

מתוקים מדבש



Dei'ah, Binah and Haskel on the weekly parashah

REB MICHA BERGER

Bemachshvah Techilah

The brothers were planning to kill Yosef, but Reuven wanted to divert their plot, suggesting they instead throw him into a pit. “And Reuven heard and he saved him from their hands (*vayatzileihu miyadam*); and he said, let us not strike a soul.”¹

The Or haChaim haKadosh says something here that astounds most contemporary frum Jews when they encounter it. He writes:

*For a person possesses free will and desire and can kill someone who doesn't deserve death. Unlike evil beasts, which don't touch a person if he isn't deserving of death according to Heaven. That is what it says “vayatzileihu miyadam”, meaning, from the yad of their bechirah (free will). They said something in contradiction to this, “and we will see what will be with his dreams etc...” for the bechirah will nullify the thing, and there would be no proof from his death that the thing was false.*²

Had the brothers killed Yosef directly, they might have caused a wrongful death. By placing him in a pit and making the effects of their *bechirah* uncertain, they put his fate in G-d's “hands” so that Yosef would only die if he deserved it.

This notion is consistent with a verse we say every weekday in Tachanun. “David said to Gad, ‘It pains

me greatly. Let us please fall to the ‘hands’ of G-d, for His mercy is great, and let me not fall into man's hands.”³ David was forced to choose the means of national punishment. Man can act in ways that defy Hashem's mercy so the punishment's outcome could be more severe than that of *hashgachah*.

This notion can be startling because most of us were taught early

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on that *hashgachah peratis* (Divine providence on the individual level) is total and shapes every event that ever occurs, even whether a leaf falls this way or that. Not to mention the role of *hashgachah* on events that impact our lives.

However, this idea is far from universal. According to the Lubavitcher Rebbe *zt”l*, the idea of universal *hashgachah peratis* was an innovation of the Ba'al Shem Tov. R' Chaim Friedlander attributes it to Rav Yonasan Eybeshitz, the Radal, and the Vilna Gaon.⁴ According to the *rishonim*, animals, plants and non-living beings are subject to *hashgachah minis*, Divine providence on the level of protecting the species or general category, not on the individual – except where further con-

sequences of the event would impact human life. The realm of debate amongst *rishonim* is whether all people are subject to *hashgachah peratis*.

There are a number of issues that can potentially conflict with *hashgachah*. Rav Yehudah Halevi lists four types of causes: Divine, natural, happenstance, and our topic – human.⁵ Everything has a Divine cause,

for if you look at the cause of an event, and its cause, and so on, you eventually reach Hashem. This isn't the definition most of us

assume when we hear the word *hashgachah*. The Kuzari asserts that every event is caused by G-d. But due to these intermediate causes, not every event occurs in order to further Hashem's plan for the affected people's lives. Even though Hashem causes the event, we would not say its occurring or not occurring is something He kept in His “hands”. The Kuzari's position is consistent with the Or Hachaim's.

With respect to the consequences of our own choices, the Gemara writes, “All is in the hands of heaven except for heatstroke and colds.”⁶ Tosafos write that a person has the

¹ Bereishis 37:21

² Ad loc.

³ Divrei Hayamim I 21:13

⁴ Sifsei Chaim, Pirkei Emunah Vehashgachah vol. 1, ma'amar 4, p. 87ff

⁵ Kuzari sec. 5, par. 20. It is beyond the scope of this article to address the larger question including these other types of causes, whether nature really exists, and the range of opinions as to who is subject to *hashgachah*.

⁶ Kesuvos 30a

power to commit suicide even if he does not deserve death.⁷

Rashi, on the other hand, believes that even in these cases the victim is feeling the effects of *hashgachah*. Describing the law of *ma'akeh*, the duty to put a railing on your roof, the Torah says, "When you build a new home, make a *ma'keh* on your roof; don't place blood in your home when the faller falls from it."⁸

Rashi is bothered by the redundancy in calling the victim a *nofeil*, a faller. He explains that this is because "he deserved to fall."

