

Thinking Torah

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Chodesh Elul/ Parshat Shoftim:

Be a Judge to Yourself!

This week's parsha always fascinates me. It is so real, so pertinent to current realities from a Jewish national vantage point. It is a Parsha that transcribes the political and social order of Am Yisrael in its land. The King, the Supreme Court, the Judiciary, the Prophet, the Levite and Priest are all legislated here.

The latter half of the parsha turns our attention to the delicate balance that is so frightfully difficult to maneuver: the tension between waging war and continued sensitivity to life and living. And so, on the one hand, we have the mitzva to wage war and to kill the enemy. We read the speech of the especially appointed "war priest" – the *mashuach milchama* – who encourages the troops not to fear battle. And on the reverse side, we study about Ir Miklat, the refuge city for inadvertent murderers, the injunction to free newly married husbands from battle. We study the injunction not to cut down trees, "for the man is the tree of the field," and the Parsha closes with the mitzva of Eglu Arufa, the leaders of society, the politicians and elders taking responsibility for murder in its midst. So we are casting a necessary balance - fragile in theory, and harrowing in practice – between preservation of life and sensitivity to life's value, and yet the brutal fury of war, the passion of battle, which is the only way to win a war.

Much to think about. However, I know that many of us are starting a "new (academic) year" this week and returning to campuses with the spiritual challenges that one may face there. For others, we stand at the start of Chodesh Ellul, thoughts of Teshuva beginning to confront us: What should I concentrate on this year? How am I to face God on Rosh Hashanna. Has this been a positive year?

I found a fabulous drush in the writings of the Maggid of Koshnitz, in his Sefer Avodat Yisrael. He adapts in the classic style of Chasidic torah, the opening lines of the parsha, reinterpreting

them as a message not to society but to the individual; not concerning the outer world, but rather addressed to our inner world.

The pesukim read:

"(18)Appoint magistrates and officials for your tribes, in all the settlements that the Lord your God is giving you, and they shall govern the people with due justice.
(19)You shall not judge unfairly, you shall show no partiality, you shall not take bribes, for bribes blind the eyes of the discerning and falsify the word of the just.
(20)Justice, justice, shall you pursue, that you may thrive and occupy the land that the Lord your God is giving you." (16:18-20)

Here is the *drush* of the Maggid of Koshnitz:

"Appoint Judges and officials for you: This parsha is always read during Chodesh Elul which is designated and ripe with potential for each person to return to his Creator, that one's sins, performed in the course of the year, be forgiven through a process of regret, remorse, thoughts of repair, weeping ... over one's sins.

...Hence the Torah cautions us: Set for yourself Judges and Officials ... each person too must set for themselves Judges to judge oneself. This means that one must set ones sight to examine ones path in life, and to pave the path ahead. The ears, nose and mouth, indeed all the seven orifices of the head are called the "gates to the soul" as is well know, and this is the "gates" that our parsha speaks of, that one must judge oneself for all of ones actions.

The Torah continues: **"Do not pervert Justice."** This means to distort the truth of the reality, claiming that an improper, evil act was in fact a good one. For ones personal repentance and the personal assessment and "trial" that transpires "below" (in ourselves, our lives,) are in fact a precursor, a preparation that has influence high above, to clarify our Judgement on Rosh Hashanna. This is the phrase: "...and they shall govern the people with due justice...Justice, justice, shall you pursue," – as a result of the Judgement that takes place "below," one pursues the Justice of the higher worlds, and our verdict should return for the good.

"Do not take bribes:" The way of the Yetzer Hara is to tempt human beings and to entrap them in the net of sin and wrongdoing. Afterwards a person feels bad, and as a response, will perform a mitzva of some sort or learns Torah and he comforts himself that now his prior behaviour will have been excused, until again, he decides to act wrongly. Thus the Torah warns us about this process, which is just like bribery that, "blinds the eyes of the wise," for there is no such thing! The reward for a mitzva stands alone; and the penalty for sin stands alone. Wrongdoing is atoned for only through genuine Teshuva, a process of transformation whereby one fails to return to one's sin.

And then there is another hurdle. Yes, a person regrets their bad actions, their lifestyle, and begins to return to God, to daven regularly, or to study Torah and he performs Mitzvot with sincerity. Suddenly, the Yetzer Hara begins to fill him with pride, he experiences a feeling of personal complacency and smugness, God forbid, and hence he ruins all his achievement. Chazal say; "Whoever is filled with pride, I as if they worshipped idols," (Sota 4b) hence the Torah cautions us: **"Do not plant an Ashera, any tree, alongside the Altar of your God, and do not establish for yourself a monument (Matzeva.)"** (16:21-22) The Torah specifies "Lecha" – you yourself become the Matzeva – through your prideful thoughts you are, as if, an Ashera (Osher= happy) and a Matzeva (Matzeva = nitzav = standing still, upright) "that God despises."

The Maggid of Kushnitz continues through the pesukim here. As I said, I am not accustomed, neither to drash nor mussar, but both the eloquence of the drash, and the potency of the message here, have much to challenge us with.

Wishing you all a chodesh Tov and a Shabbat Shalom.

Rav Alex

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