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Should Religious People “Believe” in Humanity

Rabbi Moshe Taragin

The opening verse of Parshat Shoftim depicts the formation of a national and local judicial system. Judges are commanded to maintain impartiality and render truthful and accurate verdicts – “mishpat tzedek”. Although the verse profiles the narrow activities of a formal beit din our Chazal understood this verse (and a parallel verse in Parshat Kedoshim) in broader terms. We are all – at one point or another- judges of our fellow man. We witness behavior, decisions and actions of others and we render judgement. The principle of “dan l’caf zechut” mandates that we afford other people a reasonable benefit of the doubt. Witnessing suspicious behavior which may be harmless, we are instructed to interpret that behavior favorably rather than criminally. Obviously, if the malicious intentions are unambiguous, it is foolish to act naïve and assume proper intent. However, where reasonable doubt exists, we are expected to judge generously and assume the best in people. Notably, the original statement of “kaf zechut” in the Mishnah in Avot (1:6) demands granting the benefit of the doubt to all human beings, and not just to Jews.

Granting the benefit of the doubt to all human beings is based on a “humanistic” approach which regards human beings are fundamentally virtuous and noble. G-d bestowed every human being with innate nobility and inner virtue – tzelem Elokim and as my Rebbe, Rav Aharon Lichtenstein zt”l wrote “Humanism affirms the dignity, uniqueness and virtue of man ... assumes man’s special status as the one creature capable of relating intelligently to G-d.” If we truly believe in human beings, we are more likely to assume the best in them, and of them. The broader basis of kaf zechut ultimately demands a more favorable view of humanity at large.

The religious value of humanism is not obvious nor is it simple. Indeed, humanism is an evaluation of the virtue of the nobility and even majesty of human beings who are at

the center of the created universe. Secular humanism- very popular in the modern secular world- further asserts that since human beings are so central, life should be geared almost exclusively to human needs and desires. By contrast, religious humanism, accepts man’s great potential but imposes equally great Divine demands and duties upon him, precisely because Man is so uniquely equipped to perform those duties. As Rav Lichtenstein wrote for a religious humanist “energies which might have been channeled toward ... purely human welfare, are expended in the service of G-d.” Religion and Humanism are not fundamentally incompatible. If anything, belief in human beings, empowers and obligates us to greater religious challenges and duties. The principle of kaf zechut is predicated upon this humanistic view of our world. If we believe that humans are fundamentally virtuous, it is obvious that we should assume noble intentions rather than criminal interests.

Belief in Humanism should manifest itself in several areas:

1. Valuing Life

Humanism demands that we not just evaluate people and their intentions favorably, but also, that we value life itself as the supreme gift bestowed by G-d. Parshat Shoftim alludes to capital punishment– which we take every possible measure to avoid administering. Even after a person is legally indicted, beit din will re-examine every possible angle in search of an exoneration – even one based on legal loopholes. Even though the crime was clearly violated and the person’s felonious intent is unquestioned, beit din will take every effort to avoid taking a life. Affirming the nobility of the human condition requires that we impute noble intentions to people and also, that that we preserve and value life.

2. Acting Respectfully to Others

The principle of kaf zechut and the humanistic view it is based upon demands that we exhibit respect for others. Respectful

behavior is the baseline of healthy personal interactions. You can divide people into two groups- those who are respectful to others and those who aren't. The differences between these two groups are instantly recognizable on the road, while waiting on line in the grocery, in public gatherings and in a range of different contexts. Respectful people are more likely to honor the dignity and autonomy of another person while disrespectful people are more likely to be manipulative and exploitative towards others.

