



Bet Haraah בית הוראה Shaarei Ezra שערי עזרא

Parshat Vayishlach

Zmanim for New York:

Candle Lighting: 4:11pm

Shabbat ends: 5:14pm

R"T 5:42pm

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PRIVACY AND PUBLICITY: HALACHIC PERSPECTIVES ON SHARING GRAPHIC CONTENT.

WRITTEN BY **RABBI SHAY TAHAN**

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Rav Avigdor Miller famously said that we are mistaken in assuming that widespread awareness of the brutal methods employed by the German Nazis to torture and kill the Jewish people, fosters sympathy for us. He argued that, instead, it only gratifies those who harbor animosity toward Jews, providing them with satisfaction, inspiration, and even more perverse ideas.

Since the Simchat Torah massacre, the distressing images and videos depicting the killing and torture, known as "Bearing Witness to the October 7th Massacre," have been presented in various forums. This includes showings to members of the U.S. Congress, the United Nations, diplomats, and world consulates.

Not only were images and videos circulating, but numerous poles also displayed pictures and posters of the kidnapped individuals.

The question that naturally arises, is whether it is halachically permitted to show people these images for the sake of gaining influence on the world stage, or perhaps it is prohibited since doing so might infringe upon their privacy, respect, and dignity.

Furthermore, based upon Rav Miller's assertion that not only are we not gaining any positive ground, but we are inadvertently providing our enemies with more satisfaction, perhaps this itself should be grounds to prohibit the circulation of these images and videos? It is evident that these videos have fueled the appetite of anti-Semites all over the world, intensifying their desire to inflict harm on the Jewish community.

Let's examine a responsa from Rav Moshe Feinstein (Igrot Moshe Y.D. 2 Siman 150) regarding the issue of performing autopsies after one's death, which is halachically forbidden due to the prohibition of cutting one's body. The inquiry pertained to participating in a demonstration against this practice

while showcasing the severed limbs of the body. The rationale behind this approach was that displaying the body parts would evoke greater distress, potentially making the demonstration more impactful in conveying their message.

Rav Moshe Feinstein referenced the story of "Pilegesh BaGiv'ah" to illustrate his point.

The story of "Pilegesh BaGiv'ah" involves a Levite and his woman traveling to Gibeah (מלכים יט-כא). The locals' extreme cruelty resulted in the mistreatment and death of the woman, sparking a significant conflict among the nation.

After the death of the woman in the story of "Pilegesh BaGiv'ah," the Levite dismembered her body and sent parts of it to the twelve tribes of Israel. This shocking act prompted a gathering of the tribes, leading to a severe conflict with the tribe of Benjamin, who refused to hand over the perpetrators. The conflict then escalated into a full-scale war, resulting in the near-destruction of the tribe of Benjamin and the implementation of a resolution to provide wives for the surviving Benjaminites to ensure the tribe's continuity.

From this story, Rav Moshe drew the conclusion that it is permitted to disassemble the deceased body parts to demonstrate a highly crucial act. Moreover, he asserted that if the body is already disassembled, certainly one may use those parts in an important demonstration.

Accordingly, we can infer that using images and videos for the purpose of demonstrating our right to dismantle the enemy, despite the significant collateral damage, is permissible. This allowance is granted, even though it involves sacrificing the dignity of those who were killed. In such situations, where there seems to be no other viable means to express our right to continue the war, this form of communication is deemed



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permissible.

Certainly, one must exercise careful consideration when deciding whether there is a net gain on the world stage. On one hand, we are sacrificing the dignity of the victims, and on the other, we risk fueling the enemy's desire to see more Jewish people suffer. This delicate balance underscores the importance of weighing the potential benefits against the potential harm before using such images and videos for advocacy or demonstration purposes.

es.

A great rabbi once remarked, "I would rather the world hate Israel when it wins, than witness them love Israel when it dies." While these words carry weight and truth, it's important to note that such sentiments are relevant only if these are the sole choices available. However, employing techniques to gain the world's support is evidently the preferable and more constructive choice when available.

PRINCIPLED OPPOSITION: THE BRISKER ROV'S REJECTION OF A NAZI-MUFTI ALLIANCE.

