

VAYESHEV: CAUSELESS LOVE

- Nisson Shulman.

May relatives testify against another relative? Secular and Jewish law. No neutrality or objectivity in Jewish law. Witness brothers and Joseph. Rav Kook, redemption because of causeless love, like the destruction was because of causeless hate.

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(MeAvi, Mori, Harav Moshe Yitchok Shulman zt"l)

In Anglo-Saxon and Roman law, a relative may testify for or against an accused, and judge or jury weighs the testimony. In Jewish law that is never the case. Even if Moses would testify for or against Aaron his testimony would not be accepted since they are related.

Logically, you can disqualify a relative because they tend to be prejudiced in favor of their family. But that is not enough. For in Jewish law even if the relative testifies against his relation, his testimony is not accepted.

The Ketzot Hachoshen explained that it isn't because we fear prejudice, but rather because a relative cannot be detached and impartial. It is rarely possible for him to be objective in a case involving a relation. A witness must be objective, and unprejudiced. A relative has an extreme connection. He can love very deeply, but he can also hate with passion. He is rarely neutral.

This is the meaning of the passage, from our Torah reading, Vayisneu oto echav, velo yachlu dabro leshalom. It is often possible for two strangers to find speaking peacefully with each other to be difficult, even impossible. It doesn't necessarily follow that they must hate each other. But in the case of brothers, if they can't speak peacefully with each other, they must hate each other with passion. A tiny jealousy about a colored coat incites a murderous rage.

There are many examples, besides the story of Joseph and his brothers; the passions of a civil war, for instance. When the Satan of mahloket dances in society, hatred grows for very little cause. In Hebrew a war of brothers is a synonym for causeless hatred, sinat achim = sinat hinam.

Yaakov had seemingly suffered enough in his past. When he returned home, he thought he would finally attain tranquility. And the aggravation of Joseph destroyed his peace (Rashi).

In all of Jewish history we recognize the story of Yaakov and his sons: Korach and his group; Shaul and David; Yeravam and Rechavam; the Hellenists and the Macabbees; later the Prushim and the Tzedukim; And the Essenes, from whose midst emerged that man whose lips spoke brotherly love and the kingdom of heaven, and whose followers have shed unending rivers of Jewish blood. The students' conduct teaches us what the mentor really preached.

Our sages expressed an eternal truth; "Because of causeless brotherly hate, the Second Temple was destroyed". During our exile, within our people, causeless hatred developed, between parties

and groups who were actually idealists. And it is reflected in Israel today more than ever. Now that we have established and are defending our Holy Land and capitol city Jerusalem, we must attempt, ever more strongly, to raise up the banner of peace for our people. The way to do this is to go to the farthest extreme, away from brotherly hatreds and petty jealousies. And the farthest extreme is love, even pointless love. Rav Kook was asked to explain his approach to the left wing kibbutzim in Israel, no matter how far they strayed from Torah and Judaism. He explained, "The Bet Hamikdash was destroyed because of causeless hatred. Is it not possible that it will be rebuilt because of causeless love?"

Submitted by Nisson Shulman