

**Yad Avraham Institute**  
WEEKLY TORAH COMMENTARIES SERIES

*Parshas Shoftim*

August 24, 2006

**Dedicated by**  
*Robert & Marie Briefel*

*With abundant love and reverence for the  
Yartzeit of their mother Fanny Briefel  
Feigel Bas Benyamin*

**Presented By: Rabbi Yosef Kalatsky, Shlita**

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**About the Yad Avraham Institute**

The Yad Avraham is a Torah learning institute located in midtown Manhattan. Classes are offered every day during the week starting at 5:50am and throughout the day. Classes in Chumash, Halacha, Hashkofa, Gemara, and general topics are well attended by businessmen, professionals, and students. The Yad Avraham invites you to participate in our extensive offerings of classes and events.

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**August 24, 2006**

**B"H**

## Parshas Shoftim

*Presented by*

**Rabbi Yosef Kalatsky, *Shlita***

**Dean**

### **1. The Signet of G'd is Truth**

The Midrash states regarding just courts and proper judges, "You find that the leaders of the Jewish people are praiseworthy because they instituted justice (din). As it states regarding Shmuel, '...he judged the Jewish people...' Regarding King David it is stated, 'He is praiseworthy because of justice...he performed kindness and judgment for his people.' Regarding Yehoshafat (king of Yehudah) when his kingdom became secure, he was no longer involved in the duties of a king, nor was he involved in accumulating wealth or honor, or any other pursuit; but rather, he was fully dedicated to adjudicating justice. As it states, 'When Yehoshafat was king, he imposed himself upon the Jewish people. How did he impose himself? He established a proper judicial system. His heart was lifted (prided himself) in the ways of Hashem...' Was this an indication of arrogance? Rather, it means he had the ability to discern, evaluate, and appoint proper judges...He said to the judges, 'Your ability to render a proper judgment is not based upon your intellect but rather it is an endowment from G'd.' The judges that were appointed conducted themselves as those who walk in the ways of G'd...Jerusalem itself is praiseworthy because of its judicial system. As it states in Yechezkel, 'Your (Jerusalem) renown will go out among the nations with your beauty....' What is the meaning of 'beauty'? It is referring to the justice that is instituted within Jerusalem." Why is instituting justice held in such great esteem?

The Gemara in Tractate Yomah tells us that after the destruction of the First Temple, the Jewish people returned to Jerusalem to rebuild the Temple. At that time the Men of the Great Assembly said to G'd that the evil inclination for idolatry was so overwhelming that it had ravaged the Jewish people for many generations and ultimately caused the destruction of the First Temple. Although, in that context the reward for overcoming the inclination for idolatry would have been greater, the Men of the Great Assembly concluded that it was not

worthwhile. Therefore, the inclination needed to be eliminated. The Gemara states, "A note had fallen from heaven with the word 'Truth' written upon it (emmes). From here it is indicated that the Signet of G'd is Truth" Meaning, G'd concurred with them that the inclination for idolatry should be destroyed.

Prior to the sin of Adam (partaking of the fruit of the Tree of Knowledge) G'd's location in existence was on the terrestrial level. His Sanctuary was the physical world, which at that time was pristine and untainted by sin. However, after Adam had sinned, existence became putrefied with spiritual impurity, G'd thus ascended from the physical world. G'd only associates Himself with existence if it reflects His characteristic of Truth. The basis for Adam's failure was his own delusion and distortion of truth. If the world is tainted with falseness, then it no longer qualifies to be His dwelling place/Sanctuary. Therefore any leader who establishes an infrastructure for truth and justice he is considered praiseworthy. It is within this context of justice that G'd's Presence will dwell among the Jewish people.

The Gemara in Tractate Berachos states, "From the time of the destruction of the Temple, G'd only has in His world, the four cubits of halacha (definitive Jewish law). Meaning, G'd dwells in the location in which Jewish law is being studied and elucidated. Normative Jewish Law, which is derived from G'd's Torah, is an expression of truth and therefore has relevance to Him.

We see the importance of establishing truth and justice in the world, because it is only in this way that we can have a relationship with G'd. How does one seek out and assume a posture of truth? The Mishna in Pirkei Avos states, "Make for yourself a rav (teacher/mentor) and acquire for yourself a friend..." It is by studying the Torah and having a relationship with a Torah sage, who can guide and direct the individual to the truth, that one will establish a relationship with G'd.