3. Respecting Different Opinions

Humanism demands that we not only act respectfully towards other people, but also, that we respect their opinions and beliefs, even when they seem so different from our own deeply held convictions. Obviously, ideas which are religiously deviant or dangerous must be disqualified. However general views on life, relationships, politics and other "non-religious" or "non-halchik" topics, possess merit even if they aren't our own personal views. The trait of tolerance allows us to 'bear' those with different opinions than our own. Humanism demands that we not only tolerate different views but also that we acknowledge that different opinions deeply held by others, presumably, have merit or basis. If we respect people's intelligence and are intellectually honest it is difficult to simplistically dismiss differing views. We can dispute the value or practicality of an idea but simple wholesale dismissal often reflects personal arrogance, disrespect of others, or intellectual dishonesty.

4. Sensing common ground with all human beings

Belief in the goodness of all human beings should also

create "common ground" and a sense of shared experience. Obviously, we sense common ground more profoundly with other Jews whose lifestyles, destiny, and relationship with G-d more similarly mirror our own experience. However, respect for humanity should help us identify the common ground with every other human being we encounter. We so often encounter non-Jews at work, when we travel, and in general public spaces. Derech erez mandates that that we act courteously and politely. Concern for Kiddush Hashem dictates that we represent Jews and G-d with excellence. Belief in humanity, however, encourages us to identify the common ground between ourselves and every human being of "good behavior" and share our common experiences. Sensing that common ground is a manner of locating and affirming the tzelem elokim in all human beings. For centuries, the prospect of sensing common ground with the non-Jews of our world was, at best, remote and, many times, felt absurd. Jews were routinely persecuted and any sense of "common ground" was demolished by the hostility and violence directed at our nation. Additionally, the relatively sorry state of humanity at large, made it difficult to appreciate the commonality between Jew and non-Jew. In the modern, enlightened world the "other" is b"h far more civilized and thankfully, Jews are, by and large, treated fairly under democratic law. Are we able to sense greater common ground with humanity at large? Can we sense this common ground without compromising or diluting the unique identification we feel toward fellow Jews with whom we share so much more?

Bal Tashchit: Man's Quest for Control

Rabbi Dr. Dvir Ginsberg

I can't tell a lie, Pa; you know I can't tell a lie. I did cut it with my hatchet."

The famous quote by the first president of the United States, George Washington, has been taught to generations of American children. And the legendary story behind it, of course, involves his impetuous decision to try out his new axe on his father's favorite tree. Whereas the emphasis always lies on the impeccable character exhibited in Washington's decision not to lie, there is another element to the story, one that receives very little attention. While not lying is certainly worthy of commendation, is there not a concern with the thoughtless, impulsive act of

chopping down a beloved tree with a hatchet?

At the end of the Parshat Shoftim, we read the following (Devarim 20:19-20):

"If you besiege a city many days to wage war against it, to capture it, do not harm [any of] its trees by chopping it with an ax, because you eat from it you are not to cut it down; For, is the tree in the field a man to join the besieged to escape you? Only a tree that you know that it is not a fruit tree may you harm or cut down; and you will build battlements against the city that is waging war against you until it is conquered."

From this we learn the general halacha of bal tashchit, the concept of wanton destruction. While the prohibition

initially seems limited to specific types of trees, it is meant to include most anything of value. The Rambam (Hilchot Melachim 6:10) explains as follows:

“Not just trees alone, but anyone who breaks vessels, tears clothing, destroys a building, seals a spring, or ruins food by way of destruction, violates the prohibition of ‘not destroying’, and does not receive lashes rather makkat mardut.”

The Rambam derives the extension from trees into other areas from the Talmud (Shabbos 105b), which states:

“Surely it was taught, R. Simeon b. Eleazar said in the name of Halfa b. Agra in R. Johanan b. Nuri’s name: He who rends his garments in his anger, he who breaks his vessels in his anger, and he who scatters his money in his anger, regard him as an idolater, because such are the wiles of the Tempter (yeitzer hara): Today he says to him, ‘Do this’; tomorrow he tells him, ‘Do that,’ until he bids him, ‘Go and serve idols,’ and he goes and serves [them].”

