



WOHL LEGACY

COVENANT & CONVERSATION

Family Edition

FINDING FAITH IN THE PARSHA WITH RABBI SACKS

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בס"ד

כי תצא תש"ף
Ki Teitse 5780

Does Love Conquer All?

** KEY IDEA OF THE WEEK **

Love is at the heart of religious life, but without justice, love will not save us.



PARSHAT KI TEITSE IN A NUTSHELL

In this week's parsha Moses continues his speech, preparing the Israelites for living an independent life in the Land of Israel. He gets into the real details of the covenant between Israel and God. Ki Teitse contains seventy-four commands, which is more than any other parsha in the Torah. These include laws about family relations, moral and legal obligations towards neighbours and fellow citizens, moral behaviour in relation to financial matters, and other rules of social responsibility.

The parsha ends with the command to always remember Amalek, Israel's archenemy, and the Torah's classic example of a group of people who act in hatred and cruelty.

QUESTION TO PONDER:

Why do we need mitzvot to tell us how to treat each other well? Isn't it enough to always act out of love?



THE CORE IDEA

Within the 74 commands in our parsha, there is one law that deserves much more attention than it has generally received. It concerns the laws of inheritance:

"If a man has two wives, and he loves one but not the other, and both bear him sons but the firstborn is the son of the wife he does not love, when he wills his property to his sons he must not give the rights of the firstborn to the son of the wife he loves in preference to his actual firstborn, the son of the wife he does not love. He must acknowledge the son of his unloved wife as the firstborn by giving him a double share of all he has. That son is the first sign of his father's strength. The right of the firstborn belongs to him."
(Devarim 21:15-17)

On the face of it, this is a straightforward law. It tells us that love must not override justice. The firstborn, in ancient Israel and elsewhere, have special rights, especially in connection with inheritance. In most societies they tended to ultimately hold their father's position. That was the case in Israel in relation to kingship and priesthood. They did not

inherit all the father's property, but they did inherit twice as much as the other children.

It was important to have rules like this to avoid damaging family splits every time a death occurred or was imminent. The Torah gives us clear examples of the tension and conflict that can occur within families. Jacob showed a preference for Joseph, who was not his firstborn, and this led to his brothers selling him into slavery to get rid of him. At the end of King David's life, Absalom mounted a rebellion against his father, and Adonijah proclaimed himself the new king as the whole court wondered which of David's many children should be his rightful heir. Eventually it was announced that Solomon should rule instead. More recently there have been several examples of Hassidic dynasties irreparably torn apart because groups disagreed on which individual should inherit the leadership.

There is a tension between individual liberty and the common good. Individual liberty says, "This wealth is mine. I should be able to do with it what I like, including deciding

to whom to hand it on.” But there is also the welfare of others, including the other children, other family members, and the community and society that are damaged by family disputes. The Torah therefore draws a line, acknowledging the rights of the biological firstborn and limiting the rights of the father.



IT ONCE HAPPENED...

One of the most powerful scientific ideas of the 20th century was Niels Bohr’s complementarity theory, designed to resolve one of the paradoxes of particle physics. Light cannot be both a wave and a particle, yet it behaves like both, sometimes one, sometimes the other.

Bohr was a leading founder of quantum mechanics. He tells the story of how he came to his complementarity theory. It happened after his young son was caught stealing sweets from a local store. Niels experienced mixed emotions towards his son and was torn how to approach him in the light of this event. First he found himself thinking about this as a judge would. His son was guilty of a crime and justice must be done. But he also felt parental emotions of love and compassion. He realised that he could not hold both thoughts equally in his mind at the same time, and this led to his research on complementarity theory.

QUESTIONS TO PONDER:

1. Why does the Torah not allow us to do whatever we want with our money?
2. How does this inheritance law limit family disputes?

As a fair judge of the situation, he had to think impartially. As a father he could not help but have compassion for his son, who had made a mistake. One way of thinking leads to justice, the other to mercy, but these are conflicting perspectives and involve different kinds of relationships. Life is complicated. People are complicated. And when we really think it through, there are often multiple perspectives to consider before reacting.

QUESTIONS TO PONDER:

1. Do you think Niels Bohr should have chosen only one response to his son’s action? Which should he have chosen?
2. Do you think God has the same dilemma? How does He resolve this conflict?



THINKING MORE DEEPLY

The law is straightforward. What makes it remarkable is that *it reads as if it were directed against a specific biblical figure, namely Jacob*. One connection is linguistic. The key terms used in our law are an opposition between *ahuvah*, “loved,” and *senuah*, “hated/unloved.” This opposition occurs ten times in the Torah. Three have to do with the relationship between us and God: “those who hate Me and those who love Me.” That leaves seven other cases. Four are in the paragraph above. *The other three are all about Jacob*: two of them about his love for Rachel in preference to Leah (Bereishit 29:30-31, 32-33), the third about his love for Joseph in preference to the other sons (Ber. 37:4). Both caused great grief within the family and had devastating consequences in the long run.