Rashi makes a point of divorcing this philosophical question from that of morality. The idea that every victim is supposed to be a victim by Divine plan does not pardon the one who acts against the victim. He continues, "However, despite this, you should not be the one to cause his death; for good things are brought about by the agency of the innocent, and bad things are brought about by the guilty."⁹ Rashi comments similarly about the guilt of someone who kills through negligence in his commentary to the laws of exile.¹⁰ Only a guilty person would land the role of causing harm to another.

The Chinuch explains the prohibition against taking revenge in these terms. What one experiences

⁷ Ad loc.

⁸ Devarim 22:8

⁹ Ad loc.

¹⁰ Shemos 12:13

The long story of Yosef's sale into slavery, being taken to Egypt, his rise to power, and then his bringing his family down to Egypt with him all starts at the beginning of Parshas Vayei-shev. The narrative is clear where the story starts and is also clear who caused the story to begin. While we would normally hesitate before as-

from another's actions only serve Hashem's plans. The mitzvah stems from the *bitachon* (trust in G-d) that in a deeper sense the other person did you no real disservice.¹¹ Even the Kuzari¹², who does not assume that everything we experience is necessarily directly part of Hashem's plan for us, writes that since we cannot know what has a Divine cause, *bita-*

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chon is the appropriate and most productive assumption to make in responding to any event.

According to Rashi, even if the brothers had tried to kill Yosef directly, their success would depend on whether Yosef deserved death. Rashi would see no difference in the outcome between the brothers' original plan to kill Yosef directly and Reuven's plan that it be indirect. Therefore Rashi could not take the Or Hachaim's understanding that this alone was how he intended to save Yosef, and that Reuven returned later to help the saved Yosef. Rather, Rashi had to conclude that Reuven here was referring to an unstated plan to return later to save him.

The Mishnah in Avos reads:

[Hillel] saw a skull floating on the water. He said to it, "Because you drowned someone, you were drowned;

¹¹ Chinuch, mitzvah 241

¹² Ibid., conclusion

signing blame to any of our patriarchs, in this case the Gemara has already assigned blame. Ya'akov, himself a victim of parental favoritism that gave preference to Eisav, gave special treatment to Yosef, the older son of his favorite wife Rachel. Ya'akov gave Yosef a fine coat and, presumably, that inspired jealousy in Yosef's brothers and led

and the person who drowned you will also meet his end by drowning."¹³

R' Samson Raphael Hirsch explains:

*Many an innocent man has been a murder victim and not every murderer dies by the hand of another killer. Rather, ... even though a murder may be, in fact, an execution of a Divinely-ordained death sentence, the murderer is still subject to Divine Justice.*¹⁴

The Mishnah is not making claims about Divine punishment, because such claims would not be borne out by experience. Regardless of Rav Hirsch's opinion about the universality of *hashgachah peratis* as a whole, punishment is not guaranteed in this world.

There are two components to the moral message: First, that "evil is only meted out by the hand of the guilty." Second, the Mishnah teaches us not to dismiss those harmed by our actions, intentionally or not, as being fated to suffer. It is not our job to play a hand in destiny, but to choose right over wrong. Third, as the Chinuch teaches, as the recipient of another's wrong-doing, we should focus on the reason (or, according to the Kuzari, the possibility) that Hashem would allow it to occur to us.

¹³ Avos 2:7

¹⁴ The Hirsch Siddur, ad loc.

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Bakeish Shalom

to his being sold into slavery. This is not our innovative explanation of the text but is the Gemara's explanation.¹

Tosafos and, in more detail, the Maharam explain that Hashem had already decreed that from the time

¹ Shabbos 10b

of Yitzchak's birth there would be 400 years until the Jews would be redeemed from exile. However, how much of that time would be spent in actual exile was not yet determined. When Ya'akov sinned by favoring one son over all the others he was punished by having the exile begin in his lifetime. This act, these commentators explain, was the cause for 210 years of dreadful exile in Egypt rather than a much shorter sojourn.