The obvious question that must be raised is the seemingly unlikely transition from breaking cups in anger to worshipping idols. However, a more intriguing problem exists here, one that sheds a different light on how to view bal tashchit. Clearly, the expansion of bal tashchit into other realms beyond trees is based on this piece in the Talmud. It would seem that there is one other factor which exists in the above examples of bal tashchit, something not mentioned in the Torah or by the Rambam—each act of destruction is done in anger. Therefore, one might deduce that anger is an essential component of bal tashchit. Furthermore, is there a difference between how the destruction comes about? Whether Reuven chops the tree down due to indifference while Shimon does so out of anger does not seem to be of inherent value.

Let’s first develop a basic approach to bal tashchit using fruit-bearing trees as the paradigmatic example. What is the problem with chopping down the tree for no apparent reason? The initial problem with this action is a denial of a basic relationship mankind has to the physical world. In general, the world around us, as created by God, serves to benefit mankind. To destroy the tree for no apparent reason would be to negate this very function. As long as the tree serves its role insofar as the physical world benefiting mankind, the person relates to it properly. This is why someone can cut down the tree if it is, for example, preventing the use of a field. Removing the tree serves to benefit the person. Since the underlying concept involves the overall relationship of man to the surrounding world,

the halacha naturally broadens to include other areas beyond trees. The key concept is that destroying for the sake of destruction negates the function of the physical object, and as a created being, man has no right to partake of such an activity. This helps clarify the philosophical objection to bal tashchis.

How does the Talmud’s concept become relevant? What role does anger play in bal tashchit?

Koheles teaches us (7:9), “Be not hasty in thy spirit to be angry; for anger rests in the bosom of fools”, and the Talmud (Nedarim 22b) explains, based on this, that the state of anger leads one to forget his wisdom and increase his ignorance. How does anger bring this about? The drive to anger emerges from the inability and unwillingness of a person to accept reality. When objective reality does not conform to the subjective view of the person, anger ensues. Once a person is in this state, the natural reaction is to try and gain control, to bend that which surrounds him to his view. At times, a person can overcome it. In other situations, frustration builds, and at a certain point, the person lashes out. He tears his clothes or throws a glass against the wall—he establishes some sense of control over the world around him. The irony is quite evident here in that the very action to give the person a semblance of control is considered to be an action that is “out-of-control.”

Yet it pacifies the person and settles him down. The point here is that it is the need to control the world around him that drives an individual to act in such a manner. The Talmud then explains how this situation leads to idolatry. Allowing anger to consume a person restricts the ability to think. Suppression of the mind is a primary means of bringing a person into the state of idolatry. It does not mean he is bowing down to idols; rather, it refers to the rational mind yielding decision-making control to emotional impulsivity.

The state of anger and its expression in destructive acts plays a crucial role then in understanding bal tashchit. In the throes of anger, at the peak of frustration, a person may seek to outlet his inability to control the situation by causing baseless destruction. It is the desire for control in this moment of uncontrollable rage that is the underlying common theme. As mentioned above, to destroy an object merely for the sake of destruction is negating its function and role in the physical world. In reality, man has a deep-seeded desire to control the physical world. When a person cuts down the tree, or destroys any item for no constructive reason, he is exhibiting a philosophical

outlook of dominance and control over the physical world. The paradigm of this is the out of control state, where a person ceases to use his rational mind to view the world and accept it but rather reacts emotionally to the forces around him. It is this reaction, this incoherent rage, that underlies the concept of bal tashchit in the arena of anger. However, the overall drive for control of the world is at the heart of every incident of bal tashchit.

How mankind relates to the physical world is a pivotal concept in Judaism, one that is just as important for one's chinuch as the performance of the mitzvot. Throughout the

Torah, we see numerous commandments and prohibitions from God that help guide us to that ideal balance. With bal tashchit, we clearly see how a seemingly benign action can reveal a distorted view of the physical world, and how the desire for control of it plays a prominent role in the unconscious of mankind. The objective here is not to destroy (no pun intended) the hallowed image of George Washington – rather, it is to help understand our unique role as created beings and how the proper approach to our surrounding world can help perfect us. This lesson should be a guiding principle in success in Jewish life.

