repent in the meantime. The

Rashba requests that we follow the path of King David, who ignored the sins of Yoav in order for him to aid in the war against enemies of the state, those who placed immeasurable fear upon and endangered the young kingship (Shut Ha-Rashba 2:238).

Imagine a downtrodden town in the Wild West, in which a group of bandits instilled fear into the residents with the help of their pistols. The concerned federal government decided to send a sheriff from one of the best law schools, a dynamo in jurisprudence, who wore a fancy suit, stylish tie and elegant glasses. He walked into the local tavern with a pile of law books under his arm and his diploma in his pocket. He approached one of the bandits and pointed out which section of the law he was transgressing this time. The bandit let lose his anger and emptied the chamber of his gun into the sheriff, ending his short career. The federal government learned its lesson and decided this time to send the fastest pistol in the West. He did not complicate the situation by politely citing the sections of law - instead he shot the gangsters without warning. His strategy was more convincing. This sheriff brought quiet to the town and rode around on his white horse to ensure security for its residents. Years past and the mentality changed. Industry and technology spread, a modern city sprouted, but our sheriff continued to fulfill his role by riding on his horse between the cars and train tracks, shooting occasionally to keep the order. The central government therefore once again appointed a more elegant officer with a suit, tie, etc. who would use polite phrases such as "My dear friend," "You are the hero of my youth" and "I respect you." But now, he says: "I am the sheriff, therefore please hand in your weapon and you will receive in its place a book of tickets, a traffic whistle and a nametag. And – oy-va-voy - if you shoot another bullet since as brave as you are, I'll throw you in jail. Be forewarned."

During the time of King Shlomo, the situation had changed. All of the governors and generals had been replaced by civilian clerks. Yoav was now superfluous and dangerous, since the period of the gunmen with their finger on the trigger had past. The Nation was obviously more sympathetic to a shining soldier than a civil administrator. This is obviously not enough of a reason to eliminate Yoav. It would have been preferable for him to make himself and his deeds forgotten instead of participating in the continuing revolt of Adoniyah. He did not learn to take advantage of the longevity which he was given by improving his conduct and there was therefore no way to commute his sentence. In fact, this revolt reminded David of all of Yoav's deeds and led to his uncompromising decision to eradicate him (Melachim 1 2:28-34).

The great national hero did not understand that the time of warriors had passed, and now Shlomo, the man of peace, was finally King.

Rav Aviner on...
How We Should Relate to Kashrut Supervision
[Be-Ahavah U-Be-Emunah – Vayigash 5773 – translated by R. Blumberg]

Question: If I maintain a certain degree of Kashrut standards, and am invited to eat with a family that does not use the Kashrut supervisions that I find suitable, what should I do? I know that they will be insulted if I don't eat.

Answer: The main rule is this: All of the Rabbinical supervisions are kosher! No Rabbi would give a certificate for non-Kosher food. Our Sages said, "No Torah scholar would allow anything imperfect to emerge under his auspices" (Eruvin 32a).

It is impossible to suspect a Torah scholar of writing "kosher" on non-Kosher food. True, anything can happen, but you need proof to believe it. Thus, food with a Kashrut certificate may be presumed kosher until proven otherwise. Obviously, some supervisions are more stringent and some are less, but stringencies are for the confines of your own home.

One needn't be strict at the cost of insulting others. As the Jerusalem Talmud states, a basic precondition to saintliness is not humiliating others who do not conduct themselves on the same level as you (Berachot Chapter 2). Therefore, since all the Rabbinic supervisions are Kosher, and refraining from eating will humiliate others, one should eat what one is offered.

Here are two stories in this regard about the illustrious Ha-Rav Shlomo Zalman Auerbach, both taken from the book *Ve-Aleihu Lo Yibol* (p. 10):

1. "In response to my question about female seminary students from abroad who go as guests to various families, and how they should conduct themselves Kashrut-wise, he decisively responded: 'Tell them that any Rabbinical Kashrut supervision is good,' although certainly anyone may undertake personal strictures."

2. "After I got married, I came to Ha-Rav Auerbach and asked him: In my parents' home and my in-laws' home they eat foods with various Israeli Rabbinical supervisions which I do not eat from in my own home. How should I conduct myself when I eat with them?" Rav Auerbach responded: Two witnesses attended a Brit Milah of a Sefardic family and Ha-Rav Yosef Chaim Zonenfeld, who was present, ate the meat that had undergone Sefardic ritual slaughter. When you are the guest of family members or other G-d-fearing people, you must eat everything they serve you. It's not a matter of anyone serving you non-Kosher food! According to the essence of the law, all Rabbinical supervisions are valid (the issue was certifications by well-known Rabbinical bodies in Israel). Some supervisions are more strict on certain matters that do not touch on the essence of the law.

I somewhat audaciously asked Rav Auerbach: Does Rav Auerbach conduct himself that way? and he responded: Certainly! When I am at a wedding, I eat chicken prepared with Rabbinical supervisions that I would not rely on in my own home."

Shut She'eilat Shlomo - Questions of Jewish Law

Shut Rabbenu Tam Tefillin

Rabbenu Tam Tefillin during Bein Ha-Shemashot of Rabbenu Tam

Q: One who was unable to put on Rabbenu Tam Tefillin before sundown, is it permissible to put them on during twilight of Rabbenu Tam (which is later than the time accepted by most authorities), since they are both the opinions of Rabbenu Tam?

A: No. There are some Geonim who hold like the opinion of Rabbenu Tam in Tefillin but argue regarding the proper time of nighttime (Ha-Rav Shammai Kehat Gross, author of Shut Shevet Ha-Kehati. Eilim Li-Terufah – Gilyon 5748, Madur Alei Orach Ot #6).

Tefillin Bags

Q: Is it permissible to place both pairs of Tefillin in one Tefillin bag?

A: No. One should have two separate bags and specify the Tefillin on each bag so that one does not mix them up, since the basic halachah follows Rashi and we recite the blessing on them (Shulchan Aruch, Orach Chaim 34:4. Mishnah Berurah #18).

Q: Is it permissible to switch the Rashi Tefillin bag to a Rabbenu Tam Tefillin bag, or the other way around?

A: It is forbidden (Mishnah Berurah 34:20). Some authorities permit switching the Rabbenu Tam Tefillin bag to a Rashi Tefillin bag, since the basic halachah follows Rashi (Ha-Rav Shlomo Kluger. Sefer Sta"m Tefillin, p. 17).

Q: What is the law if the bags get mixed up and one does not know which is which?

A: Some say that they can be used for either type of Tefillin, but it is proper to only put Rashi Tefillin in them (Piskei Teshuvot 34:9 note #4).

Special thank you to Orly Tzion for editing the Ateret Yerushalayim Parashah Sheet



Yeshivat Ateret Yerushalayim P.O.B. 1076 Jerusalem 91009 Tel.02-6284101 Fax.02-6261528

www.ateret.org.il To subscribe, send e-mail to: mororly@bezeqint.net