## 2. The Potential of the Jew, Transcending Physical Limitation

The Torah states, **“There shall not be found among you one...who practices divinations, ... one who reads omens, a sorcerer, ...one who consults the dead...”** The Jew is not permitted to seek the counsel of soothsayers. The Midrash states, “G’d took Avraham out of his tent and brought him above the heavens and said to him, ‘Please gaze down upon the heavens. You are concerned that the administrator of your household (Eliezer) will be your heir. This will not be. The one who will come from your loins will be your heir.’ Avraham said to G’d, ‘Will I indeed have a child?’ G’d responded, ‘Remove yourself from this perspective. It is written in the stars that Avram has no child. However, Avraham will have a child. Similarly it is written, Sarai has no child; however, Sarah will have a child. You are above the zodiac (mazal). What do you think is greater you or the zodiac? It is you who transcends the stars...”

The Gemara in Tractate Shabbos states, “There is no mazal for the Jewish people.” Meaning, they are not subject to what is written in the stars because they are able to transcend the zodiac. Tosfos explains that through tefillah (intense supplication prayer) and great merit, the Jew is able to supersede the astrological statement of the zodiac.

In the portion of Bereishis, the Torah states regarding creation, **“B’heebaram – When they were created...”** The Midrash tells us that the letters contained in the name Avraham are the same as those in the word “B’heebaram.” Maharal of Prague explains that when G’d changed Avram’s name to Avraham by adding the letter “hey”, he was the equivalent of a new creation. He was the beginning of a new existence that had no relevance to what had existed prior to him. Although Avraham was a physical being, his essence was spiritual and thus he was not bound by the constraints of nature as the rest of humanity. Avraham merited this spiritual metamorphosis because it was he who had come upon G’d as the Omnipotent Being. He had selflessly sacrificed for Him in order to espouse his belief to the entire world. Since the Jewish people are his descendents, they too are not subject and limited to the laws of nature- unlike the nations of the world who are under the dominance and restraints of physical existence.

The Gemara in Tractate Berachos cites an argument between Reb Yishmael and Reb Shimon Bar Yochai regarding the Torah’s perspective on how one

should live his life. Reb Shimon Bar Yochai is of the opinion that one must be fully invested in his spirituality (Torah and mitzvos) because if one would engage in the mundane, it would be an obstacle and interference with one’s spiritual growth. He states, “If one would plow in the plowing season and sow in the sowing season and harvest in the harvest season..., then what will happen to Torah?” According to Reb Shimon Bar Yochai, one should be continuously engaged in Torah study without interruption. It is in this context that G’d will provide for his needs through the labor of others. On the other hand, Reb Yishmael is of the opinion that one must live according to the ways of the world. It is understood that the Jew must be engaged in Torah study; however, in order to earn a livelihood, one must involve himself in the material to the extent that is necessary to provide for his own needs. The Gemara concludes, “Many people followed the prescription of life suggested by Reb Shimon Bar Yochai and they did not succeed.”

Reb Chaim of Volozhin explains that one can infer from this statement that while “many” people failed, some did succeed. If one has the capacity to be fully invested in spirituality, then he does not need to be engaged in the mundane for his sustenance. If the Jew lives as prescribed by Reb Shimon Bar Yochai, although he is a physical being, he is not subject to the norms of physical existence because he is a descendent of Avraham, our Patriarch. He is able to transcend the laws of natural existence.

The Torah states regarding Yitzchak’s quantification of his children Yaakov and Esav, **“The voice is the voice of Yaakov and the hands are the hands of Esav...”** The power of the Jew emanates from his spiritual essence, which is manifested through his expression of speech (prayer and Torah study). In contrast, the power of the nations of the world, is rooted in their physicality (the hands are the hands of Esav). Reb Chaim of Volozhin explains that although the essence of the Jew is spiritual, in order for his prayers to be effective, there needs to be a minimal degree of physical initiative. One must articulate the words because meditation alone has no value. This is the extent to which the Jew needs to be engaged in the physical. On the other hand, since the essence of the nations of the world is physical (the hands are the hands of Esav), unless they are totally invested in their physical pursuits they will not reap any benefits. Thus, if the Jew is able to dedicate himself to spirituality and meet the standard of Reb Shimon Bar Yochai, then he will not need to engage in the material.