This is how the Torah describes Jacob’s feelings for Rachel:

“Jacob *loved* Rachel and said, “I’ll work for you (Laban) seven years in return for your younger daughter Rachel” ... So Jacob served seven years for Rachel, but they seemed like only a few days to him because of his *love* for her ... And Jacob cohabited with Rachel also; indeed, he *loved* Rachel more than Leah. And he served him (Laban) another seven years.” (Ber. 29:18-30)

And this is its description of the impact it had on Leah:

“When the Lord saw that Leah was *hated*, He enabled her to conceive, but Rachel remained childless. Leah conceived and bore a son, and named him Reuben; for she declared, “It

means: ‘The Lord has seen my affliction’; it also means: ‘Now my husband will *love* me.’” She conceived again and bore a son, and declared, “This is because the Lord heard that I was *hated* and has given me this one also,” so she named him Simeon. (Ber. 29:31-33)

I have translated the word *senuah* here as “hated” simply to give a sense of the shock of the text as it is in Hebrew. We also understand why this word is used. Leah was, as the text says, loved less than Rachel. Jacob did not hate her, but she *felt* hated, because less loved, thus unloved. This feeling dominated her marriage as we see from the names she gave her eldest children. The rivalry continues and intensifies in the next generation:

“When his brothers saw that their father *loved* him (Joseph) more than any of his brothers, they *hated* him and could not speak a peaceful word to him. (Ber. 37:4)

Less loved, the brothers felt hated, and so they hated the more loved Joseph. *Love generates conflict, even though none of the parties want conflict*. Jacob didn’t hate Leah or her sons or the sons of the handmaids. He did not deliberately decide to love Rachel and later Joseph. Love doesn’t work like that. It happens to us, usually not of our choosing. Yet those outside the relationship can feel excluded and unloved. The Torah uses the word *senuah* to tell us how serious the feeling is. It is not enough

to say “I love you too,” when every act, every word, every look says, “I love someone else more.”

Which brings us to inheritance. Joseph was the eleventh of Jacob’s twelve sons, but the firstborn of Jacob’s beloved Rachel. Jacob proceeded to do what our parsha tells us not to do. He deprived Reuben, his and Leah’s firstborn, of the birthright, the double portion, and gave it instead to Joseph. To Joseph he said:

Now, your two sons, who were born to you in the land of Egypt before I came to you in Egypt, shall be mine; Ephraim and Manasseh shall be mine no less than Reuben and Simeon.

Later in the same chapter, he says: “I am about to die; but God will be with you and bring you back to the land of your fathers. And now, I assign to you *one portion more than to your brothers*, which I wrested from the Amorites with my sword and bow” (Ber. 48:21-22). There are many interpretations of this verse, but according to Rashi, “This refers to the birthright, that Joseph’s children should receive two portions when Canaan would be divided amongst the tribes.” Jacob’s other children would receive one portion, while Joseph would receive two, one for each of his sons Ephraim and Manasseh.

It is against this practice that the law in our parsha is directed. That is what is extraordinary. Jacob/Israel is the father of our people. But specifically in this respect, his conduct must not be taken as a precedent. We are forbidden to act as he did.

The Torah is not telling us that Jacob did wrong. There are all sorts of explanations that reconcile his behaviour with later law. The Torah had not yet been given to the Jewish people, (although Ramban notes that Jacob did keep the Torah laws when he was in the land of Israel, but his gift of a double portion to Joseph happened in Egypt). Another explanation offered is that we are forbidden to transfer the birthright on grounds of love alone, but we may do so if we believe that the firstborn has significant character deficiencies, which Jacob believed to be true of Reuben (Ber. 49:3-4; Abarbanel).

But the law is telling us something very profound indeed. Love is the highest of emotions. We are commanded to love God

with all our heart, soul and might. But it is also, in family contexts, fraught with danger. Love ruined Jacob’s life and negatively affected his family time and again: in his relationship with Esau (Isaac loved Esau, Rebecca loved Jacob), in the relationship between Leah and Rachel, and in the relationship between Joseph and his brothers. Love brings joy. It also brings tears. It brings some people close, but makes others feel distanced, rejected.

Therefore, says the Torah, in our command: when love is likely to be the cause of conflict, it must take second place to justice. Love is partial, justice is impartial. Love is for someone specific; justice is for everyone. Love brings personal satisfaction; justice brings social order.

