

PARSHAT VAYISHLACH

7 - 13 Kislev 5785
8 - 14 December 2024

Torah: Genesis 32:4-36:43
Haftorah: Obadiah 1:1-21

PHYSICAL FEAR, MORAL DISTRESS

Twenty-two years have passed since Jacob fled his brother, penniless and alone; twenty-two years have passed since Esau swore his revenge for what he saw as the theft of his blessing. Now the brothers are about to meet again. It is a fraught encounter. Once, Esau had sworn to kill Jacob. Will he do so now - or has time healed the wound? Jacob sends messengers to let his brother know he is coming. They return, saying that Esau is coming to meet Jacob with a force of four hundred men - a contingent so large it suggests to Jacob that Esau is intent on violence.

Jacob's response is immediate and intense:

"Then Jacob was greatly afraid and distressed."

The fear is understandable, but his response contains an enigma. Why the duplication of verbs? What is the difference between fear and distress? To this a Midrash gives a profound answer:

Rabbi Judah bar Ilai said: Are not fear and distress identical? The meaning, however, is that "he was afraid" that he might be killed; "he was distressed" that he might kill. For Jacob thought: If he prevails against me, will he not kill me; while if I prevail against him, will I not kill him? That is the meaning of "he was afraid" - lest he should be killed; "and distressed" - lest he should kill. The difference between being afraid and distressed, according to the Midrash, is that the first is a physical anxiety, the second a moral one. It is one thing to fear one's own death, quite another to contemplate being the cause of someone else's. Jacob's emotion, then, was twofold, encompassing the physical and psychological, the moral and the material.

However, this raises a further question. Self-defense is permitted in Jewish law. If Esau were to try to kill Jacob, Jacob would be justified in fighting back, if necessary, at the cost of Esau's life. Why then should this possibility raise moral qualms?

This is the issue addressed by Rabbi Shabbetai Bass, author of the commentary on Rashi, Sifte Chachamim:

One might argue that Jacob should surely not be distressed about the possibility of killing Esau, for there is an explicit rule: "If someone comes to kill you, forestall it by killing him." Nonetheless, Jacob did have qualms, fearing that in the course of the fight he might kill some of Esau's men, who were not themselves intent on killing him but merely on fighting his men. And even though Esau's men were pursuing Jacob's men, and every person has the right to save the life of the pursued at the cost of the life of the pursuer, nonetheless there is a condition: "If the pursued could have been saved by maiming a limb of the pursuer, but instead the rescuer killed the pursuer, the rescuer is liable to capital punishment on that account." Hence Jacob feared that, in the confusion of battle, he might kill some of Esau's men when he might have restrained them by merely inflicting injury on them.

The principle at stake, according to the Sifte Chachamim, is the minimum use of force. The rules of defense and self-defense are not an open-ended permission to kill. There are laws restricting what is nowadays called "collateral damage," the killing of innocent civilians even if undertaken in the course of self-defense. Jacob was distressed at the possibility that in the heat of conflict he might kill some of the combatants when injury alone might have been all that was necessary to defend the lives of those - including himself - who were under attack.

A similar idea is found in the Midrash's interpretation of the opening sentence of Genesis 15. Abraham had just fought a victorious war against the four kings, undertaken to rescue his nephew Lot, when G-d suddenly appeared to him and said: "Do not be afraid, Abram, I am your shield. Your reward will be very great." The verse implies that Abraham was afraid, but of what? He had just triumphed in the military encounter. The battle was over. There

was no cause for anxiety. On this, the Midrash comments:

Another reason for Abram's fear after killing the kings in battle was his sudden realization: "Perhaps I violated the divine commandment that the Holy One, blessed be He, commanded the children of Noah, 'He who sheds the blood of man, by man shall his blood be shed.' For how many people I killed in battle."

Or, as another Midrash puts it: Abraham was filled with misgiving, thinking to himself, "Maybe there was a righteous or G-d-fearing man among those troops which I slew."

There is, however, a second possible explanation for Jacob's fear - namely that the Midrash means what it says, no more, no less: Jacob was distressed at the possibility of being forced to kill even if it were entirely justified.

