

Legacies
Parashat Veyehi 5769
January 10, 2009

Shabbat Shalom.

There was a man with a beautiful jewel, which he cared for greatly. It was given to him by his father from his grandfather and previous generations before that. He shined and polished it knowing that this jewel could provide for his family if something ever happened to him and that, after he died, this jewel would be passed down to them for their future. He looked forward to presenting it to his grandchildren one day.

One day, the man bumped into a friend who said he wanted to take his jewel and, after a few years, return it with even more value. The man thought and thought and realized that this was a good opportunity to give more to his family and his grandchildren. Even though he was not sure how his friend would increase the value, he trusted his friend completely. To reassure him, the friend told him not to worry: "Your jewel will be perfectly safe with me."

Each year, the two friends got together and the man was reassured that his jewel was safe, and his friend even brought him gold coins as proof of their arrangement.

Toward the end of his life, the man wanted his jewel back to give to his grandchildren and went to his friend for it. But sadly, the jewel was gone – his grandfather's jewel meant for his grandchildren was stolen, stolen by his own friend.

Unfortunately, this is no fable, no children's tale, but the true story of Bernie Madoff, one of greatest thieves in human history.

Madoff defrauded investors out of their families' jewels to the tune of \$50 billion! He stole from friends, from charities, from Jewish institutions – those taking care of people in Israel, the elderly, Elie Wiesel's Holocaust foundation, Jewish educational institutions and synagogues. Now that this has been discovered, the losses are huge: \$110 million stolen from Yeshiva University; \$90 million from Hadassah; millions from Jewish schools including Maimonides here in Boston and my alma mater, Ramaz, in New York City; many charities that helped Russian Jews, the poor in Israel, the North Shore Jewish community here were all decimated. Many causes that members of our community worked devotedly for were hard hit.

Some in our community lost personal funds of their own, their retirement savings, and some have close family members who lost significant sums. I hope that all these people and institutions are able to get back on their feet and flourish once again.

There is little good I can say about this despicable action, except that I hope the wheels of justice grind down hard on Mr. Madoff and whatever can be recovered is. He

deserves a special place in hell or whatever similar type of place we Jews believe may exist.

Our Torah reading is also about legacies, but not the financial kind. As Simon spoke about in his introduction to the *parashah*, before Jacob dies, he blesses his sons, but these are not really blessings, but more of assessments – descriptions of his sons’ personalities – both their strengths and weaknesses.

But there are some actual blessings. Jacob blesses his son Joseph by blessing his grandsons: Ephraim and Menasheh. What a beautiful notion – we truly bless someone by blessing their children. The Zohar, our great medieval mystical text, claims that this is the best way to bless someone. The blessing itself is rich – it describes a legacy that goes back to Jacob’s grandfather, Avraham, and his father, Yitzhak, a legacy that is passed down to his grandsons, through his son Joseph. Five generations come together in his words and prayer.

Jacob concludes with the words: “*Yisimkha Elohim K’Ephraim U’Khe’Menasheh* – may God make you like Ephraim and Menasheh,” a formula that opens the Friday night parental prayers that parents recite for boys (the one for girls recalls our matriarchs).

And then Jacob goes on to bless his sons with his farewell words that I mentioned before. But just before that, there is a fascinating verse: “*Viyikra Ya’akov el banav vayomer, ‘hei’asfu v’agidah lakhem et asher yikra b’aharit hayamim* – And Jacob called his sons and said to them, ‘Come together that I may tell you what is to befall at the end of days.’”

This seems quite dramatic – blessed with the gift of prophecy, Jacob will now reveal his sons’ future! And maybe more! But when we read the next verse or the rest of the chapter, we find that he doesn’t tell them the future. Instead, as we just said, he speaks to the character of each of his sons – each son’s unique gifts and talents, and even faults, hoping that they will improve and become better people.

