

פרשת שופטים

Parshat Shoftim

אשרינו | Ashreinu

Enhancing your Study of the Weekly Torah Portion



Rabbi Sugerman

Zachy Dennis ('23)

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Jewish Karma

Rabbi Sugerman

By far and away, one of the most interesting and thought provoking mitzvot of the Torah relates to *eidim zomemim*, conspiring witnesses.

וְדָרְשׁוּ הַשּׁופְטִים הַיְטָבׁוּ וְהַנְּהָרָגֶת עַד שְׁקָרְתָּהּ
 שְׁקָרְתָּהּ עֲנָה בָּאָחִיו: וְעַשְׂתִּים לוֹ כַּאֲשֶׁר זָמַם
 לְעַשּׂתָּה לְאָחִיו וּבְעַרְתָּה קָרְבָּךְ

"And the Judges shall make a thorough investigation. If the one who testified is a false witness, having testified falsely against a fellow, you shall do to the one as the one schemed to do to the other. Thus you will sweep out evil from your midst" (Devarim 19:18-19).

As the cliche goes, what goes around comes around. The Torah demands (under certain circumstances) that the

witnesses who falsely testified against an innocent defendant and are caught in their lie will be receiving the very punishment that they intended for the accused. If the accused was scheduled to get lashes, the witnesses will now receive them; same for the death penalty and civil cases as well.

Just rewards: for a thorough discussion of these *halachot*, the first chapter of Makkot is dedicated to this very topic.

To make this even more interesting, the Gemara Makkot (5a) teaches us the following:
הרגו אין נהרגין

If the witnesses were successful in having the accused put to death based on their testimony, if they were then subsequently discovered to have been lying, they will not be issued the penalty.

Obviously this is totally counterintuitive. If the witnesses are receiving the punishment for merely accusing the defendant of a certain crime, then certainly they should be receiving the punishment when their false testimony is actually responsible

for the death of an innocent person! The gemara notes this.

Although this seems to defy logic, there have been a number of classical commentaries who provide an explanation for this *halacha*. See the Ramban (19:19) on this week's parsha for a classic approach.

The Maharal, in his commentary on Rashi called the Gur Aryeh, offers the following insight. Look at the following pasuk from Megillat Esther:

ישוב מוחשבתו הרעה אשר חשב על היהודים על ראשו
ויפולו אותו ואת בנו על הארץ

This loosely translates as: "Haman's evil thoughts that he thought to do to the Jews, rebounded right on his head" (Esther 9:25).

Any thought that a person has regarding another carries with it a force, a force which – if it can't penetrate the intended party – simply rebounds and hits the person who originated the thought. The Maharal compares it to a ship that is looking to ram another ship in the water in order to sink it, but if the weight of the second ship is so great, all that generated force will do is damage and sink the first ship.

The Gemara Shabbat (97a) states that when you suspect someone who is innocent of your suspicion, you are going to be physically afflicted. The Maharal points out that this is exactly the idea of the force contained in a thought that we have regarding others.

Once the court carries out the penalty, the thought has now been actualized, the potential energy has been converted and is no longer available to rebound on the witnesses.

The obvious takeaway is that our thoughts towards other people carry a weight and force, which should move us to only consider positive thoughts regarding others. Especially as we approach the upcoming Days of Judgment, let's be judicious as to how we perceive others, trying with the best of our ability to judge everyone around us favorably and allow that to be reciprocated towards us by our Father in Heaven.

Purely Righteous

Zachy Dennis ('23)

צדקה הצדקה למען תחיה וירשת הארץ אשר ה'
אליך נטו לה

"Righteousness, righteousness shall you pursue, so that you will live and inherit the land that Hashem, your God, gives you" (Devarim 16:20).

At the beginning of this week's parsha, Parshat Shoftim, the Jews are commanded to pursue righteousness in order to live in the Land of Israel. However, the pasuk repeats the word "צדקה" twice, and we know the Torah doesn't waste any words. What's going on here?

The Ramban answers the question by explaining that the correct way to pursue righteousness is only through righteousness. What exactly does that mean?

