

# ERETZ YISROEL AND THE DIASPORA, PART 1

*by Rabbi Pinchas Winston*

*Ya'akov left Be'er Sheva and went to Charan . . . Bereishis 28:10*

**So, off Ya'akov Avinu** went to Padan Aram. He'll only be away from home for one parsha, but that will translate into 36 years: 14 years learning Torah in the yeshivah of Shem and Eiver, seven years working for Lavan to marry Rachel, seven additional years working for Rachel after Leah was switched for Rachel, six more years working to make his own fortune, and two years of traveling home.

The Talmud, where this calculation is explained, makes an interesting assertion. It says:

Rabbah said in the name of Rav Yitzchak bar Shmuel bar Marta: "Torah study is greater than the honoring of one's father and mother, because Ya'akov was not punished for the 14 years he spent in the house of Eiver [learning Torah] . . . How do we know that he was not punished? A brisa teaches: We find that Yosef was away from his father for 22 years, just as Ya'akov Avinu was away from his father. But Ya'akov was away for 36 years? It must be that the 14 years spent [learning Torah] in the house of Eiver are not included [in the punishment]. (Megillah 17a)

The reason why this is interesting is because we saw at the end of last week's parsha that Ya'akov only went to Lavan's house at the behest of his father and mother. Rivka, with Yitzchak's blessing, sent him there to avoid the revenge of Eisav and at the same time to find a wife. From the Torah, if anything, it seems as if Ya'akov Avinu was fulfilling the will of his parents my leaving home and Eretz Yisroel. He certainly should not have been penalized for doing so.

In fact, if the Talmud wanted to make the same point, it might have instead focused on the 14 years that Ya'akov Avinu spent learning Torah with Shem and Eiver. We don't see that his parents sent him there first, implying that he went there on his own. The fact that he wasn't punished for them would teach that learning Torah is greater than honoring one's parents. There would have to be another reason for Yosef's 22 years of absence from his father.

## **Chizkuni's Pshat**

The Chizkuni answers the question based upon Rashi's words. Rashi says on the following verse:

Devorah, Rivka's nurse, died, and was buried beneath Beit El, beneath the plain. So he named it, "Allon Bachus." (Bereishis 35:8)

What connection does Devorah have with Ya'akov's household? Rivka had said to Ya'akov, "and I will

send and take you from there" (Bereishis 27:45). [It was] Devorah [whom] she sent to him in Padan Aram [to tell him] to leave from there, and she died on the way. (Rashi)

From Rashi's words it is not clear at what point during Ya'akov's absence Rivka actually sent Devorah to bring him back home. Nevertheless, the Chizkuni explains:

Rashi says, "What connection does Devorah have with Ya'akov's household?" meaning, where do we find that Devorah joined Ya'akov, since it says, "With [only] my staff I crossed [the Jordan]" (Bereishis 32:11). Thus, we learn that Rivka sent Devorah after Ya'akov to bring him back, as it says, "You shall stay with him for a few days until your brother's anger has subsided . . . and I will send and bring you from there" (Bereishis 27:44). However, [Ya'akov] did not want to leave, so Devorah stayed with Ya'akov in the house of Lavan. She died on the way [back home] with Ya'akov, and since her name was not mentioned earlier when it said, "So they sent away Rivka their sister and her nurse" (Bereishis 24:59), it mentions her name now. (Chizkuni, Bereishis 35:8)

According to the Chizkuni, though Ya'akov Avinu went to Padan Aram to fulfill his parents' will, he remained there against their wishes. Apparently, the 14 years that Ya'akov Avinu spent in Yeshivas Shem v'Eiver was enough time for Eisav to cool down, and it was no longer necessary to continue on with his journey in search of safety and a wife. Yet, according to the Chizkuni, according to Rashi, Ya'akov Avinu went anyhow, making his time across the Jordan river punishable.

This explanation raises some important questions, though. First of all, HOW could Ya'akov Avinu have disobeyed his parents? WHY would he have disobeyed his parents' wishes? Would he not have known that he was putting himself at risk, perhaps even endangering the future Jewish people in doing so?

Secondly, such a major error is unlikely to be white-washed by the Torah. On the contrary, Ya'akov Avinu seems to have been blessed the entire time he was gone. Miracles happened for him the entire time, something even Lavan was forced to admit. Clearly God had been with Ya'akov all along, as if his being in Padan Aram was the right thing.

Thirdly, Rashi's comment here would seem to indicate that staying in Padan Aram, at least for the seven years that Ya'akov worked for Rachel, was in fulfillment of his mother's wish:

Ya'akov loved Rachel, and he said, "I will work for you seven years for Rachel, your younger daughter." (Bereishis 29:18)

I will work for you seven years: They are the few days of which his mother said, "You shall stay with him for—yomim achadim—a few days . . ." (Bereishis 27:44). You should know that this is so, because it is written: "and they appeared to him like—k'yomim achadim—a few days" (Bereishis 29:20)

Perhaps then, staying an additional 13 years was not in line with his mother's plan, even if to work for Rachel, his true soul mate. But then, Yosef should only have been absent from Ya'akov for 13 years, not the full 22 years.