R' Nosson

Tzvi Finkel,
the famed
Alter of
Slabodka,
suggested

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looking closely at Ya'akov's action and its repercussion to understand the extent of his midede.² The Mishnah in Bava Basra³ tells us that one may technically give away all of one's money prior to death so that one's sons inherit nothing. However, this is not allowed because entirely bypassing the laws of inheritance is considered improper. The Gemara further concludes that one should not artificially move inheritance from one son to another, even from an evil son to a righteous son, which the Tur⁴ explains is to prevent jealousy among brothers.

Thus, according to the technical law one is allowed to give all of one's sons' inheritances to another son. It is improper, but does not

² Or HaTzafun, vol. 1 pp. 210-211

³ 133b

⁴ Choshen Mishpat 282

violate any technical halachah. It breaches only the "spirit of the law". Even more than that, though, one is technically even allowed to favor a total stranger over one's children and give this outsider all of one's children's potential inheritance. Again, it violates the "spirit of the law" but not any specific prohibition.

What Ya'akov did was even less than this. He did not give away all of his sons' inheritances to a stran-

ger, nor did he take all of his sons' inheritances and give them to Yosef. Rather, all he did was give generously to all of his sons but a little more to Yosef. This was certainly not a technical violation of halachah, nor even a transgression of the "spirit of the law". In fact, there seems to be nothing halachically wrong with what Ya'akov did. Yet, he was punished with exile for it.

What Ya'akov did may not have been halachically wrong but it was, however, still terrible. He violated proper behavior, what might be termed common sense. It seems obvious that showing favoritism generates jealousy and hatred. Indeed, Ya'akov should have known this from his own experience with Eisav. Nothing good comes from showering one child with more gifts than another. While it is certainly clear that Ya'akov had lofty in-

tentions and was trying to reward his most gifted son, the one that showed so much promise, he still should have known better.

By violating proper behavior, the Alter explains, Ya'akov sinned in a most basic way that does not even necessarily entail violating halachah.

What is most striking is the punishment that G-d chose to fit Ya'akov's crime. Exile, over a hundred years of living enslaved in a foreign land, was the recompense for violating proper conduct. This is, indeed, a very telling lesson. We must live our lives with not

only a very careful attention to halachah but also to the very basic principles of fairness. When we judge our actions, and it goes without saying that all of our actions must be judged before being taken, we must ask ourselves not only whether the conduct is permissible but also whether it is proper. Does it not only follow the rules but also treat others fairly? Are we encouraging others to behave correctly and discouraging others from misbehaving? Or are we offering perverse incentives because we have not considered all of the repercussions?

Forethought, analysis from all angles, and the concept of fairplay are so basic that even though halachah does not necessarily mandate them we are still held liable when we fail to meet these fundamental standards.

REB MICHAEL POPPERS

Sefasai Tiftach

This d'var Torah is written in memory of my father, Ya'akov Moshe ben Mayer a'h', who passed away 26 Kislev 5755.

A familiar *piyut* sung during Chanukah begins:

*Maoz tzur y'shuosi,
l'cha naeh l'shabei'ach,
tikon bais t'filosi,
v'sham todah n'zabei'ach,...*

The simple meaning of this *piyut*'s first stanza implies that we owe *shir vashevach* (song and praise) to G-d and that *hakravas Todah*, bringing

a *Todah* offering, is part and parcel of our "payment." Before we consider any deeper meanings, let us take the opportunity of this year's Chanukah celebration to examine a weekday-davening chapter of Tehillim, Psalm 100, known by its first two words, "*Mizmor l'Sodah*."