Rabbi Kestenbaum offers a great *mashal* from Parshat Vayeshev which helps explain this confusion. He says that Tamar, who was found pregnant when she was only allowed to be with Yehuda or Shelah, was threatened to be burned. Tamar had two choices: either she could stay silent and be killed with her twins, or she could embarrass Yehuda in public by admitting he was the father, saving not only herself and her children, but also the lineage to Mashiach. Tamar could have easily justified embarrassing Yehuda by reasoning that she must save herself, her children, and lineage. She could have also justified that a little embarrassment wouldn't kill Yehuda. (Side Note: There's a famous gemara in Bava Metzia which tells us that embarrassing someone in public is equal to killing them.)

Yet, while she puts forth Yehuda's staff, ring, etc., for the most part she remains silent. She is careful in how she points out Yehudah's involvement in the situation. She lets Yehuda volunteer the information with his famous response of, *צדקה ממנה*, "she is more righteous than me" (Bereishit: 38:26). The Ramban explains those words to mean that Tamar didn't let the ends justify the means. She didn't allow her logic and justification to be used to her own advantage of saving herself at someone else's expense.

We should all take this lesson of *צדקה* and *bezechetochase* after righteousness, only in a kosher way! Good Shabbos!

Fighting Words

Ayden Frank ('23)

I read a beautiful dvar Torah from Rabbi Mordechai Kamenetzky on torah.org that I wanted to share. The Torah in this week's parsha discusses the procedure for a Jew who is going into battle. While preparing for war, a Jew had to go through a checklist of sorts. Soldiers who were newly wedded, had recently built new homes, or planted new vineyards were told by the officer in charge to leave the army and return home. Furthermore, soldiers who were faint of heart, morally or spiritually, were asked to return home so as not to weaken the hearts of others in battle.

Prior to listing the exemptions from war, the kohen would share words of encouragement. The kohen opens his remarks with two of Judaism's most famous words:

שְׁמַע יִשְׂרָאֵל אַתֶּם קָרְבִּים הַיּוֹם לְמִלְחָמָה עַל אֶיבְיכֶם אֵל
ירֹה לְבָבְכֶם אֵל תִּרְאֹו וְאֵל תִּחְפֹּזוֹ וְאֵל תַּעֲרֹצֹו מִפְנֵיכֶם

"Hear O Israel! Today you are approaching the battle against your enemies. Let your hearts not wither and do not fear, tremble, or be broken before them" (Devarim 20:3).

Rashi comments on the use of the familiar expression "שְׁמַע יִשְׂרָאֵל," that those words are the national anthem of the Jewish nation whose belief is contained in the declarative that follows: "The Lord our God, the Lord is One" (Devarim 6:4). Rashi connects the pre-battle pep-talk in Parshat Shoftim with the famous words read weeks earlier in Parshat Va'etchanan. He explains that the expression "שְׁמַע יִשְׂרָאֵל" used in the kohen's prologue is actually used as a hint to Hashem. The kohen is in essence reminding Hashem of the unofficial anthem that Jews recite twice daily, all over the world. The kohen is declaring that, "even if the Jewish people have only the merit of the words שְׁמַע יִשְׂרָאֵל, they are worthy to be victorious and saved (from the ravages of war).

If you think about it, isn't the kohen talking to the people? If Rashi tells us that with this choice of words there is a subtle message to Hashem, can we not also presume that there is perhaps an important, if subtle, message to His nation as well?

Rabbi Mordechai Kamenetzky tells the following story: Refusenik Yosef Mendelevitch, imprisoned in a work camp by Soviet authorities, refused to give up his religious convictions. He made a kippah, which he wore proudly in the work camp. Once the KGB colonel in charge of the camp heard of Mendelevitch's behavior, he summoned him to his office and threatened him. "Take that off your head or I will kill you!" he demanded. Mendelevitch was not moved. "You can kill me, but I will not take it off." The officer was shocked by Yosef's calm attitude. In desperation he grilled him. "Are you not afraid to die?" Mendelevitch just smiled softly. "Those who will die by the commands of Brezhnev are afraid of death. However those who believe that our death will be by the command of God are not afraid of His command."

Perhaps the symbolism of using the words "שְׁמַע יִשְׂרָאֵל" to connect to our sincere faith in the oneness and unity of the Almighty is profoundly significant. The kohen is commanding the Jews to enter the battlefield without fear. There is no better familiar declaration than that of "שְׁמַע יִשְׂרָאֵל". Those words kept our faith

and calm-headedness throughout every death-defying and death-submissive moment of our history.