Appointing Judges for Ourselves

Mrs. Michal Horowitz

In this week's parsha, Parshas Shoftim, the Torah famously instructs us: צְדָקָה וְיִרְשָׁתָּהּ לְמַעַן תִּחְיֶה אֶת-הָאָרֶץ - Righteousness, Righteousness shall you pursue, so that you may live and take possession of the land that Hashem, your G-d, is giving you (Devarim 16:20).

Rashi (ibid) comments:

למען תחיה וירשת. כדאי הוא מנני הדינין הכשרים להחיות את ישראל ולהושיבן על אדמתן.

The merit of appointing decent (lit. kosher') judges is worthy to keep Israel alive and to settle them upon their land.

R' Asher Weiss shlita teaches: "The Ketzos HaChoshen (1745, Ukraine-1813) notes that Rashi here stresses the great merit of appointing righteous judges, but does not actually mention the need for the Bnei Yisrael to abide by their righteous judgments. Would it not have been more appropriate for Rashi to say that the merit of practicing justice throughout the nation allows us to live and to take possession of the Land? What merit is there for the entire nation in the appointment of righteous judges?

"The Ketzos explains by drawing a comparison between two similar incidents in Tanach. In Parshas Vayeira (Bereishis 19) we learn of Sodom's shocking cruelty towards their guests. In Sefer Shoftim, we find a story no less heinous, of a woman who was horribly murdered by the people of Givah (Shoftim 19). (In the former narrative,) The entire region of Sodom was uprooted, with no remnant or survivors left except for Lot, who was spared in Avraham's merit. In contrast, (in the later narrative) the people of Givah did not suffer such destruction. How were they more deserving of Hashem's mercy than was Sodom?

"The guilt of Sodom lay not only in their wickedness,

but in their failure to establish a court of law to punish such wickedness. The Gemara states that names of the judges in Sodom were Liar, Deceiver, Forger and Corrupter of Justice. Their legal system supported evil, until it actually became an ideal and a way of life. Therefore, there was no hope of reforming them and they had to be destroyed.

"The people of Givah, although they were evil, had a righteous legal system designed to punish evil and enforce justice. (We learn from here that) as long as a nation maintains ideals of justice, there is still hope to reform them. However much they may stray from the ideals they espouse, there is still hope that they might eventually return to those ideals. Therefore, there was no need to destroy the people of Givah. They suffered grievous losses in battle, and were thus duly punished, but they were not entirely destroyed as was Sodom.

"We can thus understand why Rashi says that the very appointment of righteous judges is merit enough for the Bnei Yisrael to live and take possession of the land. Our righteous judges exemplify the ideals of justice for which we strive. As long as they lead our people, their merit serves to protect us, since they will guide us back to the straight path, even if we happen to stray.

"The same principle applies to each individual in his private life. His conscience is his judge. Even when he falls prey to temptation and sins in what he knows to be forbidden, if he still has good ideals his conscience will berate him and he will eventually return in teshuva.

"In contrast, the truly wicked person develops a warped ideology to justify his sins. There is no hope for him to return, as long as he is led by the crooked judge of warped

conscience. The Mesilas Yesharim therefore warns us, in his opening words, that our foremost obligation is to clarify what is our purpose in the world: The foundation of piety and the root of perfect service is to clarify and recognize what is one's obligation in the world, as to what ends he must focus his aspirations in all his toils every day of his life.

“When a person recognizes the correct ideals toward which he must strive, then even if he veers from those ideals, he will eventually return” (Rav Asher Weiss on the Parashah, p.273-275).

As we approach the beginning of the New Year, and we engage in the introspection of Elul and teshuva, we must remember the lesson of the appointment of judges. While we strive to always perfect our deeds, sometimes, despite perhaps our best efforts, we will fall short. When we do err and sin, we must be sure that we appointed for ourselves righteous judges who will chastise us and return us to the correct path. If we have done so, there is hope for our improvement, for our rectification, for our change.

