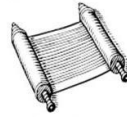


CENTER FOR MODERN TORAH LEADERSHIP

Center for Modern Torah Leadership



חרות ואחריות

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"Taking Responsibility for Torah"

DAYENU: WOULD IT HAVE BEEN ENOUGH?

Rabbi Aryeh Klapper, Dean

כמה מעלות טובות למקום עלינו

We owe thanks to G-d on so many levels. This line begins the **דיינו** song at the seder, and it embodies the fundamental Jewish value of **הכרת הטוב**, expressing gratitude—in a word, thanksgiving. It is appropriate at this time of year, therefore, to express our thanks to the Ribono shel Olam for preparing America as a refuge for so many Jews, and to America for serving as that refuge.

In this week's parashah, Yaakov splits his entourage into two camps so that if Esav comes upon one camp and smites it, the remaining camp will be survivors. Ramban applies there his principle that the deeds of the Forefathers symbolize the future course of Jewish history—and says that Yaakov's plan symbolizes that when one nation is cruel to us, another will take us in. This is a promise of survival, but it does not remove the obligation to express gratitude to those who take us in. Avraham was foretold that his descendants would be enslaved in Egypt, and yet Pharaoh was held accountable for his choice to enslave them, and **מרבבה מדה טובה ממדת פורענות**—where we would hold people responsible for their wrong choices, we must acknowledge them even more strongly when they choose correctly.

And if that were all that America had been for us—a refuge and haven from murderous persecution—**דיינו**—it would have been enough.

But on a very practical level, America was not just a place of refuge, it also played a major role in the defeat of the Nazis and thus enabled some—6 million too few, but some—members of the doomed camps to survive as well.

And if that were all that America had done for us—**דיינו**—it would have been enough to inspire gratitude. This would be true even if America had fought the Nazis entirely out of self-interest, as did the Soviet Union.

And then America was instrumental in the creation of the State of Israel and has been its major ally.

And if that were all that America had done for us—**דיינו**—it would have been enough to inspire gratitude. Rambam says in the *Guide for the Perplexed* that the Jewish relationship to Mitzrayim must always be tinged with gratitude for their taking us in during the famine in Canaan, no matter what they did to us later. **על אחת כמה וכמה** with regard to America.

Yes the story is not as monochromatic as I've told it until now. American policy toward Israel has not always been—and may not be now—one of unalloyed friendship, let alone unalloyed support. And Roosevelt didn't bomb the tracks to Auschwitz, even though he might have been able to do so without going to great expense or risk.

To these considerations we might simply respond: **דיינו**. We can express gratitude even when we didn't get everything we might have wanted, and appreciate good choices even when they are not perfect choices.

I want, however, to make a stronger point. It is an astounding thing, historically, that we feel entitled to criticize the United States for not bombing the tracks to Auschwitz and for not basing foreign policy on moral as well as practical considerations. Of the many refuges we've had in history, has there ever been one toward which we felt entitled to make that kind of moral claim? Has there been a country or nation

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from whom we felt entitled to demand something more than benign neglect? We live in an extraordinary place at an extraordinary time, and we should be continually grateful for that. **אילו** that, and no more—**דיינו**.

But I want to make one further point. I want to retell the story of Yehudah and Tamar from next week's parashah, perhaps somewhat differently. Let's focus on the moment when Yehudah responds **צדקה ממני** – probably “She is more righteous than I.” The Rabbis derived from here that “**מוטב לאדם שיפיל עצמו לתוך כבשן של אש ואל ילבין פני חברו ברבים**” – “it is better for a person to throw himself into a fiery furnace than to embarrass a fellow human being in public.” In other words, Tamar gave Yehudah the choice of whether to admit his own guilt and save her, or rather to preserve his own honor and allow her to be burnt, and he chose to save her.

But why did Yehudah make that choice? Was it inevitable? Let's go back to the beginning of the story and see.

This episode begins with the description **ויהי בעת ההיא** **וירד יהודה מאת אחיו**—in that time Yehudah descended from among his brothers. In what sense did he descend? Most commentaries say that he descended in their esteem: they blamed him for the sale of Yosef, which they now regretted. But there is no indication that Yehudah accepted that blame. Yehudah's reaction is to leave and then to marry a Canaanite woman, with whom he has three sons. His wife and oldest two sons die, and still Yehudah takes no personal responsibility. He does not consider the possibility that he is being punished, or that his children's errors follow his own. Instead, he descends still further, stopping at a crossroad to consort with an apparently random Canaanite prostitute.

Here we get the first sense that this story will not be unadulterated tragedy; a gleam of comedy breaks through. Yehudah has no cash on him, and Tamar doesn't take American Express. So Yehudah leaves his credit card with her as security, and goes on.

Soon Yehudah is informed that “Tamar your daughter in-law has played the harlot, and is pregnant as the result of harlotry.” Yehudah's immediate reaction is **הוציאוה ותשרף** – “Take her out to be burnt!” He does not attempt to investigate or to speak with her. What kind of judicial practice is that? More strongly, Yehudah has to know that there are at least two men with whom Tamar might have consorted without being liable to execution, even under the pre-Sinai

system: his third son Shelah and Yehudah himself. And he knows that he has consorted with a mysterious woman who then disappeared. While he didn't recognize her then, when Tamar shows up pregnant, he has to at least consider the possibility. So when Yehudah says “Take her out and burn her,” I suggest that he knew full well that he was sacrificing Tamar to preserve his own honor. He assumes that she will produce her evidence, and that he can brazen it out, as the brothers did with Joseph; she lived in his house, and had ample opportunity to steal such things.

But Tamar surprises him. Rather than producing his staff and signet, she gives him the choice. She places his honor above her life. And by doing that, Tamar shows Yehudah that he can expect more from himself than amoral self-interest, and he rises to the occasion.

Now I want to move from text to life. I have received three similar email queries: one from a friend who is a professor in Israel, one from a student in Israel, and one from a reader in California. Here are the questions:

1) My students have been asking me for a response to a formally halakhic book which argues that the lives of Gentile bystanders have no significance in the context of saving Jewish life and that it is forbidden for Jews to consider collateral Gentile damage. How would you respond?

2) A group of rabbis issued a ruling that forbids selling or even renting houses to non-Jews in Jewish neighborhoods in Israel, among other reasons because this would lower property values.

3) Can you point me to articles or sources that suggest that we violate Shabbat to save Gentiles on Shabbat because it is morally correct to do so, not merely because the risk of anti-Semitism is great if we fail to do so?

This is not the context for a formal legal analysis of these issues. But I believe that the experience of America properly affects the way in which halakhists respond to such issues, because America has raised our expectations of what we can legitimately set as moral expectations for others. And anything we expect of others, we know that we must expect **הכל מהאדם** = all the more so from ourselves.

So the last debt of gratitude we owe America is for challenging us to raise our standards for ourselves, to produce and live by the best Torah we are capable of learning. *Shabbat Shalom!* (adapted from a 2010 sermon at the Young Israel of Sharon)

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