YESHIVAT HAR ETZION

ISRAEL KOSCHITZKY VIRTUAL BEIT MIDRASH (VBM)

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**STUDENT SUMMARIES OF Sichot of the Roshei Yeshiva**

**Parashat Vayeshev**

**Sicha of HarAV Baruch gigi**

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Dedicated in memory of Israel Koschitzky z"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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In loving memory of my parents Shmuel Binyamin (Samuel)

and Esther Rivka (Elizabeth) Lowinger z"l - Benzion Lowinger

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Dedicated in memory of my father,
Hillel ben Yechiel (Herman) Reiter, of Debrecen, Hungary,
whose yahrzeit falls on the 24th day of Kislev.
May his soul be among the Righteous in Gan Eden

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**“And Yehuda Went Down”**

Summarized by Aviad Lipstadt, and edited by Aviad Brestel

Translated by David Strauss

**The Descents of Yehuda and Yosef**

And it came to pass at that time, that Yehuda went down from his brothers, and turned in to a certain Adulamite, whose name was Chira. And Yehuda saw there a daughter of a certain Canaanite whose name was Shua; and he took her, and went in to her. (*Bereishit* 38:1-2)

In the middle of the story of the sale of Yosef, the Torah takes a break and describes the descent of Yehuda: Yehuda goes down from his brothers, takes a wife, and fathers children from her. Afterwards, Yehuda takes Tamar as a wife for his son Er, and following Er's death she marries Onan in the framework of levirate marriage. After Onan dies, Yehuda asks Tamar to wait until his son Sheila reaches adulthood, and live as a widow in the meantime. Later, it is reported that Tamar disguises herself and deceives Yehuda, has relations with him, and takes from him his signet and cords. When Yehuda discovers Tamar is pregnant and comes to execute her, she asks him to identify to whom the signet and cords belong, and remember the injustice done to her.

Yehuda's descent parallels that of Yosef, who is said to have been “brought down” to Egypt. In both cases, we find the root *y/r/d*, but there is a big difference between the two descents: Whereas Yehuda went down of his own free will, Yosef was brought down against his will. The Gemara in *Sota* connects the two descents in another way, through the root *n/k/r* (“*haker*”):

With the word "identify" [Yehuda] informed his father [of Yosef’s disappearance], and with the word "identify" he was informed [regarding the items Tamar held]. With the word "identify" he made an announcement: "Identify now whether it be your son's coat or not"; and with the word "identify" an announcement was made to him: "Identify, I pray you, whose are these." (*Sota* 10b)

 In other words, in the same manner that Yehuda asked his father to recognize Yosef's coat, Yehuda was asked to recognize his own signet and cords. Tamar asks Yehuda to recognize his mistake and cancel the death sentence issued against her. The Torah’s description of Yehuda's decision-making radiates calm and composure. Yehuda does not hesitate, but hurries to acquit Tamar and overturn her sentence:

When she was brought forth, she sent to her father-in-law, saying: By the man, whose these are, am I with child; and she said: Identify, I pray you, whose are these, the signet, and the cords, and the staff. And Yehuda acknowledged them, and said: She is more righteous than I; forasmuch as I gave her not to Sheila my son. And he knew her again no more. (*Bereishit* 38:25-26)

It is reasonable to assume that Yehuda's confession was accompanied by misgivings that the Torah decided not to share with us. It is difficult to believe that Yehuda was so quick to admit his guilt, without seriously debating how to act and without considering the possibility of denying Tamar’s accusation.

**The Acknowledgement**

It is, of course, Yehuda who bears primary responsibility for Tamar's situation. After the deaths of Er and Onan, he did not give Sheila to Tamar to be her husband, but rather left her in her widowhood. Yehuda preferred to focus on the welfare of his son Sheila, and did not plan on marrying him off to Tamar. Yehuda should have identified with Tamar's pain; after all, he himself was recently widowed. Since Yehuda too had lost his wife, he should have recognized the distress experienced by Tamar.

It could have been expected that Yehuda would understand that Tamar was suffering just like him, and that he should be concerned about her needs as well. But while Yehuda satisfied his passions with a harlot whom he found at a crossroad, when it seemed that Tamar had behaved in a similar manner, he condemned her and her actions. Moreover, as soon as Yehuda heard that Tamar had committed adultery, he hurried to sentence her without clarifying the circumstances of the case. Yehuda ruled that Tamar should be executed by fire, without examining the factors that motivated her to do what she did.

