

When there will be a dispute between people, and they have recourse to judgment. (25:1)

Rashi explains that, when there is a dispute, their end will be to have to recourse to judgment. On the basis of this *pasuk*, you should say/deduce that peace does not emerge from dispute. *Maharal* explains that the Torah could have simply written, “When men will have recourse to judgment.” “When there will be a dispute” is seemingly superfluous. Thus, we derive that the natural outcome of a dispute is a *din Torah*, recourse to judgment. The disputants will not come to an agreement on their own. *Rashi* adds, “What caused Lot to separate from the righteous Avraham *Avinu*, his uncle, his rebbe, his friend? *Merivah*; one word: dispute. Lot could not settle. It was his way or no way. There is a way to dispute, to voice one’s grievance against another. Listen to the other disputant, express your feelings in a calm manner – not harsh, argumentative and demeaning. This will only lead to separation and unwarranted hatred – the way of Lot.

Horav Yaakov Meir Schechter, Shlita, questions the rationale that a peaceful resolution is never derived from a dispute. Is this not what each disputant seeks to achieve? They each present their claim, supporting their position with logic and proof; the goal is that the other disputant concedes to his position. Thus, they will be at peace. Why should we assume that the goals of a *merivah*, dispute, are not to achieve peace? *Rav* Schechter quotes *Horav Nachman Breslover, zl*, (*Likutei Maharan* 1:122), *Ki ha’nitzachon einu soveil es ha’emes*. “Victory (the passion and drive to achieve victory to triumph over the other combatant) does not tolerate the truth.” If I want to emerge victorious, I will listen to no one, because it will undermine my position. This is a powerful lesson. One who enters into the fray of a dispute has two options to choose from as he weaves his way through the various arguments: he wants the truth to triumph; he wants to emerge victorious. The two are not necessarily consistent with one another.

Rav Schechter notes the accepted maxim in education and especially in rebuke: not to rehash what has already been done. An infraction has been committed, leave it; do not belabor the issue, rebuke for the future. Do not reiterate what had occurred, because then the child’s/person’s opposing will to win, to come out smelling like roses, goes into overdrive. At this point, the perpetrator will never concede to the truth. He will dispute everything that is thrown at him – regardless of the incontrovertible proofs. When one accuses, whether it be a spouse, a child, a friend or partner, it should never be done when the person is waiting for it. He or she should be caught off-guard in order for the rebuke to be effective. It must come when least expected, veiled under the guise of advice, in the midst of a lecture or conversation. When one comes head-on, he is likely to get hurt.

The *middah* of *nitzachon*, the drive for victory, the blind passion for success, is overwhelming and often destructive. *Rav* Schechter gives a frightening analogy. When someone becomes deathly ill, we are prepared to spend every penny upon which we can get our hands on in order to save the life of the individual who is ill. This is especially true if the patient is young. On the other hand, in

order to quell our passion for triumph, we will send thousands of young men into war, with only one goal in mind: victory. Who cares how many die, as long as we are triumphant? If the forces that be would stop for a moment to take into account how many perish for a war that has no rationale other than satisfying one's overactive ego, they would quickly retract their decision to enter the fray.

The *Rav* quotes an anecdotal conversation between the king of a country at war with one of its neighbors and the commander-in-chief of his army: "My lord, I am happy to report that we have emerged victorious and captured our neighboring country. We have just hoisted our flag over their king's palace."

"Tell me," asked the king, "how many soldiers paid with their lives to achieve this victory?"

"I am sorry to say that half of our army was lost," was the commander's reply.

"In other words, one more such victory and our country will cease to exist!" was the king's response.

This is the underlying idea behind the *Breslover's* maxim: "Victory does not tolerate the truth." Victory for a country – for an individual – is all important, but at what cost? How many innocent lives must be lost, so that we may achieve victory? How many children's lives need to be ruined, or greatly stunted, so that their parents can assuage their over-active egos? Victory at the expense of the truth is a glorified defeat.

The *Breslover* says, *Leid abisel, vest do nisht leiden kein sach*. "Suffer a little, so that you will not suffer a lot." A little humility, a little pain, can go a long way in averting disaster later on – especially if the disaster comes in the guise of victory.