

COMMENTARIES OF THE DUBNO MAGGID

PARASHAS VAYIGGASH

Last week's parashah recounts how Yosef was appointed viceroy of Egypt, and how his brothers had an encounter with him without knowing who he was. At the end of the parashah, Yosef's silver goblet is found in Binyamin's sack, and Yosef declares that he will take Binyamin as a slave. At this beginning of this week's parashah, Yehudah comes forward and asks Yosef to take him as a slave in Binyamin's place. The parashah begins by stating as follows (Bereishis 44:18): "Then Yehudah approached him [Yosef] and said: 'If you please, my lord, may your servant speak a word into my lord's ears, and do not let your anger flare up at your servant, for you are like Pharaoh.'" Yehudah then proceeds with his plea. The Midrash in *Bereishis Rabbah* 93:6 quotes R. Siemon as teaching that Yehudah put forward an argument based on Torah law. (*Maharzav* finds a hint to this effect in Yehudah's opening statement - it would have been enough for Yehudah to say "may your servant speak into my lord's ears" without the added phrase "a word." *Maharzav*, quoting other Midrashim, explains that the term "word" refers to a word of Torah law.) The area of Torah law on which Yehudah built his argument was the laws pertaining to thieves. The argument ran as follows: "In our manual of practices it is written (Shemos 22:2), 'If he does not have [money to pay restitution], then he shall be sold [as a slave] for his theft.' But this one [Binyamin] has money to pay." The Maggid notes that it seems odd for Yehudah to put forward a Torah-based argument before an Egyptian official: Why would an Egyptian care what our Torah says?

The Maggid explains that Yehudah was not suggesting that Yosef ought to follow Torah law, but rather he was putting forward an argument based on ordinary human reason, an argument that applied to men of all nations. Of course the Torah's laws are edicts issued to us by Hashem, but they also appeal to human intellect. Thus David HaMelech declares (Tehillim 19:9): "The orders of Hashem are upright, gladdening the heart." Similarly, Shlomo HaMelech, speaking of Torah teachings, states (Mishlei 8:9): "They are all correct to one who understands, and upright to those who find knowledge." Now, it appears on the surface that the law regarding thieves mentioned above is contrary to reason. Who would want to take a thief as a servant and bring him into his household? Wouldn't one worry about having his household possessions stolen? But, after a closer look, we can see how the law makes sense.

The law deals with a thief who lacks money to pay restitution. Evidently it was for lack of money to meet his needs that the offender resorted to theft. We thus need not abhor him; as Shlomo HaMelech says (ibid. 6:30), "A thief is not scorned if he steals to satisfy his soul when he is hungry." And there is no need for a person to worry that bringing the offender into his household poses a risk that his possessions will be stolen; if one provides the offender with what he needs, he is not pressed to steal. But if someone who has money steals, then surely one must worry about bringing him into one's household, for providing his needs will not necessarily keep him from stealing. This was Yehudah's argument to Yosef. Yehudah noted that Binyamin was rich, but still he was ostensibly found stealing. So it made no sense for Yosef to take Binyamin into his household, for Binyamin would take the opportunity to steal more. It must be, Yehudah argued, that Yosef knew that Binyamin did not steal his goblet, and had simply cooked up a libel against him.