The Mufti, Haj Amin al-Husseini ימח שמו וזכרו, was a Palestinian Arab nationalist and Islamic leader who collaborated with Nazi Germany during World War II and vehemently opposed the establishment of the Jewish state. He once approached the Brisker Rov with a partnership offer. Given the Brisker Rov's firm stance against the establishment of the Jewish state, the Mufti sought to join an alliance with him. The rabbi, looking at him with contempt, dismissed the request, deeming it utterly foolish. He clarified that his fight against Zionism stemmed from an entirely different motivation compared to the Mufti's. The Mufti opposed Zionism out of hatred to the Jewish people, while the rabbi opposed it out of deep love for them, wanting to guide them away from what he believed was a misguided path. Therefore, he could not align himself with a Nazi sympathizer like the Mufti, given the stark differences in their motivations.

A similar account is said to have occurred with the "Tzaddik of Yerushalayim" the great R' Aryeh Levine, who was approached by one of the leading generals in charge of what was then the British Mandate of Palestine, to join forces in quelling partisan activities for the establishment of a Jewish State. R' Levine dismissed his request stating that the general opposed because of the *Jew* in the partisans, whereas R' Levine opposed because of the *Go'i* in them. Consequently, they could not join forces due to their conflicting objectives.

When Yaakov Avinu receives the news that Esav is approaching with an army of 300 men, he prays to Hashem, asking for protection from his brother, Esav. The Bet Halevi raises a question about Yaakov's use of the phrase "my brother Esav" instead of simply "my brother." The answer, says the Bet Halevi, lies in Yaakov's dual prayer. First, he seeks deliverance from the malevolent Esav, who poses a threat. Second, he prays for protection from the distorted nature of his brotherly love, recognizing that Esav's affection can be as detrimental, if not more so, than his hostility.

Indeed, initially, Esav intends to harm Yaakov, but his agenda shifts, and he invites Yaakov to join him. Yaakov could have been deceived by this apparent change, leading to one of two potentially unfavorable scenarios. In the first, he might fall into a

"Little Red Riding Hood" scenario, where the initial display of love and respect conceals a hidden threat, akin to the wolf's deceit in the famous tale. The second, more perilous scenario, involves Yaakov getting too close to Esav's way of life, risking the compromise of his own righteousness by adopting undesirable practices and beliefs.



Therefore, Yaakov declines Esav's invitation to join him. He offers excuses cleverly crafted to conceal his true intentions, ensuring that Esav remains unaware of his underlying motives—all in an effort to avoid any connection with him.

Every Jew around the globe understands the significance of standing with the Jewish state in these crucial times and condemning anti-Semitism on a global scale. This commitment extends beyond Israel being the homeland for the majority of our nation; it's also because Israel serves as the frontline defense for every Jew in the Diaspora. The struggle of Israel mirrors the fight against anti-Semitism that we encounter in Brooklyn, London, Montreal, and everywhere else—it's a unified battle against hatred toward the Jewish people. Still it appears that there are some "Jewish" groups who, perplexingly, find it acceptable to align with their anti-Jewish Muslim counterparts in oppressing the Jewish people. Take for example the Neturei Karta which is a small Jewish group that opposes Zionism and the formation of the State of Israel. They assert that the true Israel can only be restored with the advent of the Mashiah. Although the Anti-Defamation League estimates that fewer than 100 members of the community engage in anti-Israel activism, the images of Jewish people standing hand in hand with individuals promoting violence against Jews create a profoundly negative image worldwide.

Another group, Jewish Voice for Peace, which included around 500 protesters, took over the base of the Statue of Liberty in New York Harbor on Monday, November 6th. This week, on Sunday, November 26, they protested alongside pro-Palestinian Muslims, blocking the Manhattan Bridge while chanting against Israel. Prominent figures, including artists and activists, were among them, advocating for a ceasefire in the Gaza Strip. This implies, in other words, acknowledging the presence of volatile Muslim groups in Gaza that may pose a threat again sooner or later.

PRINCIPLED OPPOSITION: THE BRISKER ROV'S REJECTION OF A NAZI-MUFTI ALLIANCE.

