

Shoftim 5772

BS"D Parashat Shoftim 5772

DEDICATED TO FIVE ANONYMOUS JERUSALEM CAB DRIVERS.

Our parasha begins:

You shall appoint judges and police in all the gates that the Lord God gives you in your tribes, and they shall judge the people in righteous justice.

Rashi explains that *shoftim* are the judicial wing of the Torah and *shotrim* are the enforcement agencies, who "coerce the people to comply with the judgements with a rod and whip".

Questions:

1) Is this the best the Torah can hope for from God's chosen people who are supposed to love and be in awe of our Father the King, that police have to coerce them to abide by halachic judgements? This is appropriate for the advancement of the evils of Islam in Saudi Arabia and Iran, not for the holy people of Israel!

2) Why were Avraham, Yitzchak and Ya'akov not commanded to keep the 613 mitzvot?

3) Which generation is the greatest in Jewish history?

I submit:

Our father Avraham is called Avraham ha'Ivri. The root of "Ivri" is the three Hebrew letters ayin, vet, raish (ivr), which mean the "other side," like the other side of a river. The intent being that, while all the world was on the avoda zara (idolatry) side of human behavior and belief, Avraham was on their opposing side of monotheistic belief and behavior.

Avraham, having been born into one of the leading families of Ur Chasdim, received the highest academic and religious education of the time, together with the sons of the other intellectual elite. What did Avraham possess that the rest of his academic philosophical-intellectual world lacked? Why was Avraham able to see what others did not, or if they too saw, why did they not draw the theological conclusion of the validity of monotheism?

The Midrash (Vayikra Raba chap. 2) states:

Avraham kept the entire Torah

How? He accomplished this intuitively, as the illustrious Bible commentator Malbim explains (Beraishiet 22):

Avraham kept the Torah even before it was revealed. This was a result of his refined soul that functioned as a mirror reflecting the upper light (wisdom), from where he understood intuitively in his inner heart the will of HaShem.

Avraham was blessed with an innate, inherent, intrinsic spiritual orientation. That is not to say that Avraham's search for HaShem was without struggle. Because Avraham, like all human beings, had to overcome his own *yetzer harah* (evil inclination), which is part and parcel of the human situation resulting from the expulsion of Adam and Chava from Gan Eden.

But once Avraham discovered the Prime Mover and Creator of all that exists, his soul became in the words of the Malbim, "as a mirror reflecting the upper light".

Avraham, unknowingly, was preparing the spiritual platform for his descendants, upon which the Torah could take root, as HaShem says in Beraishiet 18:18-19

And Avraham will surely become a great and mighty nation, and all the nations of the earth shall be blessed through him;

For I chosen him, so that he will command his children and his household after him to cling to the way of HaShem, to do righteousness and justice...

Avraham's unique soul was passed on to his son Yitzchak (skipping over Yishmael) who continued to develop the potential of that unique soul. And then to Ya'akov (skipping over Aisav) until the spiritual platform became sufficiently developed to be the innate soul of all future authentic Jews until this day.

The nucleus of the authentic Jewish soul, as we perceive in the lives of our forefathers, is its constant awareness of the Creator's presence. This is what the Zohar means when it states:

The Holy One Be He, the Torah and Yisrael are one .

This core belief, that HaShem is our Father and King, is what defines a Jew. Much of our history records individuals and communities who were far from Torah mitzvot, but at the last moment of their lives, when body and soul perceived each other "face to face", these distant Jews cried out Shema Yisrael – "I am a Jew. I know God".

Mitzvot must be learned. If one is born to a family that did not provide for Torah education, the chances that the children will be Torah observant are very slim. There are also people who were born into observant families, but were unable to resist the challenges of life's temptations, and fell by the wayside of halachic Judaism. But despite one's disappointing standing on the scale of religious observance, it does not detract in any way from the holy soul within him. If one should, God forbid, perform an act recognized as joining another faith, he remains, eternally, a Jew in this world as well as in the next world. There is no way that one can expunge, extirpate, nullify or obliterate one's essential

Jewish soul. This applies to anyone who was born of a Jewish mother and to righteous converts, to the same degree.

Next is the answer to the second question, which is why the forefathers did not receive the Torah?

Going through the motions of a mitzva by one who does not possess the unique Jewish soul has no meaning, and can even be detrimental to the world!

The function of our fathers was to connect the ethereal world of spiritual potential with the "realities" of our world through the Jewish soul, so that the mental study of Torah and physical performance of mitzvot could construct the *olam ha'tikun* (the perfect world) of spiritual uniformity and harmony between the myriad entities created by an infinite God.

Now since the completion of the Jewish soul was accomplished only at the end of the lifetime of Ya'akov, only then could the process of Jewish nation building begin. It had to pass from the stage of Am Yisrael's servitude to Paro to servitude to HaShem. At the foot of Mount Sinai, millions of Jewish souls stood who were then prepared, as a nation, to perform the mitzvot.

About the first question, why is it necessary to appoint *shotrim* to coerce Jews to abide by halachic judgements?

The command to appoint law enforcement officers was not in effect while the Jews were in the desert. The command was given only on the eve of our entering the Land. As long as we lived an insular Jewish existence, there was no need to enforce the halacha. But now, when the Jewish nation would be coming into contact with gentile beliefs and mores, those foreign influences might join together with the ever present *yaytzer hara* in weakening the influence of the Jewish soul.

