

## **SHABBAT SHALOM FROM CYBERSPACE**

**SHOFTIM**

**Haftarah: Yeshayahu 51:12-52:12**

**AUGUST 22, 2015 7 ELUL 5775**

**DEDICATIONS: In memory of Florence Bibi Safdieh and Rebecca Maslaton Bibi**

**We would like to welcome Rabbi Yitzchak Korn and  
the other distinguished guests who will be with us this Shabbat**

**Minha & Arbit 7:00 PM -Candle Lighting 7:26 PM  
Friends – We need assistance and a commitment for Friday evenings**

**Shabbat  
Class with Rav Aharon 8:00 AM – Latest Shema 8:50AM  
Shahrit 8:30 AM, Torah 9:45 and Musaf at 10:30**

**Kiddush this week is sponsored by Albert and Eleanor Yusupov  
In Honor of the forthcoming marriage of their son Sam  
To Dana Benzaken**

**Shabbat Morning Children's Program 10:30 - 11:30 with Jennifer  
Ages 2-5 - in the Playroom/  
Girls Ages 6-12 - In the Upstairs Library / Treats, Games, Stories, Prayers and Fun!**

**Children's program at Bach at 5:30PM –  
Ladies Class at the Lembergers at 5:30**

**Class with Rav Yitzchak Korn at 6:15PM  
Minha 6:45 PM - Seudat Shelishit 7:15 PM  
Rav Yitzchak Korn is scheduled to give the class  
Birkat HaMazon 8:10 PM Arbit 8:15 PM – Shabbat Ends at 8:25**

**SUNDAY MORNING Selihot at 7:15 and Shaharit at 8AM**

**DAILY MINYAN**

**Selihot 6:20 AM**

**Monday, Thursday 6:55, Tuesday, Wednesday and Friday at 7:00AM  
Mincha and Arbit - Sunday at 7:30PM**

**LOOKING FORWARD:**

**Save The Date - August 30th  
Sisterhood's End of Summer BBQ!  
With community blood drive.  
More details to follow!**

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 17th Floor, Artistic Frame at 4PM – Please join us!  
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 give you the World To Come!**

### **Editors Notes Judges, Police and Ashley Madison**

This morning we had a discussion at our class relating to this week's portion and current news. We begin with the words, "Shoftim VeShotrim - Judges and officers you shall appoint for yourselves in all your gates". On the surface the verse is telling us that our society must be established with competent judges, an operational police force, and stable leadership in order to maintain itself in accordance with the Torah.

Examining the text, one notices that the command is given in the singular. The Rabbis ask, "Why has Moses phrased this verse in the singular? Isn't he speaking to the entire Jewish people about the importance of communal accountability?"

Rabbi Yishaya HaLevi Horowitz, known as the Shla HaKadosh writes: Moses is attempting to hint to the nation that the pursuit of righteousness begins with the individual. Every person must appoint "judges" and "officers" over his own personal "gates" as well. The eyes, ears, brain, heart, and mouth are all avenues that can be sources of great benefit to so many people. However, at the same time they can also be used for the greatest evils. Moses is reminding us that it's our responsibility to take control of what we allow to influence our precious hearts and minds. Whatever we allow ourselves to see, hear or otherwise let into our bodies and minds is going to have an effect on us and we should value ourselves enough to set up guards, our good judgment, to make sure whatever we don't want in – stays out. And when it comes to our mouth, this works both in what we take in such as food and put out, which are words.

People know what's right. Even if we convince ourselves that we are justified in this or that action, deep down, we know we have created the justification. So the judging part may not be so difficult. It's the policing that presents the problem and this is truly mind boggling. Even when we know something is wrong and even when we know it can or even will cause damage, we do it. We lack the self-control even in the face of potential disaster. The

fleeting moment of imagined joy overwhelms what can lead to a lifetime of sorrow. We are flesh and blood, but our evil inclination is fire.

The Gemara states that one should not sleep alone in a room. Perhaps in sleeping alone, we imagine that no one is watching us, forgetting that Hashem is always there. Pirkei Avot adds: "Reflect on three things and you will never come to sin: Know what is above you --a seeing eye, a hearing ear, and all your deeds recorded in a book". Maybe change "recorded in a book" to recorded digitally in life like hologram style. How much more apropos is this warning today? We often think nobody is watching, yet someone always is?

From the moment we step out the door, there are cameras. Each key we type on our phones and computers is recorded. We use Waze to get from place to place and someone knows where we were, where we stopped and where we are going. Our fitbits record how far we walk, when we walk, how we sleep, when we wake up, our heart rate and overall fitness. Amazon and Google see what we buy, what we wish we could buy and what we need and can predict what we will buy in the future. Target even knew when a woman became pregnant even before she knew it because of what she was buying – ( as it was explained to me, its something to do with enzymes) and in came the offers for bottles, diapers and cribs. We are never alone as much as we think we are. Call it anything you want, call it government, call it big brother, call it Heaven ... one has to know that everything is being watched and recorded.

