YESHIVAT HAR ETZION

ISRAEL KOSCHITZKY VIRTUAL BEIT MIDRASH (VBM)

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**Student summaries of Sichot of the Roshei Yeshiva**

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This shiur is dedicated in memory of Israel Koschitzky zt"l, whose yahrzeit falls on the 19th of Kislev. May the world-wide dissemination of Torah through the VBM be a fitting tribute to a man whose lifetime achievements exemplified the love of Eretz Yisrael and Torat Yisrael.

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**Parashat Vayeshev**

**Sicha of HarAV Aharon Lichtenstein ZT”l**

### "In Righteousness Shall You Judge Your Neighbor"

Summarized by Emanuel Mayer

Translated by David Strauss

I would like to address one of the most important lessons to be learned from *Bereishit*, but in order to do so, let us look first at *Vayikra*. In close proximity to the verse, "You shall love your neighbor as yourself" (*Vayikra* 19:18) – about which Rabbi Akiva famously said, "This is a great principle in the Torah" (*Sifra Kedoshim*, *parasha* 2) – it is stated: "In righteousness shall you judge your neighbor" (*Vayikra* 19:15). It is not clear whether the latter verse contains a commandment. And if indeed we are dealing here with a commandment, two questions must be raised: To whom is it directed? And what is its content?

There are several examples of passages about which it is unclear to whom they are directed. For example, tractate *Avot* is one of our moral and ethical cornerstones. Regarding many statements in the tractate, the *Rishonim* dispute whether they are directed at the judges, as argued by the Rambam, or to the people at large, as understood by numerous other *Rishonim.*

Thus, Rashi, on the aforementioned verse, "In justice shall you judge your neighbor," brings two interpretations found in *Chazal*: "Understand this in its plain sense. Another explanation is: Judge your fellow man with an inclination in his favor." The first interpretation teaches that the verse is directed at the judges, to whom the general context of the surrounding verses is directed. According to this explanation, the verse may be understood in two ways. Rav Acha the son of Rav Ika says that the verse permits a lone judge to sit in judgment (*Sanhedrin* 3a). In contrast, Rava (ibid.) maintains that it cautions the judge to judge in righteousness.

Rashi’s second interpretation, "Judge your fellow man with an inclination in his favor," derives from the *Torat Kohanim* (*Sifra Kedoshim, parasha* 2). *Chazal* repeat this in a slightly different formulation in tractate *Avot*: "Judge everyman with an inclination in his favor" (*Avot* 1:6). (It should be pointed out that according to the straightforward meaning, "every man" includes even non-Jews.) This commandment is certainly directed not exclusively to the judges, but rather to each and every person. And according to the *She'iltot*, we are dealing with a commandment that enjoys the force of Torah law.

In the world at large there are certain professions, e.g., psychology and social work, in which criticism and judgment of the other have importance and centrality on the professional level. However, this issue is not restricted to the professional sphere. The great writers and poets disagree about whether their task is to internalize the reality that they see and describe it, or their role is to criticize it and thus try to create a new reality. Even those who maintain that it is their job to create a new reality by passing criticism confront the tension between the desire to pass judgment, to criticize and to clarify, and the manner in which this should be done.

### Not only Moshe Rabbeinu

One who tries to understand the *parashot* of the Torah not only in the technical sense of describing the facts, but also to understand the spiritual processes, to delve deeply into the spiritual forces operating in the biblical figures, knows that the Midrashic world offers deep insight. Figures that we ourselves would never dare criticize, are subjected to criticism in the Midrashim of *Chazal*, sometimes even severe criticism.

Let us try for a moment to describe Moshe Rabbeinu, the giant among the giants. The Midrash relates to the sin of Miryam (*Bemidbar* 12), and to the question whether only Miryam was afflicted with leprosy, or perhaps Aharon was similarly afflicted. It is in this context that reference is made to the leprosy suffered by Moshe (*Shemot* 4). If asked why Moshe was punished by having his hand become leprous at the burning bush, many people would presumably answer that his lengthy bartering with God was problematic. God asked him to do something and he tried to get out of it. *Chazal*, however, did not view this as a sin “between man and God,” but rather one in the realm of interpersonal human relationships. The Gemara says:

Resh Lakish said: He who entertains a suspicion against innocent people is afflicted bodily, for it is written (*Shemot* 4:1): "[And Moshe… said,] But, behold, they will not believe me," but it was known to the Holy One, blessed be He, that Israel would believe. He said to him: They are believers, [and] the descendants of believers, whereas you will ultimately disbelieve. They are believers, as it is written (*Shemot* 4:31): "And the people believed." The descendants of believers (*Bereishit* 15:6): "And he [Avraham] believed in the Lord." You will ultimately disbelieve, as it is stated (*Bemidbar* 20:12): "[And the Lord said unto Moshe and Aharon:] Because you believed not in Me." Whence [do we learn] that he was smitten? Because it is written (*Shemot* 4:6): "And the Lord said furthermore unto him, Put now your hand into your bosom, etc." (*Shabbat* 97a)

Moshe, the greatest of all men, tells God that the people of Israel will not believe him. God punishes him for having suspected them, for it was revealed before Him that when He will say that the time has come, they will believe. A certain portion of them will certainly believe the word of God, despite the forty-nine gates of impurity, the lowest level in which they are found.

*Chazal* make some very harsh comments here about Moshe. It is true that Moshe was under great pressure, and it is possible that it was out of exhaustion that he said that the people of Israel would not believe him. In the end, however, he was punished. We would certainly not dare say something like this about Moshe Rabbeinu, but the Midrash chooses to speak this way.