The Torah tells us that the Tribe of Levy did not receive a portion in the Land or in the spoils of war,

because they were set aside to serve G'd, Who is their portion. G'd provided for the Tribe of Levy. Rambam at the end of the Laws of Shmitta and Yovel writes, "Not only the tribe of Levy (was chosen to be G'd's portion) but any individual who dedicates his spirit for Him and is willing to separate himself and stand before G'd to serve and worship Him- to know G'd and walk a straight path as G'd had made him. If this individual chooses to throw-off the yoke of the concerns of the masses, which humanity seeks out, he has sanctified himself to be the equivalent of the Holy of Holies. G'd will be his portion and his lot forever. G'd will provide for him in this world with his needs as He provided for the tribe of Levy." Again we see that if the Jew dedicates himself in his spirituality, he will ascend to the level of the Tribe of Levy and is provided for by G'd Himself. In contrast if the Jew does not sufficiently invest himself in the spiritual, he will be subject to the laws of natural existence – requiring him to take the initiative to bring about the material. It is then that his destiny and predicament will be governed by the zodiac.

### ***3. The Innate Holiness of the Words of the Torah***

The Torah states, "**When you come into the Land...and settle in it...you will say, 'I will set a king over myself...' You shall surely set over yourself a king...**" The Gemara explains that the reason the Torah reiterates the word that refers to the installation of the king (*som ta'sim – you shall surely set*) is to teach us that the king must assume the throne in a manner where his position as king is secure. Meaning, that the king is not permitted to waive his honor. Consequently, he would be revered and feared by every echelon of the Jewish people. However, if a Torah sage or even a prince of Israel chooses to waive his honor, he is permitted to do so.

The Torah continues, "**...It shall be that when he sits on the throne of his kingdom, he shall write for himself two copies of his Torah in a book... It shall be with him, and he shall read from it all the days of his life, so that he will learn to fear Hashem, his G'd, to observe all the words of this Torah and these Statutes, to perform them...**" Every Jewish male has a Torah obligation to write a Torah Scroll for himself. The Torah obligates the king to write an additional Sefer Torah so that it should accompany him wherever he may go. He is to read from it continuously so that he should learn to fear G'd. Because the king is the monarch with absolute power, he is subject and vulnerable to arrogance and haughtiness.

Therefore it is an imperative for him to read the Torah to create a continuous sense of reverence for G'd. Seemingly, no other pursuit will lead to this result. The only way the king can internalize G'd as a reality in his life is through the study of His Torah.

Ramban writes in his introduction to the Torah that the words of the Torah are Divine because they are the words of G'd. Moshe was only a scribe who recorded His words. Therefore the words of the Torah themselves are innately holy, having the ability to touch the spirituality of the individual who studies them. Consequently, he will have a sense of G'd's Omnipotence.

Chofetz Chaim writes in the introduction to his work, *Chofetz Chaim*, that one must understand that he did not record the laws pertaining to forbidden and permitted speech in a haphazard manner. But rather, many of the laws that are stated were discussed and deliberated upon for many days with the leading sages of his generation. He writes that although many of the laws could have been stated in a more abbreviated form/concise manner, he chose to record the words of the earlier commentators verbatim as they had stated them. The reason for this was because the earlier commentators were uniquely meticulous and deliberate in their own personal manner of expression. They were in total conformance with what is permitted and what is forbidden regarding proper speech. Therefore, the words that they chose to express themselves within a halchic or any other context have a greater effect and impact upon the one who reads and studies them. By studying the exact words of these commentators (Rambam, Rabbeinu Yonah, etc.) one will be impacted to a greater degree than if he had studied the same concepts paraphrased through another's written expression.

We see that there is something innate in the words of the earlier commentators that goes beyond the intellectual communication of information. They have the ability to impact upon and affect an individual in a profound manner. These individuals, who are quoted are the equivalent of the "angels of G'd." If the words of the earlier commentators are so powerful and penetrating, how much more so are the words of the Torah, which are the words of G'd Himself.