The Bet Halevi elaborates on the prophecy, based on Chazal's teachings, that whatever occurred to the patriarchs would be duplicated to their descendants (מעשה אבות סימן לבנים, ראה). Since the interaction between Yaakov and Esav involved conflict, the prophecy suggests that in the future, Esav's descendants will persecute Yaakov's children. This historical pattern has manifested itself throughout time, with Esav's descendants initially prosecuting the Jewish people and later attempting to eliminate them by pretending friendship and love, as seen in our generation.

But today we witness a third technique, not mastered by Esav, but attributed to Ishmael. This technique involves instigating internal strife among the Jewish people, causing some to fight

against their own brothers.

Individuals within the Jewish community, who engage in meetings with the leadership of Iran, expressing respect for their agenda of ethical cleansing of all Jews in the Holy Land, and participating in demonstrations alongside Hamas sympathizers, may not fully comprehend that these actions align with groups whose ultimate goals include harming and even killing them, along with other Jews.

We may also pray the prayer of Yaakov, entreating Hashem to save us from the wickedness of Esav and his deceptive friendliness, as well as from Ishmael and those captivated in his trap.

GOING ON VACATION DURING CHALLENGING TIMES: NAVIGATING THE ETHICAL CONSIDERATIONS AND COMMUNAL RESPONSIBILITIES

Question: During the Chanukah season, many families choose to go on vacations to rejuvenate after a year of stress. While it is undoubtedly a joyous time that should be enjoyed, the question arises: is it permitted to go on vacation at a time when our brothers and sisters in Israel are at war, many are still in captivity, and all Jews face serious threats from anti-Semitic propaganda and attacks?

Answer: The Gemara states: (תענית י"א, א')

"When the Jewish people are immersed in distress, and an individual separates himself from the community, refusing to share in their suffering, the two angels accompanying him place their hands on his head, treating him as if he were an offering, and declare: 'This man who has distanced himself from the community, let him not witness the consolation of the community.'"

The Gemara continues: "When the community is engulfed in suffering, an individual may not say, 'I will go to my home, eat and drink, and may peace be upon my soul.' If one does so, the pasuk (22:13) (ישעיה): 'And behold joy and gladness, slaying beef and killing sheep, eating flesh and drinking wine; let us eat and drink, for tomorrow we shall die.' applies to him. The prophecy continues with the consequence in the next pasuk: 'Surely this iniquity shall not be atoned by you until you die' (22:14) (ישעיה)".

Then the *Beraita* emphasizes that instead, a person should share in the distress of the community, exemplified by Moshe Rabenu during the war with Amalek, as described in (17:12) (שמות): "But Moshe's hands were heavy; and they took a stone, and put it under him, and he sat upon

it." The *Beraita* explains that Moshe, despite having a pillow or cushion, chose to sit on a rock, expressing his solidarity with the suffering Jewish people. The *Baraita* concludes: "Anyone who is distressed together with the community will merit seeing the consolation of the community."

In Pirkei Avot (פרק ב משנה ד), we learn: Hillel said, "Do not separate yourself from the community," emphasizing the importance of joining the community in times of suffering (פירוש רבי עובדיה מברטנורא).

The Shulchan Aruch (סימן תקעד ס"ה) also underscores this principle, stating the same.

However, commentaries on the Shulchan Aruch (משנה) (ברורה ס"ק יג, כף החיים ס"ק טז) appear to interpret this differently, suggesting that a person must join the community specifically in activities that benefit the community, such as prayer, fasting, or charitable giving, while otherwise, there may not be an obligation to do so.

However, because refraining from joyous activities during this time is not a prohibition but rather a recommended conduct, if an individual feels a significant need to temporarily leave the stress of the city for a few days for the sake of mental health, it is permissible.

Summary: While it's not forbidden to go on vacation, it is advisable to refrain from joyous activities during this time and instead empathize with the pain of Klal Israel. However, if an individual is genuinely stressed and in need of distressing, going on a vacation for that purpose is fine as this is not a strict prohibition.



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אתה... אשר גמלך כל טוב, וענה אמן יצא", ואם כן עולה
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