Anyone watching or reading the news in the last few days has to be aware of Ashley Madison. This is a website dedicated to having affairs and cheating and their promise is discretion. As we know Hackers broke into their system and after making demands started releasing the names of those some of clients, including clients who were charged an extra fee to insure their information was deleted; so much for discretion and guarantees. Although our tendency is to state that those cheaters got what they deserved, we can estimate because of this breach there will be an additional 850,000 divorces at a minimum. And that many families destroyed.

What I find mind boggling is that "despite the negative publicity surrounding the cyber-attack, demand for Ashley Madison's services has been steady since the data breach first announced in July", said Mark Brooks, CEO of Internet dating consultancy Courtland Brooks. "I would have thought this would be a death knell for that company because their entire business basis is privacy," Brooks said.

How could people still sign up when they saw the risk of imminent exposure?

Look how dangerous the Yetzer Harah is, our evil inclination, our physical desires. Even when people see and know the danger, they forget what they are risking in deference to those desires. The shoftim, the judges within us have little power. When they fail it's up to the Shoterim, the police within us to protect us.

Imagine for a second what this "outed" person will go through. Imagine the agony of the embarrassment. Imagine the face of his children. Imagine the pain of his wife. Imagine the disappointment of his parents. Imagine the cost to his career. Imagine the stain that becomes a permanent tattoo. Whatever he is going through, we are told the embarrassment after 120 years when we will stand in the heavenly court and Hashem plays back each of our own videos will be worse.

The Talmud sates that a person should always arouse his Yetzer Tov – his good inclination - to fight his Yetzer ha'Ra – his evil inclination and suggests three steps. If he does not overpower his Yetzer ha'Ra, he should learn Torah. If he still does not overpower it, he should recite Shema – and if he still does not overpower it, he should think about the day of death – and that will work. If the day of death works then why not make that the first on the list. Rabbi Abittan explained that we don't want to depress someone if something else may get the job done. But it's the image of standing in that courtroom and of facing this overwhelming embarrassment that's supposed to do the trick.

Your policeman is your good inclination. He needs all the help he can get. We all face temptation every day, and each of our temptations is different. Some fight food, some desires, some gossip, some stealing .... We each have our internal judge. We know what's right and what's wrong. We have to work on giving more power to the police, the little cop inside of us who wants to make sure we stay on the straight and narrow.

Discuss with your children, that whatever they write is forever. Discuss with them this idea of an eye is watching. Discuss the potential damage and embarrassment. And discuss the judge and the cop. Let us know how that conversation goes.

Shabbat Shalom, David Bibi

PS ... I found the article on Rav Ovadia by his daughter inspiring.

### **My Abba, Rav Ovadia**

**Originally printed in September 8, 2014 in People By Adina Bar Shalom with Toby Klein Greenwald**

I first met Rabbanit Adina Bar Shalom, the daughter of Rav Ovadia Yosef, z"l, in the spring of 2007, on a visit to the Haredi College of Jerusalem, founded in 2001, which was housed in a community center in a decrepit part of the Romema neighborhood of Jerusalem.

Today the college takes up several floors in Jerusalem's upscale Malcha complex. This past year, on Israel's Independence Day, the Rabbanit was one of fourteen women chosen to light a torch during the traditional lighting of the torches ceremony at Mount Herzl. Each of the women selected contributed to Israeli society in various ways. The Rabbanit said emphatically that she was lighting in honor of her father, in honor of the women of valor who help bring about and support a world of Torah study and in honor of the thousands of Chareidim who have entered the workforce, as it says, "For thou shalt eat the labour of thy hands: happy shalt thou be, and it shall be well with thee" (Tehillim 128:2) (The Jerusalem Bible [Jerusalem: Koren Publishers, 2000]).

The following evening, she was one of ten individuals, among them Rabbi Aharon Lichtenstein, to receive the prestigious Israel Prize.

The stories and details about life with Rav Ovadia Yosef, described here, are from a lecture which I have translated, excerpted and summarized. The Rabbanit delivered the lecture "The Legacy of Hakham Ovadia" in Hebrew this past November at Yeshiva University (lecture available at [www.yutorah.org](http://www.yutorah.org)).