Judaism is the most effective attempt in history to provide the proper balance between the particular and the universal. It is both. It worships the universal God by way of a particular faith. It believes in a universal connection between God and humanity – we are all in God’s image (Ber. 1:27) – and a particular one – “My child, My firstborn, Israel” (Shemot 4:22). It believes in a universal covenant with Noah, and a particular one, with Abraham and later the Israelites. So, it believes in the universality of justice and the particularity of love and the importance of both.

When it comes to the relationship between humans, there is an order of priority. First create justice, then express love. For if we let those priorities be reversed, allowing injustice in the name of love, we will divide and destroy families and groups and suffer the consequences for a long time.

A seemingly minor law about inheritance is in fact a major statement of Jewish values. **I believe that Judaism got it right by placing love at the heart of the religious life – love of God, neighbour and stranger – but at the same time recognising that without justice, love will not save us. It may even destroy us.**

QUESTION TO PONDER:

Why is love not enough?



FROM THE THOUGHT OF RABBI SACKS

Tzedakah means both justice and charity, because we believe that they go hand in hand. Justice is impersonal, charity is personal. We call God, “Avinu Malkeinu”, “Our Father, our King”. A king dispenses justice, a parent gives a child a gift out of love. That is the meaning of tzedakah, an act that combines both justice and love.

Ten Paths to God, Tzedakah, p.3



AROUND THE SHABBAT TABLE

1. Why does love sometimes conflict with justice?
2. Why do you think the Torah (especially the Book of Bereishit) is full of complicated family stories of love and hate?
3. Why is justice more important than love?



QUESTION TIME

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EDUCATIONAL COMPANION TO THE QUESTIONS

IN A NUTSHELL

1. Love is an emotion that does not function according to logic, and therefore is not a reliable way to make sure that everyone is treated fairly. It is impossible for most people to love everyone equally and therefore treat them fairly and equally. So the Torah gives us laws to help us always remember how to treat everyone fairly, not just being kind to those who we love instinctively. Loving everyone is the ideal, and the mitzvot help us to fine-tune our behaviour.

THE CORE IDEA

1. Although we may have worked hard for our wealth, and the Torah allows us to maintain ownership of it, we must remember that ultimately all material things in our lives come from God, and He has the right to determine to some extent how we use our wealth. The Torah guides us to use our wealth for the betterment of humankind and society, and to spend our money wisely and fairly.
2. In cases where a man has had more than one marriage (either concurrently, in biblical times, or a second marriage after divorce) there can be more than one "firstborn": one from each of the wives. This can cause tension in the family unit and lead to fighting over who will receive the greater inheritance. This law clarifies that the firstborn is defined by the father's first son, not the mother's first child. It also takes the decision out of the hands of the father, who may love one of his wives or children more than another, and be tempted to show favouritism, which would cause pain and tension in the family.

IT ONCE HAPPENED...

1. It would be natural for a father to choose the path of love, but this may not be the morally correct choice, or the best choice for the child. One can argue that it is the role of the parent to try and use both approaches in their parenting to help their child grow up as a balanced, moral adult.
2. God plays many roles in our lives including judge and king (dispensing justice) and parent (a relationship based on love). This is the essence of the prayer "Avinu Malkeinu" (Our Father, our King). Only God can play these two roles at the very same time, relating to us with both justice and love and compassion. We must strive to do the same.

THINKING MORE DEEPLY

1. Love is particular. This means no one person can love every other person equally. We love some more than others, whether our friends, parents, children, other relatives, or spouses. It is unnatural, and impossible to love other people outside of these circles in the same way (despite various political and philosophical systems attempting to create societies based on free and total love – but these have largely failed, or been adapted to incorporate particular love into them – for example the socialism of the kibbutz movement). If the morality of society is based on love only, this will lead to inequalities. Justice is a universal value and must be given primacy over love in the civil law of a society. Judaism believes in both particular love and universal justice, and its vision of society is based on both of these values.

AROUND THE SHABBAT TABLE

These questions are all open, to encourage thought and debate. There are no wrong answers. However, here are some thoughts to consider:

1. Love is particular, which means that individuals love some people more than they love others. Sometimes this can lead to injustice. Justice is universal. So Judaism will sometimes apply universal justice even when it conflicts with particular love (such as the case in this week's parsha where the father may wish to give his inheritance to one child over another).
2. The Torah tells us with the stories of our ancestors who were real people tackling the struggles of real life. It would have been too hard to relate to them and feel inspired by them if they lived perfect lives. So we don't only read about the miracles of God and the impressive acts of our ancestors. The Torah shows their mistakes, the regular parts of their lives and their regular challenges, and we learn from the way they, with the help of God, overcame these.
3. Justice is universal, and gives us a way to ensure equality for all people. Love is particular, and while we must aspire to love all people, and ensure that all people are loved in society, this is not always realistic. But universal justice can be enshrined in law, guaranteeing that all humans have equal rights.