

WHOLE JUSTICE

by Rabbi Mordechai Kamenetzky

At the onset of this week's portion, Yehuda pleads with Yoseph, Egypt's viceroy, for mercy. Binyamin was framed for a crime he did not commit. Yoseph's agents had planted a silver goblet in the saddle-pack of Binyamin the youngest of Yaakov's children. Now Yoseph wants to mete justice, holding Binyamin to be his slave forever. And Yehuda will not let that come to pass.

And so, Yehuda begs for mercy. Even though it would have been the absolute truth, Yehuda's arguments do not utilize the lawyer's ubiquitous, "He did not do it; he was framed!"

Instead he employs a different approach: he asks for mercy, not for the accused, Binyamin, but rather for his and Binyamin's father, Yaakov.

"And now, if I come to your servant my father and the youth is not with us -- since his soul is so bound up with his soul: It will happen that when he sees the youth is missing he will die, and your servants will have brought down the hoariness of your servant our father in sorrow to the grave. . . . For how can I go up to my father if the youth is not with me, lest I see the evil that will befall my father!" (Genesis 44)

In truth, however, we must understand why Yehuda presented a case for Yaakov rather than for Binyamin. In modern terms, Yoseph could have easily answered, "You are the thief. Your father is not my problem."

More than twenty-five years ago, a particular Rabbi, of blessed memory, Rosh Yeshiva of Telshe Yeshiva, Cleveland, moved to Israel to establish a branch of Telshe Yeshiva there. During his tenure in Israel, he developed an extremely close relationship with the elder Rosh Yeshiva of Ponevez, Rabbi Eliezer Menachem Shach, of blessed memory. He often discussed matters pertaining to Klal Yisrael together with Rabbi Shach.

Once Rabbi Shach was disturbed by an endorsement that that Rabbi had made regarding a particular cause. Rabbi Shach felt that the Rabbi had made an error in judgment and Rabbi Shach decided to visit him personally to discuss the matter with him.

Rav Shach made the long trip from B'nai Beraq to that particular Rabbi's apartment in the village of Telshe Stone, (Abu Gush) on the outskirts of Jerusalem. He knocked on the Rabbi's door and was greeted by the Rebbitzin with surprise and with the utmost respect.

She offered him some tea as he sat down together with the Rabbi in the dining room of the small

apartment. With the Rabbi's wife in the background, Rav Shach began his conversation discussing the destroyed world of Lithuanian Jewry. The Rabbi, a student of Telshe Yeshiva in Lithuania, was well acquainted with pre-Holocaust Europe. The Rebbitzin, herself a native of Lithuania, was intrigued as Rav Shach and her husband moved from topic to topic. The talk continued on every important topic - except one. Rav Shach never even brought up the intended topic of his visit.

After 45 minutes, Rav Shach excused himself and left the the Rabbi's apartment apartment.

Rav Shach's driver and confidante asked the Rosh Yeshiva how the meeting went, and if that Rabbi was receptive of the criticism.

Rabbi Shach explained, "I was there for nearly an hour, but I did not even broach the topic. You see, the Rebbitzin was in hearing range. How would I even think of criticizing her husband where his Rebbitzin could hear it? And so, I decided not to bring up the topic at all."

Every sentence involves many more parties than the accused. Yehuda was trying to give Yoseph a sense of perspective about to the ramifications of his judgment. He was not only going to sentence a young man to slavery, he would sentence his father to death. He pleaded for Yoseph to encompass more than just Binyamin into his decision. He asked him to think of the effect that the sentence would have on his elderly father.

In our own lives, we are constantly judging. We formulate opinions and we act. Our job, however, is to extend our vision peripherally. . Only the Almighty is the true Judge whose sentences encompass both the culpable party and all those who are in his or her sphere. However, as mortals, in every conclusion we make we must also try to remember that our actions surpass the intended party. In our quest for true justice, we must try to mete comprehensive justice as well.

Good Shabbos,

Rabbi Mordechai Kamenetzky

Dedicated in memory of Rifael Yehudah Alter Simcha ben Chaim Avium Yehoshua (n"y) by Mr. and Mrs. Chaim Seiff

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