If the Midrash sees even Moshe as guilty of suspecting the innocent, it must then be a phenomenon whose prevalence spreads out to the highest spiritual places! If this can happen even to Moshe Rabbeinu, we must understand the impulse in the face of which we stand. Now we can internalize the extent to which "sin crouches at the door" (*Bereishit* 4:7).

### suspicion removes a person from the world

Beyond the matter of the prevalence of the phenomenon, we must understand its danger. Let us now move the book of *Bereishit*.

Rashi's first comment opens with the words of Rabbi Yitzchak, who asks why it was that the Torah did not begin with the first *mitzva* in the book of *Shemot*. Rashi answers that in the future when the non-Jewish nations will present claims against the people of Israel, arguing that they stole the land of Israel, Israel will be able to answer that God, who created the world, gave it to them. Clearly, both the question and the answer requir*e* explanation. Indeed the Ramban and Rabbeinu Bachye (ad loc.) discuss this issue.

Another answer, besides Rashi’s, may be offered. In *Parashat Chayyei Sara*, Rashi cites a famous statement of *Chazal*: “The ordinary conversation of the patriarchs' servants is more pleasing to God than even the Torah of their children” (Rashi, *Bereishit* 24:42). If we may learn important things from the conversation of Avraham's servant, certainly we can learn much from the rest of the stories in *Sefer Bereishit*.

Let us consider the passage that concerns Yosef’s presentation of his father before Pharaoh. Pharaoh asks Yaakov how old he is and Yaakov answers, and adds a description of the quality of his years thus far: "few and evil" (*Bereishit* 47:9). Why were Yaakov's days so dark?

From the very beginning, Yaakov had always been facing challenges and difficulties, both from Esav who wanted to kill him, and from Lavan who wished to swindle him. He was forced to wander from place to place. Just when we thought we had gotten rid of Esav in *Parashat Vayetze*, we once again encounter him when he returns to the land of Israel with an army of four hundred men.

It seems, however, that these are not the things that darkened Yaakov's perception of his life. A person can handle external troubles and enemies. It is clearly the internal troubles, the problems within his family, that bring Yaakov to describe the years of his life as few and evil.

At the beginning of the *parasha*, it is stated:

Yosef, being seventeen years old, was feeding the flock with his brethren, being still a lad even with the sons of Bilha, and with the sons of Zilpa, his father's wives; and Yosef brought evil report of them unto their father. (*Bereishit* 37:2)

We are dealing here with mutual evil reports – of Yosef concerning his brothers, and of the brothers concerning Yosef. According to Chazal, that brothers gossiped about Yosef that he would "curl his hair" (Rashi, *Bereishit* 39:6), which is not the most appropriate behavior.[[1]](#footnote-1) And Yosef also brought their evil report to their father. But are these grounds to dismantle a family? For gossip about curling his hair?

But envy and suspicion can destroy everything. It would not have taken a great deal of generosity on both sides to get along, but the moment they became stingy and suspicious of one another, every little thing became a pretext for hatred and competition. Things got so out of hand that over the course of a few verses, containing a pair of dreams, the brothers are already prepared to kill Yosef.

### The reason that the Torah begins with *Bereishit*

How far do things go? This is what we learn at the end of the book, when the brothers are afraid that once Yaakov is dead, Yosef will take his revenge against them, and they say: "It may be that Yosef will hate us" (*Bereishit* 50:15). Because of this fear, the brothers are prepared to tell all kinds of lies. The suspicions do not stop!

To what extent did the brothers fear Yosef, and to what extent were they angry with him? How much bitterness did Yosef keep in his heart over the decades that had passed since he had been sold? It is clearly this anger and this grudge that underlie Yaakov's lack of vitality across the years.

Surely, for this lesson alone it would have been worthwhile to start the Torah with the book of *Bereishit*. As stated, if this is not the most important message, it is certainly toward the top of the list. The Torah wants us to understand how suspicion and criticism can eat away at everything, even in this family, one of the most glorious families of the Jewish people.

### THe power of society to instill mutual trust

One of the reasons for the development of this situation is the absence of women in our story. There is no Sara, who knew how to find a balance between conflicting forces. There is no Rivka, who knew how to manage Yitzchak, Yaakov and Esav. In our story, whether because they had already died, or because they were no longer active, we do not find the matriarchs playing any role.

Suspicion hurts three parties. First, it hurts the person who suspects – anything that is open to two interpretations is interpreted in the worst possible way, and this “removes him from the world.” Second, it hurts the person under suspicion – even if we are dealing with a real concern. And third, it hurts society as a whole – in society, mutual trust is supposed to be the glue that binds all its members together, and woe to the society in which one person does not trust his neighbor.

Today the situation here is very bad. Not only does the secular person suspect the religious and the religious the secular; today there is suspicion even between one secular person and another, and between one religious person and another. Every incident and statement immediately turns into a challenge and a declaration of war. If it can be interpreted in two ways, people are happy to interpret it in the worst possible manner.

Even if the situation is worse elsewhere, there is always room for improvement. We must not just talk high in the air. It all starts in the family, with parents and children. And from our families, trust and good will can radiate outwards to society. God forbid, we must not turn into a society in which suspicion and criticism prevail.

1. In New York there were newspaper articles about Mayor Lindsay saying that he would pay fifty dollars for a haircut. The reader who has his hair cut for a dollar and a half regards this as inappropriate, both for the person and for his position. [↑](#footnote-ref-1)