Thus, if anything, the arrival of Devorah was probably towards the end of Ya'akov's 20 year exile, and perhaps one of the reasons why Ya'akov knew it was time to return. Lavan's and his son's changed attitude towards Ya'akov would have just been a well-timed confirmation of his sense that his time with Lavan had finally drawn to a close.

### **Greater is one who is commanded . . .**

The Talmud, interestingly enough, teaches a somewhat counterintuitive idea when discussing, of all mitzvos, the directive to honor one's father and mother. After detailing the story of Dama ben Nesina, a gentile who went to great extremes to honor his father, the Talmud concludes:

Rebi Chanina observed: "If one who is not commanded [to honor his parents], yet does so, is thus [rewarded], how much more so one who is commanded and does so!" As Rebi Chanina has said: One who is commanded and fulfills [a commandment], is greater than one who fulfills it but is not commanded. (Kiddushin 31a)

One might have thought that someone who does the right thing as a matter of course and not because he was commanded to do so is on a higher spiritual level. Even without God telling him the right thing to do he already does it.

That might have been true if what counts most is merely doing the "right" act. However, what counts most to God is the fulfillment of His will, something that is only possible when that will is embodied in a mitzvah and performed for that reason. If doing the right thing comes "naturally" to a person, then what kind of a test of will is it?

As the Talmud points out, it is only natural for a child to fear his father and honor his mother. As the story of Dama ben Nesinia portrays, a person does not need to be commanded by God to perform it, even when personal loss is involved. It is more difficult, therefore, to perform the mitzvah of honoring one's parents as a mitzvah than it is other less "natural" mitzvos.

The point here is that it is only called a mitzvah of "Kibud Av v'Eim" when the act is performed as a mitzvah. The fact that a person feels good about doing it for their parent is secondary. This is why some, to get this right, make a point of declaring their intention to perform the act as a mitzvah before doing it.

This detail is an important part of the answer to the original question.

### **The Diaspora**

One of the questions that arises from this week's parsha is how Ya'akov Avinu was able to marry two sisters. Marrying two sisters at the same time, according to the Torah, is a severe sin. Shouldn't Ya'akov Avinu have divorced Leah first before marrying Rachel?

The most obvious answer to the question is that the Torah had yet to be given, and therefore marrying two sisters had yet to be forbidden. The most obvious question, however, is that the

Talmud says that the Avos made a point of keeping the entire Torah even though they were not obligated to do so (Yoma 28b). The question returns.

The Ramban famously answers this question by explaining that the Avos only observed the Torah while living in Eretz Yisroel (Ramban, Bereishis 26:5). Ya'akov Avinu married two sisters while in the Diaspora. As long as he lived there, there was no problem. It would only be an issue once he decided to return home to Eretz Yisroel.

Thus, it was no coincidence that Rachel Imeinu died just after entering Eretz Yisroel. A few reasons are given as to when and where she died, but according to the Ramban's explanation, there is a reason behind the reasons. Once back in Eretz Yisroel, it was a problem for Ya'akov Avinu to remain married to two sisters. Rachel's death at the tender age of 36 years solved that problem.

This is a discussion of its own. The main point here is that the mitzvot did not apply to the Avos outside of Eretz Yisroel. Technically, they did not yet apply to the Avos even IN Eretz Yisroel, but they lived their lives as if they did. And, as the Talmud states:

Rav Ashi says: "If a person thought to fulfill a commandment and he did not do it because he was prevented by force or accident, then the Torah credits it to him as if he had performed it. (Brochos 6a)

This would mean that the mitzvah of Kibud Av v'Eim could only apply to Ya'akov Avinu UNTIL the border of Eretz Yisroel. Even though he went to Padan Aram to fulfill the will of his parents, it could only count as a mitzvah until he left the Land. Being in the Diaspora was not a violation of the mitzvah. It was just not the fulfillment of it. It was not that he remained with his uncle Lavan against the will of parents. It was that honoring his parents' wish didn't count as a mitzvah.

This helps to answer another question. One of the obstacles along Ya'akov's journey home was Eisav himself. What was there to worry? Eisav was evil, Ya'akov was righteous. Shouldn't Ya'akov's trust in God have given him the confidence to confront and survive such an enemy? What was the basis of Ya'akov's concern?

The Midrash answers this question. It says that Ya'akov worried that God might help Eisav against him because of all the years Eisav fulfilled the mitzvah of honoring his father while Ya'akov was away. This, together with the merit of living in Eretz Yisroel, Ya'akov Avinu feared, might work in Eisav's favor (Bereishis Rabbah 76:2).

But Ya'akov Avinu honored his father by leaving Eretz Yisroel! Should this not have countered Eisav's honoring of his father and his living in Eretz Yisroel? After all, how sincere could Eisav's kibud av actually been? He had already declared his contempt for God and Torah at the sale of the right of the firstborn?

The answer:

One who is commanded and fulfills [a commandment], is greater than one who fulfills it but is not commanded. (Kiddushin 31a)

This is even true, apparently, when comparing the actions of Ya'akov and Eisav. Ya'akov Avinu was concerned about this, and it made him question his chances of survival against Eisav and his men.

The only question is, why was Ya'akov Avinu punished with Yosef's 22-year disappearance? He didn't do anything wrong, and if anything, it was the result of doing the right thing. What was punishable about Ya'akov Avinu's course of action?

Continued next week, b"H . . .