In order for one to revere G'd it is not sufficient to intellectually contemplate and reflect upon His ways or Being. One must engage in His words. One must study the Written and Oral law because the text itself has the ability to activate untold forces and influences that will impact upon the spirituality of the individual. As Reb Chaim of Volozhin explains regarding the Amidah (Silent

Prayer), which was authored by the Men of the Great Assembly, who had among them prophets. The words that they had chosen were not merely to express a request, but rather, to touch upon many levels of spiritual and material needs- activating many spiritual forces throughout all the realms of existence. Identically, the Written and Oral Law, that is studied, touch upon the spirituality of the individual who studies them to create a sense and reality of G'd's Presence within that individual's life. He will be taught how to revere G'd.

#### 4. *The Ramifications of Sacrifice*

The Torah states, **“Judges and officers shall you appoint for yourself in all your cities.”** The Torah could have stated, “Judges and officers shall you appoint in all your cities.” What is the significance of the expression **“for yourself?”**

The Midrash explains, “The words **‘for yourself’** teach us that the judicial system of the Jewish people identifies with Moshe. The judicial system was one of three areas for which Moshe had sacrificed. Moshe had sacrificed himself for the sake of Torah. As it states, ‘He was with G'd (in heaven) for forty days and forty nights...Bread, I (Moshe) did not eat and water I did not drink.’ Since he sacrificed himself for the Torah, the Torah identifies as his - as it is written, ‘You should remember the Torah of Moshe my servant.’ In addition, Moshe sacrificed himself for the sake of the Jewish people. As it states (after the sin of the Golden Calf), ‘If You (G'd) will not carry their sin (of the Jewish people) You should obliterate my name from Your book (the Torah).’ Thus, the Jewish people identify with Moshe – as it states, ‘Go down because your people have become corrupted.’ The judicial system is identified with Moshe because he sacrificed himself for the sake of judging another in truth.”

When Moshe had come out of the palace in Egypt he had witnessed an Egyptian beating a Jew. He killed the Egyptian and buried him in the sand. The following day Moshe had interceded between two Jews quarreling and reprimanded them. One of them responded defiantly to Moshe saying, “Since when have you become a judge?” This was an allusion to Moshe's killing the Egyptian the previous day. He had risked his life by exacting justice on the Egyptian. He needed to flee Egypt as a result of his action – yet it did not deter Moshe from implementing justice. It is because of his sacrifice that the judicial system is identified with him.

It is interesting to note that when G'd had identified the Jewish people as Moshe's - “Go down because your people have sinned...”, Moshe had not as yet pleaded with Him on their behalf. It was only after Moshe had descended the mountain and returned before G'd did he state ‘If You (G'd) will not carry their sin (of the Jewish people) You should obliterate my name from Your book (the Torah).’ If this is the case, then why does G'd identify the Jewish people with Moshe before it is revealed that he was willing to sacrifice himself for them?

Shaarei Teshuvah cites Avos D'Reb Nosson who explains that if one commits himself to fulfill the entire Torah but because of circumstances beyond his control (such as his own passing) cannot complete his goal, G'd fully accredits the individual as if he had fulfilled his commitment. One can only sincerely commit himself to pursue a goal. However, allowing it to come to fruition is determined by G'd. Although one had not completed his task, he will not be denied reward. Despite the fact that Moshe had not expressed himself as he had done later, when G'd was about to destroy the Jewish people; nevertheless, because Moshe was sufficiently committed to sacrifice to whatever degree that was necessary, it is considered as if he already had sacrificed himself for them. Thus, the Jewish people are referred to as his people.

#### 5. *Dealing with the Subliminal Influences of Society* (from Re'eh)

The Torah tells us that a false prophet is able to perform miracles and accurately predict the future. He is an individual who has a profound presence. How is one able to resist the awesome presence of such a person? The Torah states, **“Hashem, your G'd shall you follow and Him you shall fear; His commandments shall you observe and His voice shall you hearken; Him shall you serve and Him shall you cleave.”**

Rashi explains **“His commandments shall you observe...”** to mean that one must adhere to the “Torah of Moshe.” In order for one to be the beneficiary of all of the positive effects of a mitzvah and be protected from the influence of the false prophet, one must perform it with the understanding that he is doing so only because it is a dictate of the Torah, which is the Word of G'd. It is not sufficient to perform a mitzvah by rote as a perfunctory action. Rashi explains **“His voice shall you hearken”** to mean that one must adhere to the words of the prophets. He continues to explain that **“Him shall you serve”** is referring to serving G'd in His Sanctuary.