As R' Gil Student noted a few weeks ago¹, *Pesukei Dezimrah* begin with *Hodu laShem*, a section composed of verses related to the *korbanos tamid*, daily offerings to HKB"H. Not only because these communal *korbanos* were offered every day² but also because of who authored the verses³, *Hodu laShem* is an appropriate beginning (or, in *Nusach Sephard*, an appropriate part of the daily sacrificial-order recitation, said immediately after *Parshas haTamid*), and referring to them in our *tefillos* is most appropriate⁴. Psalm 100, singular in *Sefer Tehillim* for repeatedly mentioning the concept of *Todah* and for listing the four-letter *Shem* four times⁵, is similarly related to the *Korban Todah*, and thus it is appropriately said in *Nusach Ashkenaz* immediately after the Biblical phrase "*ashirah laShem ki gamal alay*" ("I will sing to G-d because He has repaid me [with goodness]" – Tehillim 13:6), which awakens in us the desire to recompense HKB"H for His actions toward us and on our behalf by singing "[uv]shirei David avd'cha" ("the songs of David, Your ser-

vant"),⁶ words which, like *Hodu laShem*, were composed in the era of King David. We emphasize the connection of this psalm to the *Korban Todah* by not saying it on days when an individual would not have brought a *Todah* offering in the Temple in Jerusalem.

So we understand that we are singing praises which are directly related to a particular offering. Nevertheless, why do we evoke within *Pesukei Dezimrah* the memory of this particular offering, the

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Todah, and not of any other offering, whether communal or individual? Additionally, why make mention of it as soon as possible, as if the *Todah* was more frequent than any other offering save the *temidin*? You may attempt to answer what we just wrote, that we say Psalm 100 right after "*ki gamal alay*" because of the *gemillus* connection, but that begs the question: would we not say Psalm 100 directly after *Hodu laShem* if the last verse in the stanza did not refer to *gemillus*?

Perhaps we can answer these questions based on Shulchan Aruch⁷ and a comment of *Gra*, the Vilna Gaon, to it. The Shulchan Aruch notes a basis for singing (or, at least, saying in a noteworthy manner) "*Mizmor l'Sodah*" during the daily Shacharis prayers: "*kol hashiros asidos libatel chutz miMizmor l'Sodah*" ("all of the songs are destined to be eliminated except for *Mizmor leSodah*"). In

explaining what is meant, the *Gra* quotes Chazal⁸:

In the future, may it come soon, all individual offerings except for the Todah will no longer be brought, and all prayers except for "hoda'ah" will no longer be expressed.

With this concept in mind, we understand why we evoke the *Todah*, and no other offering, at the forefront of a section of *tefillah* dedicated to *hoda'ah shir va-Shevach laShem*... and, returning to *Maoz Tzur*, we may also understand why specifically the *Todah* is mentioned by the *paytan* in a stanza which allows us to both praise Hashem for His permitting *chanukas haMizbei'ach* during the Second Temple period and beseech Him to bring the era of the Third Temple speedily and in our time, such that we individuals will literally fulfill "*bo'u sh'arav b'sodah, chatzeirosav bis'hillah*" ("enter His gates with thanksgiving, and His courts with praise")⁹ and "only" bring a *Todah* in recognition of His *gemillus chesed* to us.

⁸ *Midrash Rabbah, P' Tzav 9:8*

⁹ Tehillim 100:4

¹ "Sefasai Tiftach", Mesukim Midevash vol. 1 no. 3, Toledos 5764
<http://www.aishdas.org/mesukim/5764/toledos.pdf>

² And, accordingly, frequent (*tedirah*) in relation to any other *korbanos* we might choose to evoke – see *Zvachim 10:1*

³ See *Divrei Hayamim I 16:5,7*

⁴ See *Berachos 26b*

⁵ Which implies a strong connection with the four paradigmatic people who must offer a *Korban Todah* – see *Berachos 54b*.

⁶ From the Baruch She'amar blessing

⁷ Orach Chaim 51:9

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