The Chafetz Chaim zt'l said, “The fact that a human being is unable to become perfect does not mean that he

can therefore neglect his duty to be good (The Chafetz Chaim, by R' M.M. Yoshor, p.79).”

Rav Soloveitchik comments, “צֶדֶק צְדָקָה, תְּרִדָּה--לְמַעַן תִּחְיֶה - Righteousness, Righteousness shall you pursue, so that you may live. The Ramban interprets this phrase as follows: if you judge yourself, you shall live, and if not, He will judge you against your will. We are required to ‘judge ourselves,’ i.e.: engage in introspection. Each of us must split himself into two personae, into judge as well as defendant. As stated, שִׁפְטִים וְשֹׁטְרִים, תִּתֶּן-לָהֶם בְּכָל-שַׁעְרֶיךָ - we must set up judges at each of our ‘gates,’ closing of all escape routes, all spurious rationales which stop us from genuine introspection. This parsha is generally the first one read in the month of Elul. Before the yomim noraim (Days of Awe), one must approach himself as an objective observer and provide an honest self-assessment” (Chumash Masores HaRav, Devarim, p.142).

Let us be sure that we have set up proverbial judges and courts for ourselves, so that, if (and when) chalilah, we do err and fall, we will have the ability to judge ourselves, note our sins, learn from the past, and rise once again.

Shalom Aleichem, Aleichem Shalom

Rabbi Chananya Berzon

When speaking about appointing a king over klal Yisrael, and his responsibilities and limitations, the Torah mentions:

וְכָתַב לוֹ אֶת־מִשְׁנֵה הַתּוֹרָה הַזֹּאת עַל־סֵפֶר מִלְּפָנֵי הַכֹּהֲנִים הַלְוִיִּם:
וְהִיְתָה עִמּוֹ וְקָרָא בּוֹ כָּל־יְמֵי חַיָּו לְמַעַן יִלְמַד לְיִרְאָה אֶת־יְהוָה אֱלֹהָיו
לְשֹׁמֵר אֶת־כְּלֵי־דְבָרֵי הַתּוֹרָה הַזֹּאת וְאֶת־הַחֻקִּים הָאֵלֶּה לַעֲשׂוֹתָם:

You should write a double copy of this Torah in a book which is by the priest of the Levites: and it should be with him and he should read from it all the days of his life that he may learn to fear Hashem, his G-d, and to fulfill all the words of His Torah and these statutes (Shoftim 17:18-19).

The Oznayim LaTorah asks what the difference is between the king of Israel and any other simple Jew; is there more of an issue of yirat Hashem by the king? Everyone has the same requirements - so why is the melech given a double mitzvah of two Torah scrolls?

I would like to propose the following explanation. The king of Israel has an added requirement; simply, to guide the nation as an inspirational role model and to cajole them to reach higher and higher spiritual goals. If that is the case, it's not merely sufficient for him to have the same

requirement as everyone else in the writing of a singular Sefer Torah that should be in his home, he also needs an additional Sefer Torah with him wherever he goes publicly. At every free moment the king should pull out that Sefer Torah to learn from it.

It extends the powerful message to be an inspiration for all of klal Yisrael. Just like the king keeps one Torah for his personal obligation, and carries one Torah that represents the leadership obligation he has towards klal Yisrael, we should look upon ourselves in our responsibilities in our personal Yiddishkeit, Judaism, and our obligation to spread Torah to other Jews.

The Gemara in Gittin 62 states that you have to repeat shalom to the king twice. The simple explanation as to why is due to showcasing proper respect to the king and his important position - he was chosen by the navi and approved by klal Yisrael and the Sanhedrin! Additionally, he's representative of Am Yisroel and therefore we repeat shalom to the king because he's important, and because he worries about his constituents' welfare.

I'd like to expound upon this further. Why do we answer

aleichem shalom , in the reverse, when someone greets us shalom aleichem?

I think we can offer this answer - the greeter is showing the respect he has for the other when he uses the plural tense (aleich em), a concept of respect we find in the expressions of many languages.