Feelings

Atara Keehn ('23)

In this week's parsha, Bnei Yisrael are instructed on how to go to war. The Torah tells us that you are exempt from going to war under three conditions: if you've built a house and have not dwelled in it yet, if you've grown a vineyard that you have not been able to enjoy yet, or if you are engaged to a woman you have not yet married. The Ramban explains that the reasons for these exemptions is to excuse the men who can't completely focus on the war since their minds are on other things. But then the Torah goes further and says:

וְיֹסְפֵּה הַשְׁׁטָרִים לְדַבָּר אֶל הַעַם וְאָמַרְוּ מַי הָאִישׁ הַיָּרָא
וְרֹה הַלְּבָבָוּ לִרְאָה וְשָׁבֵב לְבִתוֹ וְלֹא יִמְסֵד אֶת לְבָב אָחִיו
כַּלְבָבָוּ

"The officials shall go on addressing the troops and say, "Is there anyone afraid and disheartened? Let him go back to his home, lest the courage of his comrades flag like his" (Devarim 20:8).

The other exemptions are more specific, while this one seems to be very general and vague. The Sages explain that the reason for the first three exemptions is to serve as a shield of embarrassment for the people who would like to leave simply because they are afraid. If someone chooses to leave the war because of their fear, the first three exemptions act as other plausible reasons to leave, and then no one has to know of that person's fear.

With this, the Torah teaches us just how important it is to think of someone else's feelings. Even in the heat of battle, we need to make sure to be sensitive to others. How much more so do we need to be mindful of people's feelings when we are NOT under the pressure of battle. We can apply this to our day-to-day lives; we need to remember that everyone around us has feelings, and we need to take them into account, even when it is challenging to do so!

Good Shabbos!

Grateful Humility

Hannah Markovich ('24)

This week's parsha, Parshat Shoftim, presents many laws that a king of Bnei Yisrael must follow. The Torah then proceeds to give reasons for all of the laws given:

לְבָلְתִּי רֹם לְבָבָו מְאֹדוֹ וּלְבָלְתִּי סֹור מִן הַמִּצְוָה יְמִין וְשִׁמְאֹול
לְמַעַן יָאַרְךְ יָמִים עַל מִמְלְכַתּוּ הוּא וְכֵן בְּקָרְבָּן שִׁרְאָל

"So that his heart does not become haughty over his brethren and not turn from the commandment right or left so that he will prolong years over his kingdom, he and his sons amid Israel" (Devarim 17:20).

The Torah gives kings many laws and prohibitions so that they do not become haughty. Here, the Torah also implies the *aveira* of haughtiness, or *ga'avah* for everyone, not only a king.

Rav Moshe Cordevero, in his sefer *Tomer Devorah*, writes that *anava*, the direct opposite of *ga'avah*, is the crucial ingredient needed to succeed with all *midot*. We all know that haughtiness is a horrible *midah*, but we must understand the true definition of *ga'avah* so that we can understand why it is so awful, and why its opposite, *anava*, is so important.

A *ba'al ga'avah* is not someone who exaggerates his greatness and accomplishments, because according to Rav Gershon Zaks, such a person is simply out of touch with reality. A *ba'al ga'avah* is someone who knows the extent of his talents and accomplishments, but believes that they themselves are the singular reason for their success. As Moshe warns towards the beginning of Sefer Devarim,

וְאָמַרְתָּ בְּלֹבֶבֶךְ כַּחַי וְעַצְמָךְ יְדֵךְ עָשָׂה לִי אֶת הַחִיל הָזֶה
"And you will say to yourselves, "My own power and the might of my own hand have won this wealth for me" (Devarim 8:17).

In contrast to a *ba'al ga'avah*, an *anav* is someone who also recognizes his strengths and talents, but instead of crediting himself, he attributes all of his successes and achievements to Hashem and feels completely indebted to Him. An *anav*'s true modesty stems from this, the feeling of being truly indebted to Hashem.

The Rambam describes this idea perfectly in his *Hilchot De'ot* (2:3), "One who is haughty denies Hashem". The very definition of haughtiness is the denial of Hashem and feeling completely independent and in control. We must always remember that Hashem controls every single aspect of our lives and the entire world, and we should be *zocher* to use our incredible talents that he has given us to serve him and to succeed in all areas of our lives.

Have an amazing Shabbos!



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