

Parsha Pearls

FROM THE WORDS OF THE GEDOLIM

Vayigash 5770

נתנדב ע"י הרה"ח ר' משה יהודה גאלדבערגער הי"ו
בשכר זה יהי רצון שיזכה להצלחה בכל עניניו

**And Yosef could not tolerate all who stood before him, and he called out, “Remove all men from before me!”
And no man stood with him, when Yosef made himself known to his brothers. (45:1)**

Rashi explains: Yosef could not stand the idea that Egyptians would be standing there and hearing how his brothers were embarrassed when he made himself known to them. Since Yosef’s revelation was an implicit rebuke to his brothers, who had sold him into slavery, Yosef did not want the Egyptians to be present. In an internal Jewish matter, non-Jews must not be involved. From their point of view, all Jews must be united.

Indeed, we find that when the sin of selling Yosef became known to the non-Jewish world, they used it as an excuse to persecute the Jews: the Yom Kippur Machzor tells how the Roman emperor Hadrian tortured and killed the ten greatest rabbis of his time in retribution for the crime of Yosef’s brothers.

The Gemara (Bava Basra 99a) cites a contradiction as to how the Cherubim stood on the lid of the Holy Ark. According to Shemos 25:20, they faced one another; according to Divrei Hayamim II 3:13, they faced away from each other, toward the walls of the Temple. The Gemara resolves this: when the Jewish people fulfilled the will of Hashem, the Cherubim faced each other as a sign of Hashem’s love for them. When the Jewish people sinned, they faced away from each other.

But in Yuma 54b, the Gemara tells us that when the Babylonians destroyed the Temple, they entered the Holy of Holies and found the Cherubim facing each other in an embrace. They took them out to the street and said derisively, “Israel, whose blessing is a blessing and whose curse is a curse, should be interested in such things?” This is the meaning of the verse in Eicha 1:8: “All those who honored her now despised her, for they saw her exposure.”

The Ritva and other Rishonim ask: How could the Cherubim have been facing each other at the destruction of the Temple? Weren’t the Jews sinning then? Rabbi Moshe Meir Lederman answered: Yes, Hashem was angry with the Jews at that time, but that wasn’t the gentiles’ business. From their viewpoint, the Jews were still the holiest of nations, and Hashem was still as close to them as ever. When the Father rebukes His children, He does so in the privacy of His home, but for the outside world, He shows the same love for the Jewish people as always.

Yet there are times when it is important to express disapproval of other Jews in front of the non-Jewish world. When a Jew commits a crime against the gentiles, and the gentiles know about it already and are angry about it, this creates a danger to all Jews. That Jew is classified as a rodef – and we must disassociate ourselves from him in order to save the rest of the Jewish people.

The source for this is the Rambam, Yesodei Hatorah 5:5. The Rambam says that if the gentiles surround a group of Jews and say, “Give us one of you, or else we will kill all of you,” then they are forbidden to hand anyone over. But if the gentiles say, “Give us so-and-so, or we will kill all of you,” then it depends: if that so-and-so is liable to die, then we hand him over, but if not, we do not hand him over. The Rambam’s source is the Yerushalmi, Terumos 47a.

The Kesef Mishneh cites the question of the Ramach: The Gemara says (Pesachim 25b) that the reason why one must give one's life rather than kill another person is the logical argument, "How do you know that your blood is redder than his?" But in this case, where the gentiles select a particular person who is not liable to die, why is it forbidden to give him over? Here the logic does not apply, for if they do not give him over, the gentiles will kill all of them, including that person! The Kesef Mishneh answers that the logical argument about whose blood is redder is not the real reason for the law; Chazal received a tradition from Sinai that we may not hand over a fellow Jew, whether it makes sense logically or not.

If this is so, why is it permitted to hand over a Jew who is liable to die? We must answer that if the Jew was liable to die, then he had no right to hide from the gentiles among his Jewish brethren. By hiding there, he has endangered his brethren's lives, and thus he has the status of a rodef, one who pursues another Jew to kill him. One may even kill a rodef, so certainly it is allowed to hand him over to the gentiles. But if he not liable to die, and the gentiles just selected a Jew at random, then he is not a rodef, for at the time he joined the group of Jews, the gentiles were not trying to kill him. According to this explanation, it is clear that when the Rambam says "if the Jew was liable to die," he does not mean that the Jew must have committed some serious crime that carries the death penalty in Jewish law, or even in non-Jewish law. That is not the point. The question is only whether the gentiles were after him previously, before he joined his brethren, or only now they have selected him at random as their victim.

Now we must consider the following case. Let us say that a Jew committed a crime for which the gentiles, if they catch him, will kill him. But the gentiles do not know exactly who the criminal is. They accuse the entire Jewish community of the crime, and threaten to kill all of them unless they turn in the criminal. The Jews know who the criminal is. Should they turn him in? According to the above, the answer is yes, for since that Jew committed a capital crime and then hid among his brethren, he has endangered the lives of all the Jews, and is therefore a rodef. This is stated explicitly by the Taz in Yoreh Deah 157:8.

The first famous incident when this law was put into practice is recorded in Shoftim 15:9. The Philistine army besieged the Jews and demanded that they hand over Shimshon, who had killed many Philistines. The Jews came to Shimshon and said, "Don't you know that the Philistines are ruling over us? What is this you have done to us?" The Malbim explains this based on the Rambam quoted above. When the Rambam says "liable to die," he means that the gentile government has decided to kill him, says the Malbim. Therefore Shimshon, through his violent actions against the Philistines, was a rodef on the Jewish people, and it was permitted to give him over. (Shimshon replied, "As they did to me, so I did to them," meaning that he had thought that his violence was only on a personal level and would not affect the relationship of the Jews to the Philistines.)

This is all the more true if what is involved is not literally turning in the rodef, but disassociating ourselves from him in such a way that the gentiles will not get confused between him and the rest of the Jewish people. This can be done by denouncing his sins in front of the gentiles. Yosef's brothers had committed a crime only against him, not against the Egyptians, so there was no need for the Egyptians to witness his rebuke to them. The Jews at the time of the destruction of the Temple had committed sins against Hashem and amongst themselves, not against other nations, so Hashem's rebuke to them was none of the nations' business. But when a group of Jews offends the gentiles in such a way that they want to kill them, and this group pretends to have the support of all Jews, it is a mitzvah to show the gentiles that we disapprove of them.

This was why at the height of the Jewish zealots' war against Rome, Rabbi Yochanan ben Zakai came to the Roman emperor Vespasian, addressed him respectfully and apologized for not having come earlier (Gittin 56b). He disassociated himself from the zealots, saying: "It was the zealots among us who did not let me come out to surrender to you."



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