When the responder answers, he is making a national statement, saying “there should be peace unto all of you”; not “peace be unto you” as the greeter had spoken; rather,

all o f klal Yisrael should remain in peace.

We should expand upon not only מאן מלכי רבנן , and we should see each and every person that we come into contact with as a representative of klal Yisrael . In this recognition we thereby give him and all of klal Yisrael a bracha by saying the reverse, aleichem shalom.

Halevei we should merit for shalom , bimheira biyameinu, quickly in our days! Amen.

Security for Citizens and Caring for Guests

Rabbi Ephraim Z. Buchwald

In this week’s parasha, parashat Shoftim, we encounter the ritual of the עֵגְלָה עֲרוּפָה —Eglah Arufah, the ceremony of the heifer that is put to death.

In Deuteronomy 21, the Torah states, that if a corpse of a murdered person is found outside a city, and it is not known who the murderer was or which city the victim came from, the members of the Sanhedrin (High Court) in Jerusalem must determine the closest city, and the elders or leaders of that city are required to bring a heifer to nachal eitan, a strong valley with running water. At that location, the elders wash their hands over the heifer, symbolizing washing away of the community’s guilt. The elders then say (Deuteronomy 21:7), וְעֵינֵינוּ לֹא יָדִינוּ לֹא שָׁפְכוּ אֶת הַדָּם הַזֶּה, וְעֵינֵינוּ לֹא רָאוּ, “Our hands have not shed this blood, neither have our eyes seen it.” The elders ask for forgiveness from G-d for not safeguarding the roads and for not providing adequate security for the travelers.

The Talmud, Sotah 46a, explains that the Eglah Arufah ceremony is purposely centered about a young heifer—an animal that has never produced fruit [offspring], and has never done any work. This incomplete animal is symbolically atone for the death of the man who died prematurely without producing “fruit.” According to Rambam, Guide of the Perplexed 3:40, the purpose of the ritual was to publicize the killing in the hope of finding the murderer.

I’ve always been fascinated by the Eglah Arufah ritual.

Not everyone remembers that New York City was, not so long ago, a crime ridden city on the verge of anarchy. It was Rudy Giuliani, who as mayor of New York, restored law and order to a city. After being elected Mayor in 1993, Giuliani reduced the rate of murder in the city by 65%. Since then, the murder rate has declined even further. In

1993 there were almost 2,000 murders in the city, and by 2019, the number of murders was remarkably reduced to 219. In fact, despite the recent rise in homicides, New York City is still ranked as the safest large city in America.

So, we pat ourselves on our backs as if to say what a wonderful achievement. But, is it justified?

Consider the fact that the entire country of Japan, with a total population of 126 million citizens had 950 murders in 2019. New York City, with a population of 8.4 million people should hardly rejoice over 219 murders. To the contrary, we should all be jumping out of our skins in grief and dismay that even 10 innocent people, or even one innocent person, was murdered.

I’ve often wondered what it would be like if the mayor or leaders of any city in the world had to go out twice or three times a week to perform the Eglah Arufah ritual whenever a dead person was found. I feel quite certain that a much more concerted effort would be made to prevent murders if government officials were required to attend these horrible rituals.

It is well known that the bottom line of Judaism and of all Jewish life is the “sanctity of human life.” So, it should come as no surprise that Judaism has this unprecedented ritual known as Eglah Arufah to underscore the community leaders’ responsibilities to protect human life.

As important as that lesson might be, we learn additionally from the ritual of Eglah Arufah that not only city officials, but even local (civillain) hosts, have a responsibility of escorting visitors, to make certain that every visitor can travel safely from one city to another. This ritual clearly demonstrates that hosts who fail to provide security are held morally responsible.

The law of escorting visitors from city to city and

providing security is actually part of the customs of Hachnasat Orchim, the Jewish practice of welcoming guests in to one's home. According to Jewish law, it is proper for hosts to escort visitors from their home, and even from their places of business, and walk with them approximately 4 cubits, that is about 8 feet, outside the front door. This is not done in order to "show guests the door," but rather to provide guests with a sense of security.

