

## מחילת יוסף

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In this week's *parsha*, the brothers ask Yosef for *mechila* for selling him down to Mitzrayim. Yosef's reply is, (בראשית נ, יט-כ) "...אל-תיראו כי התחת אלקים אני. ואתם חשבתם עלי רעה אלקים חשבה לטבה..." - he tells them not to worry because that which they intended to do him harm, in actuality Hashem ordained to be for good. The Or Hachaim explains that Yosef told his brothers what they did ended up being good because Hashem made him ruler of Mitzrayim, enabling him to feed and support everyone.

The way the Or Hachaim presents it is as follows. What the brothers did is comparable to a person who attempted to feed his friend poison, but instead served him wine. He is not *chayiv* for anything because he caused him no actual harm. Since this is so, Yosef told the brothers that they had nothing to ask *mechila* for. The Bais Yitzchok asks a question on this. The Gemara in *מס' נזיר* and in many other places tells us that if a person attempts to eat *בשר נבילה* but ends up eating *בשר שחטה*, he still must do *teshuva* and ask *mechila* from Hakadosh Boruch Hu. So, we see that if one tried to do an *aveira* but ended up not transgressing, there is still an onus of *teshuva*. This should mean that by the brothers also, even if Yosef told them they did not do any harm, still they should have to ask *mechila* somewhat.

We can answer for the Or Hachaim with the well-known *shtickle* from the Maharam Schick: If a person tried very hard to perform a mitzvah, but an *אינס* came up and prevented him from doing so, he still receives the *שכר* as if he had executed the mitzvah. However, the Maharam Schick qualifies that this only applies to *מצות בין אדם למקום*. If this happened to someone trying to perform a mitzvah *בין אדם לחבירו*, since the whole point was to benefit his friend and that did not bear out, he does not get *שכר מצוה* since his friend did not receive benefit. Perhaps we can say this same idea by an *aveira* as well. When it comes to doing an *aveira* *בין אדם למקום*, performing an action against *ה' רצון ה'*, even if his action did not end up violating anything he must still do *teshuva* since his whole intention was rebelling against Hakadosh Boruch Hu. Whereas by *בין אדם לחבירו*, we will only look at the result- did his action hurt his fellow Yid or not? If it did not end up harming him, he needs to do no *teshuva* despite his intention to hurt. This is why the Or Hachaim explains that Yosef was telling his brothers- '*you did not hurt me, rather you helped me!*'

There is a similar *vort* said over from R. Chaim Brisker, with varying *nuscha*'s. There was a man in town, let's call him Reuven, who had two very rare stamps, the only such stamps in the entire world. Each stamp was worth \$1,000. If Shimon goes ahead and destroys one of the stamps in order to hurt Reuven and cause him a loss of \$1,000, but as a result of doing so caused the second stamp to rise in value to \$2,000, R. Chaim says that Shimon is not a *מזיק* at all. Even though his *kavana* was to be *מזיק* Reuven, since the consequence of his action ended up not harming Reuven at all then Shimon need not ask *mechila*. This is just like we are saying in the Or Hachaim- since the brothers in actuality caused no harm to Yosef, he told them they have nothing to ask forgiveness for.

The question we are left with on the Or Hachaim is the famous *piyut* we say on Yom Hakippurim about the *עשרה הרוגי מלכות*. The *paytan* says that the whole story was a *kapara* for *מכירת יוסף*, so we see clearly there was an *aveira* done by the brothers in selling Yosef. Why else would there be a need for *kapara*?

Rabbeinu Bachaye learns our *posuk* differently than the Or Hachaim. He says that even though Yosef put them at ease about the sale, since he in fact was never formally *mochel* them there still remained an *aveira* whose debt was never collected until the *עשרה הרוגי מלכות*.

There is a Medrash Rabbah on Megilas Esther which sounds a bit different from both the Or Hachaim and Rabbeinu Bachaye. The Medrash says that even though Yosef was *mochel* the brothers, nevertheless the *aveira* still remained.

What is the *peshat* in the back-and-forth between the Or Hachaim and Rabbeinu Bachaye in how they are learning what Yosef's reply was to the brothers?

Perhaps we can answer this whole *sugya* with the Gemara in : מס' ראש השנה דף יז : with the story of Rabban Gamliel and Blurya. He explains to her that when someone does an *aveira* בין אדם לחבירו, it is comparable to a case where Reuven owes Shimon money and swears in front of the King that on the King's life he will pay by a certain date. When that day comes and goes without him paying up his debt, he begs the King for forgiveness for swearing on his life and violating his oath. The King shows compassion and forgives him, but tells Reuven he must still get *mechila* from Shimon. We see from this that when someone does something against his friend, there are really two parts to the *aveira*. One is the fact that he hurt his friend, but the second is an aspect of בין אדם למקום as well- that he sinned against Hakadosh Boruch Hu as well by causing a פירוד between His children.

I think we can even see this is the *lashon* used by the brothers when they asked for *mechila*. פרק נ פסוק יז reads, "...אנא שא נא פשע אחיך וחטאתם כי רעה גמלוך ועתה שא נא לפשע עבדי אלקי אביך...". Rabbeinu Bachaye points out that they used a double-*lashon*: they first asked on the *chet* of "yours brothers," and then asked about the *chet* of "the *avodim* of your father's Elokim." Perhaps we can explain that they were asking for *mechila* on both parts of the *aveira* of selling Yosef- the part בין אדם לחבירו against Yosef, as well as the part בין אדם למקום against Hashem.

Perhaps, the *machlokes* between the Or Hachaim and Rabbeinu Bachaye in Yosef's response is whether it helped for only the *chelek* against him, or did it also absolve them of the *chelek* against Hakadosh Boruch Hu for attempting to do him harm. The Or Hachaim sounds like Yosef was absolving them completely of any issue against him, and this is what Yosef meant when he told them they have nothing to ask *mechila* for- neither בין אדם לחבירו or למקום. [This is why the Or Hachaim even says, "אפילו בדיני שמים."] Rabbeinu Bachaye, on the other hand, maintains that he was only addressing the בין אדם לחבירו part, which is why the debt of their *aveira* stood until the עשרה הרוגי מלכות.

The question we remain with is how to reconcile the Or Hachaim's *mehalech* with the *piyut* itself. The *paytan* says the *aveira* still lingered. I think we will have to say that there was an additional dimension in the actual sale which affects this whole *cheshbon*. The *piyut* categorizes their *aveira* as being that of, "גונב איש ומכרו"- kidnapping and selling someone. Whatever we want to say, of course the brothers had a *cheshbon* for carrying out מכירת יוסף.

The way I understand the extra בין אדם לחבירו element is as follows. The *aveira* of "גונב איש ומכרו" has an element of בין אדם למקום because Hakadosh Boruch Hu commanded us against it. On a personal level, there are both בין אדם למקום and בין אדם לחבירו elements in selling Yosef. The former being that they caused a *pirud* between Hashem's children, which required *mechila*. Back in Parshas Mikeitz, when originally detained by Yosef, the brothers tell each other, "...אבל אשמים אנחנו על אחינו אשר צרת נפשו בהתחננו אלינו ולא שמענו..." (בראשית מב, כא). The Meforshim explain that their *viduy* was only on the אכזריות they exhibited when they sold Yosef, despite his pleas for mercy. They did not regret the action, rather the way they went about it, not responding to Yosef's pleas. Perhaps, the Or Hachaim understands that the brothers never did *viduy* on the actual "גונב איש ומכרו," and that could be the *aveira* which stood until עשרה הרוגי מלכות.