

In this week's Torah portion,  
Parshat Vayeishev,  
the Torah tells us: Eileh Toldot Ya'akov,  
this is the line of Jacob,  
then proceeds to name only his youngest son Joseph.  
Furthermore,  
the Torah tells us that he loved Joseph the most.  
You might recall that Jacob himself –  
was loved most by his mother,  
and that his father loved his brother Esau most.  
As with many unhealthy family systems –  
unless otherwise acknowledged and dealt with –  
this pattern of favoritism perpetuates itself.  
There are a number of reasons why –  
Jacob was so attached to Joseph.  
Joseph was the first,  
and longtime only,  
child of Jacobs favorite wife, Rachel.  
The Zohar further teaches that –  
Jacob and Joseph are considered as one. (Zohar I, 176b)  
Which makes sense because -  
the Zohar also tells us that Joseph looked like Jacob.  
The Midrash (Bereshit Rabbah 84:6)  
further connects the two:  
“As everything that happened to this one,  
happened to that one:  
Just like this one's mother was barren,  
so too that one's mother was barren;  
just like this one's mother bore two,  
so too that one's mother bore two;  
just like this one's mother had difficulty giving birth,  
so too that one's mother had difficulty giving birth;  
just like this one was hated by his brother,  
so too that one was hated by his brothers;  
just like this one's brother sought to kill him,  
so too that one's brothers sought to kill him;  
this one fled, and that one fled;  
this one was stolen twice,  
and that one was stolen twice;  
this one went out of the Land of Israel,  
and that one went out of the Land;  
this one married a woman from outside the Land,  
and that one married a woman from outside the Land;  
this one fathered children outside the Land,  
and that one fathered children outside the Land;  
this one was accompanied by angels,

and that one was accompanied by angels..." etc...  
Even so, for all their similarities,  
even with the examples of favoritism set by his parents,  
Jacob should not have picked favorites.  
One can certainly have a favorite tie,  
or a favorite coat,  
but never a favorite child.  
The Talmud, in Shabbat 10b,  
tells us that one must not –  
treat any of one's children differently,  
since, on account of –  
the extra two silver-coins-worth of money –  
spent on Joseph's colored coat –  
his brothers became jealous of him and –  
this in turn led to the exile in Egypt.  
It's easy to blame his brothers –  
Plotting to kill Joseph and –  
Eventually selling him into slavery –  
Seems like a massive over reaction.  
It seems bad enough that they –  
"couldn't say a kind word to him."  
However, Rashi comments that –  
we can learn the –  
praiseworthy character traits of the brothers from –  
the very criticism this Torah directs at them.  
The brothers were no hypocrites,  
fawning on Joseph to his face and –  
cursing him behind his back.  
They were candid and frank.  
Isaiah Horowitz describes the brothers' behavior –  
as demonstrative of the proper implementation –  
of the middah of tochecha, rebuke.  
The Book of Proverbs (27:5) teaches  
Open rebuke is better than concealed love.  
Horowitz thus interprets that –  
a rebuke reveals loving concern for –  
the person so rebuked.  
Today I must offer a loving rebuke of our country –  
For once again, we have missed the mark.  
Yesterday, on International Human Rights Day,  
a man was lynched by the United States government.  
His name was Brandon Bernard.  
A minute after the lethal injection began,  
his eyes slowly closed,  
and his breaths became increasingly shallow.  
He was pronounced dead at 9:27 p.m.

His life mattered.

His execution is a stain on –  
the American so-called criminal justice system.

“Human Rights Day is observed every year on –  
the 10<sup>th</sup> of December —

the day the United Nations General Assembly adopted, in 1948, the Universal Declaration of Human Rights.

The UDHR is a milestone document that –  
proclaims the inalienable rights which everyone is –  
entitled to as a human being –  
regardless of race, colour, religion, sex,  
language, political or other opinion,  
national or social origin, property, birth or other status.

Available in more than 500 languages,  
it is the most translated document in the world.”

The UDHR has 30 enumerated articles –  
Meant to guarantee every person’s humanity.

Article 5 of the UDHR reads:

“No one shall be subjected to torture or to cruel, inhuman or degrading treatment or  
punishment.”

This language is remarkably similar to that –  
Which is found in the 8<sup>th</sup> amendment of the US Constitution:

“Excessive bail shall not be required,  
nor excessive fines imposed,  
nor cruel and unusual punishments inflicted.”

The Supreme court banned capital punishment in 1972 –  
In *Furman v. Georgia*, Citing the 8<sup>th</sup> amendment.

Despite the fact that it was reinstated in 1976,

The court has yet to deal with –  
the arbitrary and discriminatory nature of its implementation.