Rabbi Aryeh Ben David in his helpful book *Around the Shabbat Table*, cites Maimonides, who insists that escorting guests when they leave is a greater mitzvah than inviting them in. This is rather surprising given all the hard

work that is required to serve guests in one's home.

Ben David points out that once a guest leaves the home, the guest feels quite vulnerable and alone. Escorting the guest out of the home shows that the host doesn't really want the visitor to leave, and is in effect saying, "I'm willing to leave the comfort of my own home to help you on your way. I am accompanying you because I wish to extend this visit, if but for a few minutes, to allow me to be with you a bit longer because of my affection and affinity for you."

Once again, we see that the ancient rituals of Judaism have wondrous contemporary implications.

May all your journeys be safe.

A Time for Introspection

Rabbi David Etengoff

This past week we celebrated Rosh Chodesh Elul — a major step toward our upcoming encounter with the Almighty on Rosh Hashanah. As such, Chodesh Elul emerges as the preeminent time to prepare ourselves to serve Hashem in an authentic and meaningful manner. The great Chasidic master, Rabbi Kalonymus Kalman Halevi Epstein (1753-1825), known as "the Maor Vashemesh" after the title of his work on the Torah and Festivals, addresses this crucial topic in his commentary on the first pasuk of our parasha: An individual who wants to serve Hashem in truth — is obligated at all times to watch over his actions. This means that it is insufficient for him to merely refrain, G-d forbid, from performing an improper action — rather, [his obligation to be ever watchful] extends even over the positive actions that he performs, including his tefilah and Torah studies. [This means that] he must scrutinize them very carefully in order to ascertain whether or not they were performed with the proper measure of awe and love, and if they were completely pure and clear without any type of negative thought, or [performed] in the service of some personal agenda. (Sefer Devarim 16:18, translation and brackets my own)

In just a few short words, the Maor Vashemesh presents us with a blueprint for strengthening our relationship with Hakadosh Baruch Hu. He begins by teaching us that watchfulness is the key to living a spiritually-infused life. Next, he emphasizes that refraining from performing an untoward action, while clearly necessary, is an insufficient yardstick by which to measure ourselves. Instead, in order to truly serve Hashem, the Maor Vashemesh asserts that we

must ensure that each of our positive actions are invested with the purest intentions, and with sincere awe and love.

The Maor Vashemesh then notes that his analysis is based upon the final words of a well-known passage in Talmud Bavli, Eruvin 13b:

Our Rabbis taught: For two and a half years Beit Shammai and Beit Hillel argued. One side said: "It would have been better if man had not been created rather than his having been created." The other side claimed: "It is better that man was created rather than his having not been created." They reached the following conclusion: "It is better that man should not have been created rather than his having been created. Now, however, that he was created, y'phashpfash b'ma'asuv — he should examine his actions." An alternate text reads: y'mashmash b'ma'asuv — He should scrutinize his actions."

What are the substantive differences that obtain between y'phashpfash, and y'mashmash, b'ma'asuv? We are fortunate that our Sages addressed this very question. The Aruch (Rabbi Yechiel ben Natan, 1035-1110) explains y'phashpfash b'ma'asuv as referring to careful inspection of one's actions after having committed a sin. In contrast, y'mashmash b'ma'asuv, refers to examining one's potential actions in order to ascertain whether or not they represent meritorious behavior. In theory, at least, these approaches should prevent a person from committing a chate (sin) or, at the very least, from repeating it. Rashi (1040-1105) follows the Aruch's approach in reference to y'phashpfash b'ma'asuv, and significantly expands upon his analysis of y'mashmash b'ma'asuv:

y'mashmash b'ma'asuv – for example, if one has an

opportunity to perform a mitzvah, he should consider the loss that will obtain due to its non-performance in light of the reward that would accrue as a result of its performance. He should, therefore, not put off its performance because of the [momentary] monetary expenditure, since its reward will surely come in the future. [Moreover,] if the possibility of performing a sin presents itself, he should carefully consider the “benefit” that will immediately accrue over and against the future loss for which he will have to make restitution.

