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PARSHA ENCOUNTERS

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Parshas Vayigash  Rabbi Moshe Rokach

Good Mourning

*"And the spirit of Yaakov their father was revived"
(Bereishis 45:27)*

"The Shechina that had departed from him was returned" (Rashi)

The pasuk implies that Yaakov's mourning over Yosef's disappearance prevented the Shechina from residing with him for twenty two years. Meforshim question how Yaakov could have allowed himself to become so engulfed in sorrow over his personal tragedy to the extent of forfeiting the Shechina's presence. Certainly a tzaddik of Yaakov's caliber was concerned solely with serving Hashem and would not allow his paternal instincts to interfere.

The Bais Halevi suggests the following answer. Yaakov Avinu was well aware that his mission in life was to raise the shevatim who would be the foundation of Klal Yisrael. It was also clear to him that there was special significance in having twelve shevatim. As the Midrash notes, the twelve shevatim were intended to correspond to the months of the year, hours of the day, and the different constellations of the sky. Knowing this, Yaakov assumed that with Yosef's disappearance, and the shevatim now numbering only eleven, his life's work and everything he had hoped for was in jeopardy. Without twelve shevatim what would become of Eretz Yisrael, the Korbonos, and the blessings of Avraham for which he had risked his life to secure from Esav's hands? All the long, hard years of labor in Lavan's house working to raise a family that would serve as the foundation of Klal Yisrael seemed to be for naught. For this reason, it is no wonder that Yaakov was crushed by Yosef's disappearance. He was not merely grieving over his personal loss; Klal Yisrael's future as a na-

tion and his role in bringing it about were endangered.

This approach, however, raises a fundamental question. If the need for twelve shevatim was the crux of the problem, why couldn't Yaakov simply take another wife and have one more child to replace Yosef?

The Bais Halevi explains that by doing so Yaakov would violate the oath Lavan imposed on him against marrying any woman besides Rachel and Leah (see Bereishis 31:50). Of course, this was unthinkable to Yaakov. Although, technically, he could have circumvented the oath by means of hataras nedarim, this would have resulted in a terrible chilul hashem. After all, Lavan certainly didn't recognize the halachic power of hataras nedarim and would seize the opportunity to badmouth Yaakov for breaking his word. This concern was so compelling in Yaakov's mind that he willingly chose to sacrifice his life's work and admit failure in his mission rather than risking a chilul hashem. The Bais Halevi observes that maintaining this decision for twenty-two years was likely as difficult a test for Yaakov as the akeidah had been for Avraham.

We can learn from Yaakov Avinu's behavior that good intentions do not justify all means of achieving a goal. If our efforts to further kavod shamayim remain within the parameters of the Torah then we may proceed, otherwise, we ought to stand back and let Hakadosh Baruch Hu unfold His masterplan in the way He sees fit.

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HALACHA ENCOUNTERS

The Yarmulke

Rabbi Ari Friedman

When it comes to Jewish identity, few things are as symbolic as the *yarmulke*. Whether made of velvet, knit or suede, the *kippa* or *yarmulke* has become the number one way to display one's Yiddishkeit. This week we will explore the origins of this custom and the Halachos that relate to it.

The Source

The Gemara tells us of Rav Huna Ber D'Rav Yehoshua who would not walk four *amos* without his head covered saying, "The Shechina is above my head." In another Gemara he is quoted as deserving great reward for this practice (Kiddushin 31, Shabbos 118). Elsewhere, the Gemara tells us about the mother of Rav Nachman Bar Yitzchok who would instruct him to cover his head to instill in him *Yir'as Shamayim* (Shabbos 156). Interestingly, the word *yarmulke* is attributed to a combination of the words *Yareh M'Elokah* – fear of Hashem.

The Rishonim are at odds as to whether these references and others similar to it are the source for a definitive Halacha that one must cover his head or merely pointing out that this is a commendable behavior. (See Shut Maharshal 72 Tashbatz 549 Mahari Bruno 166) The Taz (D.C. 8-3) writes that regardless of the intent of the Gemara, nowadays there is certainly an obligation to wear a *yarmulke*. He explains that since it is the way of non-Jews to remove their hats, doing so would be included in the realm of *Chukas HaGoyim* – a prohibition of following in the ways of non-Jews. Seemingly, the Taz is referring to the custom of non-Jews to bare their heads for religious or cultural reasons, an issue that will be discussed below.

The Minhag Today

As mentioned earlier, it has been widely accepted among religious Jews to wear a *yarmulke* as a symbol of belonging to Klal Yisrael and keeping the Mitzvos. So much so, that the removal of one's *yarmulke* is usually an indication of abandoning the Torah lifestyle. The Poskim write that a *yarmulke* should be worn at all times and that it is commendable to wear it even when sleeping. One need not wear a *yarmulke* when bathing or swimming.

In the Workplace

Many people find themselves in situations where they fear that wearing a *yarmulke* may harm their *parnasa*. Rav Moshe Feinstein ZT"L ruled leniently in this matter, based on the following two points:
1 - The obligation to follow Minhag Yisrael by wearing a *yarmulke* can

be no more binding than an actual Mitzvah. It is the rule regarding all Mitzvos that one is not obligated to forfeit his livelihood in order to perform a Mitzvah and this would apply here as well.

2 - Rav Moshe doubts whether the Taz's reasoning of *Chukas HaGoyim* would apply in our times where people go bareheaded more as a matter of practicality than a gesture of religious and cultural meaning.

Rav Moshe writes that this *heter* would only apply at the workplace itself and not in places or at times when a person feels uncomfortable wearing a *yarmulke*. Additionally, this *heter* would not allow one to make a *brocha* or *daven* without a *yarmulke*. Should one find himself in a situation where he feels he would need to remove his *yarmulke* in the workplace, a *shailoh* should be posed to a competent Rav.

The Yarmulke

Putting aside societal preferences, any material may be used for a *yarmulke*. The Mishna Berurah, however, cites conflicting opinions as to whether one may rely on wearing a wig to fulfill this obligation (M.B. 212, see Sefer Chayei Moshe). One may even use his own hand to cover his head. However, when involved with *Devarim ShebiKedusha*, such as davening, making a *brocha* or even entering a Shul, in addition to walking outdoors, one's own hand would not suffice to be considered a Halachic covering. If necessary, one may use his shirtsleeve or even have someone else place his hand on one's head. (See D.C. 91-4, M.B. 2-11, 12)

The Size

Rav Moshe ZT"L (D.C.11) writes that a *yarmulke* must be large enough to be noticed from all sides of the head. Others require that the *yarmulke* cover most of the head.

Women and the Yarmulke

Based on the Maharal, (Drashos Al Hatorah) some suggest that the reason women are not obligated to wear a *yarmulke* is because they are inherently more spiritually aware and don't need this extra measure to instill *Yir'as Shamayim*.

Rabbi Friedman learns full time in the Kollel and is a frequent contributor to Halacha Encounters.