As the data shows,

There is systemic injustice and racism at work –  
In the people who the United States decides to kill.

According to the ACLU,

“The death penalty system in the US is –  
applied in an unfair and unjust manner against people,  
largely dependent on how much money they have,  
the skill of their attorneys,

race of the victim and where the crime took place.

People of color are far more likely to be executed than –  
white people, especially if the victim is white.”

Of the 56 people on federal death row,  
26 of them, or 46%, are African American,  
22, or 39%, are Caucasian.

Since its reinstitution in 1976,

The federal government has executed 12 people,

Half of whom are people of color.

Mishnah Makkot (1:10) teaches:

“A sanhedrin that executes once in seven years,  
is called murderous and cruel.

Rabbi Eliezer b. Azariah says: once in seventy years.

Rabbi Tarfon and Rabbi Akiva say:

“Had we been members of a sanhedrin,  
no person would ever be put to death”

12 people since 1976,

9 since July of this year,

With 6 more scheduled during –

the lame-duck period of the Trump administration.

The prophet Isaiah (59:7) would likely –  
describe their behavior thusly:

“Their feet run after evil,

They hasten to shed blood.

Their plans are plans of mischief,

Destructiveness and injury are on their roads.”

Biblical law mandates the death penalty for 36 offenses. These include a broad range of crimes from murder to kidnapping, adultery to incest, certain forms of rape, idolatrous worship and public incitement to apostasy,

from disrespecting parents to desecrating the Sabbath.

The Religious Action Center of Reform Judaism –

cites these rabbinic stipulations which effectively –  
abolished the death penalty entirely:

“The rabbis of the Talmud ruled that –

capital cases required a 23-judge court,

while only three judges sat for non-capital cases (Mishnah *Sanhedrin* 4:1).

Two or more eyewitnesses were required to –

testify to the defendant's guilt,

bearing in mind that it was their hands that would,

"be the first against him to put him to death" (Deuteronomy 17:6-7).

In a capital case,

a one-vote majority could acquit a defendant,

but could *not* convict.

Furthermore,

if there was a mere one-vote majority or –

if any judge was undecided,

additional judges were added in pairs until –

the majority ruled against conviction,

or until one judge in favor of conviction was persuaded –

to err on the side of innocence (Mishnah *Sanhedrin* 5:5).”

As Jews we should be especially sensitive to –

The finality of capital punishment.

What if Joseph had been sentenced to death –

After being falsely accused in this week's Torah portion –

By Potifer's wife?  
In a study released in 2014,  
the National Academy of Sciences reported that –  
at least 4.1 percent of defendants –  
sentenced to death in the United States are innocent.  
Shlomo Carlebach,  
who I admit is otherwise a problematic figure,  
did make a few good points.  
Once he taught:  
“Some great rabbis say –  
that the greatest thing Yosef the Tzadik did –  
was that he withstood the test of Potiphar's wife.  
He didn't give in to that temptation.  
Who am I to say this; maybe I am wrong,  
but my theory is that the greatest thing –  
Yosef the Tzadik ever did was to forgive his brothers.”  
The mother of one of the victims,  
Georgia A. Bagley,  
said after Brandon Bernard's execution –  
that she forgave him and his accomplices.  
She could forgive,  
but the United States Government could not.  
T'shuvah and forgiveness are the lights –  
Which will guide us through this dark time.  
Towards restorative justice –  
Rather than man-made final judgement.  
These lights are brightest during this time of year.  
Chanukah is not a minor holiday.  
We've all heard it, some of us - myself included –  
say that it is, as a knee jerk reaction to people –  
who think that Chanukah is tantamount to Christmas.  
But, even though we are still permitted to work over the holiday, Chanukah is certainly an  
important time for our people.  
Chanukah is one of the 4 holidays –  
in which we recite a full Hallel,  
the other three being the shalosh regelim –  
the three pilgrimage holidays –  
Pesach, Shavuot, and Sukkot.  
The Sfat Emet explains our Chanukah recitation of Hallel as the result of the significant changes  
which it produces in each of us:  
Chanukah is the time when we leave the ordinary –  
When every regel, every foot, steps out of regilut, mundanity.  
We say Hallel on Chanukah because –  
We recognize that –  
Just as a great miracle happened there and then –  
Great miracles happen for each of us –

Every single day,  
Here and now.  
Forgiveness is a miracle,  
One I hope many more people will be blessed with –  
before it's too late.  
May it be God's will –  
That this time next year –  
The light of the miracle of forgiveness will –  
illuminate our world –  
and bring healing to our land.  
May it soften the hearts of our government,  
And remind us of the Mishnah's (Sanhedrin 4:5) teaching:  
One who saves a single life, saves the entire world.