As to the third question, which generation is the greatest in

Jewish history?

We have first to determine the standard which will serve as the measuring stick for a generation.

If the criteria is the quantity and quality of miracles that HaShem performed, then the generation of the exodus wins gold, silver and bronze.

If the criteria is wealth, strength and esteem, then the generation of King Solomon takes center stage.

If the criteria is the dispersion of Torah knowledge among the whole nation, then the generation of King Chizkiyahu would be first, as the Gemara (Sanhedrin 94b) relates that in his time from Dan to Be'er Sheva there was not one person who was ignorant of the Torah, and between G'vat and Antiperes every man, woman and child were erudite in the laws of tuma and tahara (ritual purity).

If religious-national honor is the criteria then the generation of the Macabim would be first.

In my view, the measuring stick is when, for a myriad of reasons, spiritual or physical persecution, exile, ignorance, false leaders and more, the generation finds itself far from a conscious Torah-mitzva life, but nevertheless, its innate Jewish soul shines forth to declare its loyalty to and dependence upon HaShem.

A generation that raises its eyes heavenward and says, "Ribbono Shel Olam (Master of the Universe). We have done all that is humanly possible . Now it is up to You to intercede on Your chosen nation's behalf."

Echoing the words of Yo'av ben Tzeruya, King David's Chief of Staff, to his troops in preparation for the critical battle against Amon and Aram (Shmuel 2 10:12

Be strong and of good courage for our nation and for our

Lord's cities. And HaShem will deliver the outcome that pleases Him.

The State of Israel is currently in an extremely delicate political-military situation. Iran, Egypt, Syria, Hizbulla, Hamas, the Arabs in Yehuda and Shomrom, the Arabs who are citizens of the State, and our "friends" in the west who believe they have succeeded in fooling us to believe that they are our friends are all opposing us.

I wanted to test out the mood of the "rank and file" of the silent majority at this time. What better way than the trusted consensus of taxi drivers?

Over the last three weeks, I engaged the drivers of my five taxi trips (there is no one easier to speak to than an Israeli taxi driver) with a vexing opening like, "Nu, hamatzav kasheh," (the situation is difficult).

These men were at best mesorati'im (traditional), and my comment aroused almost the same reaction from each one. "You are a rav. Where is your bie'ta'chon in HaShem? (trust in God)".

This is the feeling among the vast majority of Israelis; which explains the optimism that runs throughout the nation, from the army down to the last citizen. This expression of total faith has nothing to do with religious observance. In 1967 we lived in the chassidic community of Kiryat Tzanz in Netanya. During the three week period of preparation preceding the Six Day War, many in the community fled the country, despite living a life of Torah and chassidus.

It has to do with the authentic Jewish neshama in the individual, that appears at the crucial times in a Jew's life. If one cowers from the challenges of faith, he should question his roots.

No one knows how the future will unfold. Will we attack Iran? If yes, how and when will it happen. Will HaShem bring about an earthquake to swallow up all the Iranian nuclear sites, or tsunamis to engulf our ancient Nile enemy to the west? Will the United States lead the free world in removing the Iranian menace, or will the present U.S. President cringe behind his ideology of turning the US into a second rate country.

But here in Israel we all feel that a great surprise awaits the world, very shortly.

The vast majority of Jews today in Eretz Yisrael were chosen by HaShem, who knows the holy souls of each one of His people, to rebuild His tattered nation and land.

How proud are the people of Israel in Eretz Yisrael who are the authentic chosen of HaShem. In time, as the scars of the galut heal and disappear, the entire nation here will return to a life of active Torah study and mitzvot; it is happening daily before our very eyes.

All the ideas expressed above are contained in chapter 27 of Tehillim, which we recite twice daily beginning with Rosh Chodesh Elul until the end of Shemini Atzeret.

Of David.

*1 The Lord is my light and my salvation, **whom shall I fear?***

The Lord is the stronghold of my life, of whom shall I be afraid?

*2 When the wicked advance to devour me, it is my enemies and my foes who **will stumble and fall.***

3 If an army shall besiege me, my heart will not fear; if war erupts against me, I will be confident in this....

4 One thing I ask from the Lord, this do I seek: that I may dwell in the house of the Lord all the days of my life, to

gaze on the beauty of the Lord and enter into His temple.

5 He will keep me safe in his dwelling; He will hide me in the shelter of his sacred tent and set me high upon a rock.

6 Then my head will be exalted above the enemies who surround me; at his sacred tent I will sacrifice with shouts of joy; I will sing and make music to the Lord.

7 Hear my voice when I call, Lord; be merciful to me and answer me.

8 My heart says of You, "I Seek Your face. The Lord, I will seek.

9 Do not hide Your face from me, do not turn your servant away in anger; You have been my helper. Do not reject me or forsake me, God my Savior.

10 Though my father and mother forsake me, the Lord will receive me.

11 Teach me Your way, Lord; lead me in a straight path because of my oppressors.

12 Do not turn me over to the desire of my foes, for false witnesses rise up against me, spouting malicious accusations.

13 I remain confident of this: I will see the goodness of the Lord in the land of the living.

14 Wait for the Lord; be strong and take heart and wait for the Lord.

Shabbat Shalom

Nachman Kahana

Copyright © 5772/2012 Nachman Kahana