This is all quite interesting, these fascinating personality studies, but they are not *nevuah*, prophecy about what will happen at the end of days. The Midrash picks up on this gap in the text and asks the same question. Why doesn’t Jacob say what will happen at the end of time? The Midrash answers that Jacob has lost his ability to see the future. He has lost his power of *nevuah*, of prophecy.

One Hasidic commentator says that this is because Jacob is now in *galut*, in the Diaspora, in exile. He is no longer in the land of Israel. He no longer has the gifts that the sacred soil of his father and grandfather had brought him. Yet another Hasidic commentator suggests that there is no prophecy in Egypt because the Israelites would suffer hundreds of years of slavery there.

Instead Jacob finds himself in Egypt. Some see the word “Egypt,” in Hebrew, “*Mitzrayim*,” to be related to the word “*tzar*,” or “narrow,” making “Egypt” into “a

narrow place,” a place where one cannot see ahead, a place without vision. And therefore, Jacob can no longer see the future.

Yet another Midrash teaches us that Jacob could see the future, and he saw that it would bring sadness and wars to the Jewish people and that we would suffer for thousands of years. With a dark future and his death immanent, he chooses not to relate this sad prophecy to his sons.

Rashi makes an interesting comment here. He states: “*Beekeish Ya’akov legalot et ha-ketz v’nistalka mimenu shekhinah v’hithil devarim aharim* – Jacob wanted to find out what would happen at the end of days, but the *Shekhinah*, the divine presence, was taken from him and instead he spoke other words.”

To my modern mind, I understand that Rashi is making a truly insightful comment. Jacob did not reveal the truth in the future because he could not reveal the future. And in essence this is an important statement about free will; more than what we inherit, we control our legacies.

We, individually and collectively, determine our future. We determine what will happen, *b’aharit hayamim*, at the end of days and at the end of our days, our own future.

Judaism teaches us that we have the power to use our own abilities to bring about a better future and leave a better legacy behind.

Jacob’s discussion of the good and the bad qualities of each son is an important statement about the future. Jacob is telling them and, by extension, all of us, that we are all limited by our own characteristics, by the legacies we inherit, who we are and what we have done, but we cannot allow that to be the only factor in determining our future.

Hopefully, we can all use the legacies we have been given and our own experiences to work to improve ourselves and, from there, to repair the world. Saying that the future is immutably set by who we are today is neither true nor wise.

We often do this and we all do this. We pick stocks or mutual funds based on past performance, the last few years notwithstanding. We hire people to work for us based on what they have done in the past. But that of course is limiting. As mutual fund commercials often remind us, “past results are no guarantee of future success.” The future is truly unwritten; we cannot know what will occur.

Think of Israel today – the legacy of unwise decisions has now once again borne terrible fruits. For the Palestinians in the Gaza Strip, the choice to elect Hamas after Israel pulled out from all the land, evicting every Jew in 2005 (even from land that was Jewish before 1948), by electing this terrorist organization that murdered my two friends in 1996 among hundreds, that states explicitly that it wants to destroy Israel, that has fired thousands of rockets into Israel over the last 18 months from their own civilian areas – what has this brought into being?

They have created an awful legacy, and while I mourn the loss of innocent lives killed by Israel, it is the Hamas leadership that bears responsibility for all this.

As novelist and left-wing activist, Amos Oz wrote:

“The systematic bombing of the citizens in Israel's towns and cities is a war crime and a crime against humanity. The State of Israel must defend its citizens. It is obvious to everyone that the Israeli government does not wish to enter Gaza; the government would rather continue the ceasefire that Hamas violated and finally revoked. But the suffering of the citizens surrounding Gaza cannot go on.

Hamas is actually eager to cause Israel to embark on a military operation. The Arab world will rally together around the atrocious sights that Al-Jazeera will air from Gaza, and the world court of public opinion will rush to accuse Israel of war crimes. This is the same court of public opinion that remains unmoved by the systematic bombing of population centers in Israel. Hamas' calculation is simple, cynical and evil: If innocent Israelis are killed - good. If innocent Palestinians are killed – even better.”