There is no doubt that Yehuda had the means to deny Tamar's claims against him. Had Yehuda so wanted, he could very easily have ignored Tamar's words, and have her executed. *Midrash Rabba* takes this understanding to the extreme in the following statement:

"When she was brought forth" – Rabbi Yudin said: From here we see that they were lost, and the Holy One, blessed be He, created others in their place. (*Midrash Rabba* 85)

The Midrash relates that Tamar had lost the signet and cords that Yehuda had given her. Had Yehuda wanted, he could have ignored Tamar and determined that she was indeed liable for the death sentence. But really, even if the signet and cords were found, it is likely that Yehuda's words would have prevailed over those of Tamar: Yehuda, the most distinguished among the sons of Yaakov, would surely have gained more trust from the court than a young widow accused of harlotry. To this must be added, of course, the words of the Midrash, that Yaakov also sat on that court; he would certainly have believed in his son’s innocence.

Of course, Yehuda had all the reasons in the world to deny Tamar's accusations against him. The Rambam, at the beginning of *Hilkhot Ishut*, writes that prior to the giving of the Torah, a man could have relations with a woman he met in the marketplace, without marrying her. Nevertheless, even in those days, a man of Yehuda's standing would have fallen into disgrace had it become known that he had relations with a harlot. What is more, Yehuda was in a process of decline, and the incident with Tamar would only have brought him down further. In fact, *Midrash Rabba* describes a moment in which Yehuda hesitated and considered executing Tamar and thus silencing the entire affair:

"She sent to her father-in-law, saying" – He tried to deny it. (*Bereishit Rabba* 85)

In the end, Yehuda makes the correct decision and admits his mistake. Within a storm of emotions, Yehuda manages to find the truth and acquit Tamar. Faced with his sin in the sale of Yosef, and the same "identify," Yehuda recognizes the signet and cords, and manages to truly confess. He does not repeat his sin, but stands the test and assumes responsibility for his actions. He no longer runs away from the responsibility cast upon him, but acts as would be expected of the senior brother. The process of descent that Yehuda began with the sale of Yosef comes to an end, and Yehuda corrects the mistake that he had made in the past.

**“Therefore He Was Made Judge of the World”**

From the union of Tamar and Yehuda came Peretz, from whom would eventually emerge David and the seed of royalty.

Why did the Holy One, blessed be He, give the crown to Yehuda? He is not the sole mighty one from among his brothers; are not Shimon, Levi, and the others mighty as well? Rather, it was because he gave true judgment to Tamar; therefore, he was made judge of the world. (*Shemot Rabba* 30)

*Midrash Rabba* explains that by virtue of Yehuda’s actions, the seed of royalty emerged from him that would judge all of Israel. The king of Israel, as the Gemara says at the beginning of the second chapter of *Sanhedrin*, also stands trial and is judged like everyone else. Yehuda’s actions teach us that even the king should be held accountable for his actions and take responsibility for the mistakes he makes. In contrast to the kings of the nations of the world, the king of Israel is bound by law and order like the rest of the people. The king must not feel elevated above the people, but rather is duty bound to give a reckoning for his decisions.

The king of Israel draws his authority from the kingdom of God, the King of the universe. It is not surprising that the king is bound by righteousness and justice, for even God, as it were, goes on trial. Before the overthrowing of Sedom, Avraham negotiates with God and argues: "Shall not the judge of all the earth do justly?" (*Bereishit* 18:25). It is only natural that a king of flesh and blood should go on trial, like God, the King of the world. The name Yehuda contains the letters of God's name (*yud-heh-vav-heh*), alluding to the connection between his kingdom and that of God. This connection reflects the fact that Yehuda draws his authority and power from God, and like Him, he aspires to achieve justice.

One of the most important requirements for a leader is his ability to acknowledge and confess his sins. He must know how to acknowledge his limitations and take responsibility for his actions. Like Yehuda, so too his seed, the kings of the house of David, knew how to recognize their limitations. After his sin with Batsheva, David knew how to say: "I have sinned," and did not try to run away from his guilt. Today, as well, leaders are expected to know how to admit their sins and take responsibility for their various mistakes. We must learn from David and Yehuda who were not ashamed to admit their mistakes, and instead tried to correct them.

[This *sicha* was delivered on Shabbat *Parashat Vayeshev* 5780]