What we are encountering here is the concept of a moral dilemma. This phrase is often used imprecisely, to mean a moral problem, a difficult ethical decision. But a dilemma is not simply a conflict. There are many moral conflicts. May we perform an abortion to save the life of the mother? Should we obey a parent when he or she asks us to do something forbidden in Jewish law? May we desecrate the Shabbat to extend the life of a terminally ill patient? These questions have answers. There is a right course of action and a wrong one. Two duties conflict and we have meta-halakhic principles to tell us which takes priority. There are some systems in which all moral conflicts are of this kind. There is always a decision procedure and thus a determinate answer to the question, "What should I do?"

A dilemma, however, is a situation in which there is no right answer. It arises in cases of conflict between right and right, or between wrong and wrong - where, whatever we do, we are doing something that in other circumstances we ought not to do. The Jerusalem Talmud (Terumot 8) describes one such case, where a fugitive from the Romans, Ulla bar Koshev, takes refuge in the town of

Psalms for our brethren in the Holy Land

Psalms 117

1. Praise the Lord, all nations, laud Him, all peoples.
2. For His kindness has overwhelmed us, and the truth of the Lord is eternal. Hallelujah!

(Please say Chapter 20 daily)

Man should ponder thoughtfully how great are the kindnesses of the Creator: Such a puny insignificant being, Man, can bring great delight to the "Greatest of all great" of Whom it is written, "There is no delving into His greatness." Man ought therefore always be inspired, and perform his Avoda (service) with an eager heart and spirit.

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Lod. The Romans surround the town, saying: Hand over the fugitive or we will kill you all. Rabbi Yehoshua ben Levi persuades the fugitive to give himself up. This is a complex case, much discussed in Jewish law, but it is one in which both alternatives are tragic. Rabbi Yehoshua ben Levi acts in accordance with Halakha (Jewish law), but the prophet Eliyahu asks him: "Is this the way of the pious?"

Moral dilemmas are situations in which doing the right thing is not the end of the matter. The conflict may be inherently tragic. Jacob, in this parsha, finds himself trapped in such a conflict: on the one hand, he ought not allow himself to be killed; on the other, he ought not kill someone else; but he must do one or the other. The fact that one principle (self-defense) overrides another (the prohibition against killing) does not mean that, faced with such a choice, he is without qualms, especially given the fact that Esau is his twin brother. Despite their differences, they grew up together. They were kin. This intensifies the dilemma yet more. Sometimes being moral means that one experiences distress at having to make such a choice. Doing the right thing may mean that one does not feel remorse or guilt, but one still feels regret or grief about the action that needs to be taken.

A moral system which leaves room for the existence of dilemmas is one that does not attempt to eliminate the complexities of the moral life. In a conflict between two rights or two wrongs, there may be a proper way to act -

the lesser of two evils, or the greater of two goods - but this does not cancel out all emotional pain. A righteous individual may sometimes be one who is capable of distress even while knowing that they have acted correctly. What the Midrash is telling us is that Judaism recognizes the existence of dilemmas. Despite the intricacy of Jewish law and its meta-Halakhic principles for deciding which of two duties takes priority, we may still be faced with situations in which there is an ineliminable cause for distress. It was Jacob's greatness that he was capable of moral anxiety even at the prospect of doing something entirely justified, namely defending his life at the cost of his brother's.

This characteristic - distress at violence and potential bloodshed even when undertaken in self-defense - has stayed with the Jewish people ever since. One of the most remarkable phenomena in modern history was the reaction of Israeli soldiers after the Six Day War in 1967. In the weeks preceding the war, few Jews anywhere in the world were unaware that Israel and its people faced terrifying danger. Troops - Egyptian, Syrian, Jordanian - were massing on all its borders. Israel was surrounded by enemies who had sworn to drive its people into the sea. And yet it won one of the most stunning military victories of all time. The sense of relief was overwhelming, as was the exhilaration at the reunification of Jerusalem and the fact that Jews could now pray (as they had been unable to do for nineteen years) at the Western Wall. Even the most secular Israelis admitted to feeling

intense religious emotion at what they knew was a historic triumph.

