

Parsha Encounters

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Parshas Vayeishev - Rabbi Ephraim Hochberg

“It ain't over 'til it's over”

This Parsha starts to tell us the story of Yosef and his brothers. Rashi quotes the Medrash in the beginning of the Parsha. “Yaakov sought to dwell in tranquility. But then the ordeal of Yosef sprung upon him. The tzadikim seek to dwell in tranquility, but Hashem said “The righteous do not consider that which is prepared for them in Olam Habah to be enough for them, but they seek to dwell in tranquility in this world, as well!”

According to the Medrash, there was a problem with Yaakov wanting to dwell in tranquility. Let us examine the events of Yaakov's life up until this point. First of all, his brother wanted to kill him. After having to run away from home to escape his brother, he arrives in Lavan's home. There he is tricked at his wedding and has to work another seven years to get the wife that he wanted. After that, Lavan – his employer – changes his wages one hundred times. Finally, he leaves Lavan to make his way back home. He fights with the Malach of Esav, and then has to meet with Esav who is coming with an army to greet him. After making peace with Esav, Shechem takes Dinah, and Shimon and Levi destroy the whole city. Is there really such a problem for Yaakov to want to dwell in tranquility?

Rav Nissan Alpert gives the following answer to this question. Hashem wanted to teach

something very important to Yaakov. Although Yaakov did prevail throughout all the trials he had, his work was not yet over. There is a very big difference between the problems that Yaakov faced already and the ordeal of Yosef. All the other tests came from external people in Yaakov's life. The test of Yosef was an ordeal within the house of Yaakov itself. Hashem wanted Yaakov to understand that although he passed the external tests given to him, he wasn't finished until he passed the internal test.

There can be many different ways that the Yidden may be tested as a people. They can be attacked, *Chas V'sholom*, there can be an Inquisition, and a Holocaust. But although we may pass those tests, we haven't passed all the tests. As long as there is inner fighting among the Bnai Yisroel, groups against other groups, brother against brother, we cannot say that we have successfully passed the tests handed to us.

May Hashem give us the strength needed to pass this final test, to bring about the coming of Moshiach, *Bemhayra v'yomaynu*.

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Halacha Encounters

Machanecha Kadosh, part 2

Rabbi Yisroel Langer

Last week we discussed some of the rules of the prohibition of engaging in *dvarim shebikedusha*, reciting brachos or studying Torah, near human waste or foul odors, and how it relates to soiled diapers. This week, let us discuss this prohibition as it relates to other situations that come up.

Q: Is one allowed to make a bracha or daven while standing within seven feet of human waste of an infant?

A: In Shulchan Aruch (O.C. 81:1) it says that the waste of a child who is old enough to eat a kzayis (size of an olive) of grain in the time span of three to four minutes must be removed before reciting a bracha. Some poskim say that a child as young as three months old fits into this category (Misgeres Hashulchan 5:3; see also Beis Haboruch 3:63). This is true even if this particular child never ate grain before. According to the Mishna Brura (81 s.k.3), it is praiseworthy for one to distance himself even from the waste of an eight-day-old child. The Shulchan Aruch Horav (81:2) says this is true even of a one-day-old child (see Aruch Hashulchan 81:4 who does not agree with this *chumrah*).

Q: Is one allowed to recite *devarim shebikedusha* while standing next to the waste of an animal?

A: It all depends on the kind of animal. The feces of a cat have the same status as human waste, while the feces of a dog, *chazal felt*, are not as odorous, and a bracha can be made while standing next to them.

Q: Is one allowed to recite *devarim shebikedusha* while standing next to garbage that has a foul odor emanating from it, but does not have any human waste inside?

A: Anything that smells because it is rotten or spoiled has the same status as human waste (MB 79 s.k.29). However, something that naturally has a bad smell (e.g. tar) does not have the status of human waste and *devarim shebikedusha* may be recited (ibid s.k. 23).

Q: If one recited *krias shma* or a bracha and then realized that there is human waste within seven feet, is he required to repeat *krias shma* or the bracha?

A: If the waste was found in an area that one should have checked prior to making a bracha, but was negligent in doing so, he must repeat *krias shma* or the bracha. However, if it was found in an area that was not required to be checked, the bracha need not be repeated.

Q: Is one permitted to study Torah or daven next to a person or clothing that has a foul odor because of perspiration?

A: Some poskim (Harav Dovid Zucker, *shlita*; see sefer Nikoyan L'Tefilla ch 6:7 that brings a dispute amongst the poskim) hold that if one has foul body odor to the point where others are repulsed by it, it has the same status of "foul odor without a source" (e.g. flatulence). Accordingly, others would be permitted to study Torah (see Maharsha Brachos 25A, Aruch Hashulchan O.C. 79:9, *Ishei Yisroel* 54:9) but would not be permitted to recite brachos or daven within range of the odor. If one would continue to daven despite the odor, he would have to daven again (*Ishei Yisroel* ch 51:17).

Q: If there is a foul odor, but one's nose is stuffed and cannot smell, is he permitted to recite *devarim shebikedusha*?

A: If the odor has a source, such as human waste, one would not be permitted to recite *dvarim shebikedusha* within seven feet of where the odor ends, even if he cannot smell. However, one may recite *devarim shebikedusha* in the presence of an odor that is classified as a "foul odor without a source" (eg. flatulence), if one cannot smell it. (MB 79: s.k. 19)

Q: Can one recite *devarim shebikedusha* in an area that has the smell of sewage?

A: No.

Q: Can one make brachos or learn Torah near garbage cans?

A: Any container that is used to hold human waste or foul smelling garbage is considered a "*graf shel rei*," and no *dvarim shebikedusha* can be recited within seven feet of the container, even when it is empty and doesn't smell. Therefore, if one walks outside near a dumpster that gives off an odor (that disgusts passers-by) when it is full, one cannot make a bracha near the dumpster even when it is emptied. HaGaon R' Shlomo Zalman Auerbach *zt"l* holds that even if it gives off an odor in the summer and not in the winter, it has the status of "*graf shel rei*" year round.

Q: Can one recite *devarim shebikedusha* next to an open bathroom door?

A: When one is inside a bathroom, he may not even think *devarim shebikedusha*. If he is outside the bathroom, even if it is open, he may recite *devarim shebikedusha* provided that no foul odor emanates from inside the bathroom (*Igros Moshe*, Even HaEzer 114). The sefer *Vzos Habracha* chapter 16:6 quotes HaGaon R' Yoseif Salom Eliyashiv *shlita*, as being strict if one is facing a toilet inside the bathroom.

Rabbi Langer learns full-time at the Kollel.