Both the Aruch and Rashi aid us in understanding our terms. In my estimation, however, the most incisive analysis of y’phashpash and y’mashmash b’ma’asuv can be found in Sefer Mesilat Yesharim, authored by Rabbi Moshe Chaim Luzzatto zatzal (1707-1746). Therein, he defines “pishpush” (the nounal form of y’phashpash) as:

... to examine all of our actions, in general, and to carefully think about them. [To ascertain] if they contain therein deeds that we ought not to do that do not follow the ways of the commandments and statutes of Hashem. Any actions that fit [this negative criterion] should be destroyed from the world.

In contrast, he defines “mishmush” (the nounal form of

y’mashmash) as:

... the careful and exact analysis of even good actions, to determine and see if they contain any aspect, whatsoever, that is not good or any bad feature that must be removed and destroyed... one must scrutinize his actions [in this fashion] to examine their innermost content, the purpose of this examination to [yield] actions that are pure and perfect. (Translations my own)

A careful reading of these sections from the Mesilat Yesharim reveals that the interpretation of the Maor Vashemesh echoes Rav Luzzatto’s definition of mishmush. Since the historical record indicates that the Mesilat Yesharim was widely read and cherished by many Chasidic masters of his time it is very reasonable to assume that the Maor Vashemesh, as well, would have encountered and mastered this work, since this gem of ethical literature focuses upon numerous concepts and themes that continuously captured his attention.

May the guidance of these great Torah scholars enable us to examine and perfect our actions so that we may move ever closer to the Almighty, and return to Him in heartfelt and abiding teshuvah. V’chane yihi ratzon.

Putting Trust in What Is Just

Yonatan Kurz

This week’s parsha has the famous line of “צדק צדק - תרדך - “Justice, justice you shall pursue”. Why is the word צדק said twice?” Some of the answers provided can be tremendous lessons for us.

The Ibn Ezra gives a two-fold answer: a person should a) speak with people that are in the midst of a fight, and b) seek justice regardless of whether they’ll gain or lose if צדקות is reached. There’s an importance in aspiring for righteousness, especially if a person doesn’t care about the ramifications once it’s reached; chasing justice is all that truly matters.

The Chida explains that a person should have justice with both Hashem and their friends. Rav Shlomo Zalman Auerbach has a famous line that “A person should take on all of the chumras of bein adam l’chaveiro before they take on any chumras of bein adam l’makom,” and so too we should strive for justice amongst our peers as a testament to Hashem that we truly want justness and morality in our lives.

The Gemara in Sanhedrin 32b quotes this pasuk, and says that one mention of “צדק” is stated concerning judgment and the other one is stated concerning compromise. How does this work? Imagine that two boats encounter each other

while traveling on the river. If both of them attempt to pass at the same time, both of them sink, as the river is not wide enough for both to pass. If they pass one after the other, both of them can successfully pass. The key is to be intent on pursuing justice, even if it means sacrifice.

At the start of the fifth perek in Hilchos Teshuva, the Rambam writes that “Free will is granted to all men. If one desires to turn himself to the path of good and be righteous, the choice is his. Should he desire to turn to the path of evil and be wicked, the choice is his.” As we find ourselves in Elul with Rosh HaShana rapidly approaching, we must examine ourselves and assess if we’ve striven for righteousness and justice enough, and choose the path of justice. From the Ibn Ezra, the Chida, and the Gemara in Sanhedrin, we see the importance of chasing righteousness, giving our engagement in bein adam l’chaveiro extra importance over that of bein adam l’makom, and pursuing morality. Hopefully we can take these next few weeks to work on ourselves, take advantage of the opportunities to chase after righteousness, and use this time as a stepping stone to a life that we can live as צדק רדפי.