In the desert, the Sanctuary was within the presence of all the Jewish people. Every Jew was continuously exposed and influenced by the camp of the Divine Presence. However, after entering into the Land, because they had settled throughout the Land of Israel, the Jewish people were no longer within the proximity of the Divine Presence. One needed to travel to Jerusalem in order to go to the Temple Mount and be exposed to G'd's Presence.

Rashi continues to explain "**Him shall you cleave**" to mean that one must emulate the ways of G'd. As the Gemara states, "Just as He is Merciful, so too you shall be merciful..." When one performs an act of kindness he should not do so as a result of his inclination to doing kindness, but rather, to emulate the ways of G'd. If one is drawn by his own feelings to be kind or gracious and does not do so for the sake of emulating G'd, then the act will have limited value.

The Torah is telling us that the only way one has sufficient clarity and feeling to stand up against the false prophet is only if his life is qualitatively invested in his Judaism. Meaning, the mitzvah that he performs is not by rote. His belief of values and perspective is not rooted in his intellectualism, but rather in the Word of G'd. His behavior as a human being, regarding values, is only to emulate his Creator.

One must understand that he is affected by societal values and morals because one is influenced by his environment. These influences are subliminal and pervasive. Thus, if societies values and morals are corrupted, we are gradually being destabilized. These influences are disguised as inane and non-destructive, but in reality they are undermining our spirituality. While the false prophet may not exist in our day, the Torah's prescription for preserving one's spirituality and insulating oneself from negative influences applies to the Jew in modern times.

The Torah tells us that one of the vital components that is needed to ward-off the influence of the false prophet is to serve G'd in His Sanctuary. Without the Temple, how are we able to deal with this issue? The Gemara in Tractate Megillah tells us that a synagogue and a study hall (beis ha'midrash) are considered a "quasi Temple (Mikdash miat). Magen Avraham writes that if one were to engage in idol talk in a synagogue or study hall, one would be in violation of the positive commandment: "**You shall revere My Sanctuary.**" Thus, when one prays or studies in a synagogue or study hall, he is in essence serving G'd in His Sanctuary. The Gemara in Tractate

Berachos states, "From the time of the destruction of the Temple, G'd only has in His world, the four cubits of halacha (Jewish law)." Meaning that although we no longer have the holy Temple, the Divine Presence is found in the location in which the Torah is being studied to bring about definitive law. In order for one to be exposed to G'd's Presence, one must do so in a proper location –the synagogue or study hall.

The only way one is able to maintain a sense of his own spirituality and have an internalization of truth, is by following the same prescription that the Torah provides to dispel and reject the false prophet.

#### **YAD AVRAHAM DAILY CLASS SCHEDULE**

##### **Monday Through Friday**

5:50- 6:00 am	Chumash with Rashi
6:00- 6:15 am	Pirkei Avos (Maharal)
6:15- 6:30 am	Mishna Berurah
6:30- 7:25 am	Halacha
6:30 -6:45 am	Mussar
6:45 -7:25 am	Talmud—Tractate Avodah Zorah
7:25 - 8:20 am	Davening Followed by Breakfast
8:20 - 8:45 am	Mishna
9:00 -10:00 am	Daf Yomi
2:00pm	Mincha

##### **Special Weekday Classes**

##### **Monday**

11:15 – 12:15pm	<b>Talmud: Taanis</b> Location: Sunrise Capital 641 Lexington (25 <sup>th</sup> FL.) Enter on 54 <sup>th</sup> Street
12:30 – 1:30pm	<b>Talmud: Pesachim</b> Location: Shandholt 488 Madison Avenue Between E.51 <sup>st</sup> and E.52 <sup>st</sup>

##### **Tuesday**

12:15 - 1:15pm	<b>Torah Insight Based on the Parsha</b> Location: Yad Avraham
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##### **Wednesday**

11:30 – 12:30 pm	<b>Talmud: Taanis</b> Location: Sunrise Capital 641 Lexington (25 <sup>th</sup> FL.) Enter on 54 <sup>th</sup> Street
1:00—2:00 pm	<b>Derech Hashem</b> Location: Yad Avraham

##### **Thursday**

10:30 –11:30am	<b>Tehilim with Malbim</b> Location: Yad Avraham
12:00 – 1:00 pm	<b>Talmud: Taanis</b> Sunrise Capital 641 Lexington