This is the legacy of Hamas supported by most of the Palestinians in Gaza.

Legacies have impacts. Take Ezra Merkin, a descendant of Rabbi Samson Raphael Hirsch, the great founder of modern Orthodoxy, for example. Ezra was given the best legacy, better than great sums of money that he was also given. The best gift is a good name, a reputation. Ezra's father Hermann Merkin was a lion of Jewish philanthropy who gave vast sums to build Yeshiva University, the Fifth Avenue Synagogue and the Merkin Concert Hall, among other causes.

His son, Ezra, took his father's place as a director of many of those institutions, and has managed to wipe out much of what Hermann Merkin spent a lifetime creating.

Ezra Merkin was “the Golden Boy controlling the Golden Goose,” as one trustee at Yeshiva University put it – the head of Gabriel Capital Group, a \$5 billion money-management firm whose clients include wealthy families and university endowments. So it was not surprising that many institutions turned to him to help manage their endowments.

Merkin invested their money in a \$1.8 billion fund he called Ascot Partners – telling no one that Ascot was invested entirely with his longtime friend, Bernard Madoff.

Now, all that money is presumed gone.

In a three-paragraph note sent out the day that Madoff was arrested, Merkin informed Ascot's investors that the fund was now virtually worthless. He said he himself had “suffered major losses from this catastrophe.”

Harry Susman of Houston law firm Susman Godfrey LLP, who has been retained by several well-to-do New York families, told the [New York Times](#) that none of those investors knew Merkin was giving all of the money to Madoff.

He said his clients are particularly incensed because Merkin was charging them an annual fee of 1.5 percent of their investments in exchange for his services, which now appear to be little more than turning over the money to another investor.

“People who went through Merkin, they had to pay for the privilege of being stolen from,” Susman said.

Indeed, even as he has portrayed himself as a victim, Merkin is being harshly criticized. Several people told [Jewish Week](#) that while they had been reluctant to invest with Madoff, they trusted Merkin completely.

“We thought we were investing in Ezra,” said one official of a Jewish institution, “and now find out we were invested with Madoff. We feel duped and outraged.”

One private investor said that several years ago he asked Merkin directly if his investment in Ascot was going into the Madoff fund and was told it was not.

Merkin helped to destroy not only great sums of money, but also his good name. In Judaism, this is the *keter shem tov* – the crown of a good name, given to those who are good people, who live ethical lives and fill their days with mitzvot.

And that, by the way, is most important legacy we can leave the future – far better than money – it is our values represented by what we do, how we speak and how we act. That is the real legacy.

Commenting on this same verse about Jacob not revealing the future, the *Kotzker Rebbe* teaches that it is better not to know what the future will bring. This way we will always long for a better future. Building on statements in the Midrash, the *Kotzker Rebbe* teaches us that we need to yearn for a perfected world. That longing will lead us to help bring about a repaired and healed world.

Thus, the Torah, through the Kotzker’s interpretation, is instructing us our legacies are in our hands. When we pray for a better world, when we fulfill the mitzvot – both those between ourselves and God, as well as those between ourselves and others – if we do these activities, then we will bring about *tikkun olam*, the perfecting of the world.

Let us avoid the Madoffs, Merkins and supporters of Hamas and instead work on our legacies.

When we open ourselves up, we find the jewels of our own souls waiting to shine their light, yearning to do God’s work, to bring about that perfected world.

As Jacob blesses his grandsons, I bless all of us – *HaMalakh hagoel oti mikol ra, hu yivareikh at ha-ne'arim v'yikarei bahem shim; b'shem avoti Avraham Yitzhak.*" The Angel who has redeemed us from all harm – bless everyone here. In them, may the names and legacies of our ancestors, of Abraham, Isaac and Jacob be passed down to us.

And let us say: Amen.

Shabbat Shalom.