



Yaakov's address to his sons just prior to his death, as recorded in Parashat Vayechi, includes a caustic condemnation of Shimon and Levi's assault on the city of Shekhem many years earlier (49:5-7). As told earlier in the Book of Bereishit (chapter 34), Shimon and Levi avenged the defilement of their sister, Dina, at the hands of Shekhem's prince by persuading the city's men to undergo circumcision and then launching a violent offensive. They killed every male resident of the city and seized the property as spoils of war. Yaakov, in his deathbed denunciation of his sons' vengeance, describes their tactics as *kelei chamas* – "tools of violence" – and curses their anger. He further pronounces that these tribes should be scattered among Israel, rather than allow their rage and fury to be concentrated within a confined region.

Yaakov's harsh censure of Shimon and Levi appears, at first glance, to call into question Maimonides' comments regarding the story of Shekhem, in which he seems to lend Shimon and Levi a degree of halakhic approval. In the Hilkhot Melakhim section of his *Mishneh Torah* (9:14), Maimonides rules that the people of Shekhem bore collective guilt for the failure to prosecute the city's prince for his crime. The obligation of *dinim*, which is included among the seven *mitzvot benei noach* (Noachide laws), requires – according to Maimonides' understanding – the prosecution of transgressors of the other six Noachide obligations. The people of Shekhem failed to bring their prince to justice for his abuse of Dina, and hence they were all liable to the death penalty.

The obvious question thus arises, why did Yaakov's sons evoke such harsh condemnation from their saintly father? If they simply executed the law that clearly emerges from the Noachide obligations imposed upon all mankind, why did Yaakov so harshly disapprove of their conduct? To the contrary, we should perhaps have expected him to laud their courage and resolve to uphold the dictates of *Halakha*!

Rav Michael Rosensweig (http://www.torahweb.org/torah/2001/parsha/rros_vayishlach.html) explained that Shimon and Levi were censured for failing to taking context and manner into account in determining their course of action. He writes:

Yaakov Avinu rejected Shimon and Levi's brand of idealism, notwithstanding their sincerity and piety, because he believed that principle had to be pursued with broader vision, through principled methods, and in a more idealistic manner. Yaakov, according to Rambam's scheme, projects the principle that halachic conformity alone is not always sufficient to justify radical conduct when other halachic principles and values are at risk... In his final remarks to Shimon and Levi in *Vayehi*, Yaakov precisely emphasizes his rejection of immediate violent solutions...and distances himself from the approach of secrets and plots... Yaakov's wisdom and balance reflected by his ability to apply a principled approach even to the pragmatic world earned the name and special stature of Yisrael – "*ki sarita im Elokim ve-im amashim va-tukhal.*"

Indeed, as the Rambam understood, the people of Shekhem were, technically speaking, deserving of the death penalty. However, Shimon and Levi overlooked the other factors relevant to this context, particularly the pragmatic risk posed to the family by their zealotry, and the long-term implications of sullyng their family's reputation among the local residents of Canaan. Furthermore, their employment of dishonesty and deceit as part of their scheme, as well as the misuse of the sacred act of circumcision, undermined the validity of their response to Dina's defilement.

Yaakov's condemnation of his sons thus instructs that drastic measures are not always the correct response even when *prima facie* they appear halakhically warranted. *Halakha* must be approached as a complex system consisting of many different values, objectives and concerns that often conflict with one another. It is only the trained and astute scholar who is qualified to weigh these different considerations against one another to reach a sound, balanced conclusion. Shimon and Levi thus erred in their hasty decision to take drastic measures, without carefully considering their implications or consulting with their older, more experienced father.