Yet, in the months after the war, as conversations took place throughout Israel, it became clear that the mood among those who had taken part in the war was anything but triumphal. It was somber, reflective, even anguished. That year, the Hebrew University in Jerusalem gave an honorary doctorate to Yitzhak Rabin, Chief of Staff during the war. During his speech of acceptance, he said:

"We find more and more a strange phenomenon among our fighters. Their joy is incomplete, and more than a small portion of sorrow and shock prevails in their festivities, and there are those who abstain from celebration. The warriors in the front lines saw with their own eyes not only the glory of victory but the price of victory: their comrades who fell beside them bleeding, and I know that even the terrible price which our enemies paid touched the hearts of many of our men. It may be that the Jewish people has never learned or accustomed itself to feel the triumph of conquest and victory, and therefore we receive it with mixed feelings.¹⁰

These mixed feelings were born thousands of years earlier, when Jacob, father of the Jewish people, experienced not only the physical fear of defeat but the moral distress of victory. Only those who are capable of feeling both, can defend their bodies without endangering their souls.

By Rabbi Lord Jonathan Sacks

IN JEWISH HISTORY

Sunday, 7 Kislev 5785 - 8 December 2024

Death of King Herod (1 BCE)

Herod, King of Judea under the Roman Empire, died on 7 Kislev 3759 (1 BCE). Herod seized the rule from the Hasmoneans, after killing them all. Fearing that the rabbis would challenge his authority, he killed them all, leaving only Bava ben Buta. Later, out of remorse for his cruelty, he had the Holy Temple completely renovated.

Tuesday, 9 Kislev 5785 - 10 December 2024

Birth & Passing of R. Dovber of Lubavitch (1773-1827)

Kislev 9 is both the birthday and day of passing of Rabbi DovBer of Lubavitch, son of, and successor to, the founder of Chabad Chassidism, Rabbi Schneur Zalman of Liadi. Rabbi DovBer was known for his unique style of "broadening rivers" - his teachings were the intellectual rivers to his father's wellspring, lending breadth and depth to the principles set down by Rabbi Schneur Zalman.

Born in Liozna, White Russia in 5532 (1773), Rabbi DovBer was named after Rabbi Schneur Zalman's mentor and teacher, Rabbi DovBer of Mezeritch, who had passed away on 19 Kislev of the previous year. Rabbi DovBer assumed the leadership of Chabad upon his father's passing in 5572 (1812). The next year he settled in the town of Lubavitch, which was to serve as the

movement's headquarters for the next 102 years. In 5585 (1826), he was arrested on charges that his teachings threatened the imperial authority of the Czar but was subsequently exonerated.

Rabbi DovBer passed away on his 54th birthday in 5586 (1827), a day before the first anniversary of his liberation.

Wednesday, 10 Kislev 5785 - 11 December 2024

Liberation of R. DovBer (1826)

In 1826, Rabbi DovBer of Lubavitch (see calendar entry for yesterday) was arrested on charges that his teachings threatened the imperial authority of the Czar, but was subsequently exonerated. The date of his release, Kislev 10, is celebrated amongst Chabad Chassidim as a "festival of liberation."

Friday, 12 Kislev 5785 - 13 December 2024

Passing of R. Shlomo Luria (1573)

R. Shlomo Luria, known by his acronym Maharshal, was an eminent scholar in sixteenth-century Poland. He headed Yeshivot (Talmudical seminaries) in Brisk and Lublin and wrote many works, including Yam Shel Shlomo and Chachmas Shlomo. An independent thinker, he did not hesitate to criticize his colleagues when he felt they had erred in their method of Talmudic study and halachic analysis. At the same time, he was an extremely humble person

and was the teacher of many great Torah scholars of his generation.

Rabbi "YY" Kazen (1998)

Kislev 12 is the Yahrzeit (date of the passing) Rabbi Yosef Yitzchak Kazen, 5714-5758 (1954-1998), founder of Chabad.org widely acclaimed as the "father of the Jewish internet."

Shabbat, 13 Kislev 5785 - 14 December 2024

Talmud completed (475 CE)

In the first decades of the 5th century, Rav Ashi (d. 4187, or 427) and Ravina I (d. 4181, or 421) led a group of the Amoraim (Talmudic sages) in the massive undertaking of compiling the Babylonian Talmud - collecting and editing the discussions, debates and rulings of hundreds of scholars and sages which had taken place in the more than 200 years since the compilation of the Mishnah by Rabbi Judah HaNassi in 3949 (189). The last of these editors and compilers was Ravina II, who passed away on the 13th of Kislev of the year 4235 (475 CE); after Ravina II, no further additions were made to the Talmud, with the exception of the minimal editing undertaken by the Rabbanan Savura'i between 4236-4320 (476-560). This date thus marks the point at which the Talmud was "closed" and became the basis for all further exegesis of Torah law.