Toby Klein Greenwald

The author with her father, Rav Ovadia, at an event for the Haredi College of Jerusalem. Rabbanit Bar Shalom opened the college thirteen years ago in response to the need for higher education in the Chareidi community. The college offers separate gender classes and the degrees are awarded by Bar-Ilan and Ben-Gurion universities. Rav Ovadia was a great supporter of the college. Photo courtesy of Rabbanit Bar Shalom

The author with her father, Rav Ovadia, at an event for the Haredi College of Jerusalem. Rabbanit Bar Shalom opened the college thirteen years ago in response to the need for higher education in the Chareidi community. The college offers separate gender classes and the degrees are awarded by Bar-

Ilan and Ben-Gurion universities. Rav Ovadia was a great supporter of the college.  
Photo courtesy of Rabbanit Bar Shalom

It is difficult to find the words to describe the extent of the ahavat Yisrael with which my father, Rav Ovadia, was blessed. My father and his brother were born into a poor family in Iraq. He was four years old when his family came to Israel, where six more children were born.

From childhood on, he loved to learn Torah more than anything else; he didn't play with other children. At age six he knew scores of mishnayot by heart, and at nine he started to learn Gemara.

#### His Early Life

His phenomenal, photographic memory was apparent at a young age. When he couldn't afford to buy seforim, he would stand in a bookstore for half a day, look over the sefer and commit it to memory.

At twenty-four, he married [my mother] Margalit Fattal and at the age of twenty-six, in 1947, he was elected deputy chief rabbi of Egypt, sent there by Rabbi Ezra Attiya, rosh yeshivah of Porat Yosef Yeshiva, and Harav Ben-Zion Uziel, the Sephardic chief rabbi of then-British-ruled Palestine. It was a struggle in Egypt to observe the laws of kashrut and the mitzvot. But my father persevered and strengthened the whole community in limud Torah [Torah study].  
Rabbi Ovadia Yosef learning in his home (October 18, 1972). Photo: Israel Sun

Rabbi Ovadia Yosef learning in his home (October 18, 1972). Photo: Israel Sun

My father understood the principle of "chanoch lana'ar al pi darko" ["Teach a child according to his or her own way"]. So to draw the community close, he went on day trips [with his students] and joined them on picnics. I remember when I was four years old, together with Abba's students we visited the pyramids and boated on the Nile. He would laugh and joke with his students, and in the midst of this, intertwine the study of Torah. He acted like one of his students, not like a rav who came to educate them. Many [of his students] were older than he was, and this was his way of bringing them closer.

Three years later, my father and his family returned to [the newly established State of] Israel. In Egypt, my parents had been comfortable, but they arrived in Israel with four children during the tzena [a time of austerity and rationing], and their financial situation was very difficult. Abba did whatever was necessary in order to earn a livelihood. He gave shiurim in Porat

Yosef Yeshiva, taught halachah to ba'alei batim in the evenings and served as a chazzan on Shabbat.

Our home was a home of Torah. In between the shiurim that Abba gave, he learned Torah at home. We children tiptoed, and that's not metaphoric; we really did. We played quietly; you could hardly hear us. Even if we cried, it was quietly; and when we laughed, it was in total silence.

On Shabbat, my father, like other fathers, would teach us the songs that he loved, both Chassidic songs and songs from Egypt . . . He would also ask us what we were studying in school, which teachers we like, which subjects we enjoy learning. Shabbat was wonderful for us. He would tell stories, and all his stories had a musar haskel, a lesson.

On weekday afternoons, we would spend a half hour with Abba during lunchtime. The radio would be on, and we would listen to Professor Nechama Leibowitz, z"l, explain the Tanach. He would say, "Learn from her, children; see what a wise woman she is. Learn the Tanach well, so that in twenty or thirty years from now, I will be privileged to hear you on the radio explaining the Tanach." Indeed, today several of my brothers deliver regular shiurim on Israeli radio.

In 1957, my father began serving as a dayan, rabbinical court judge, in Petah Tikva. His heart was filled with compassion for the couples who came to him. After all, who comes to a beit din? People who are in pain and have difficulties. He tried his best to alleviate people's suffering.

Once, close to Pesach, he convened the beit din for an urgent case. His colleagues arrived and asked, "What is so urgent? We aren't doctors!" He replied, "We are much more [than doctors]. There is a man who refuses to give his wife a get, and he's sitting in prison." The man believed that because he wasn't a criminal—he didn't steal or commit murder, he "just" refused to give his wife a get—he would be allowed to go home for the chag. [But once he realized that was not the case,] he called my father and said he couldn't stay in jail because there was no shmurah matzah, et cetera. He promised to give his wife a get right after Pesach. Abba said, "No, you won't leave prison until you give her a get." He finally said, "Bring the dayanim now, and I'll give her a get." So Abba called the dayanim together quickly. On the eve of bedikat chametz, Abba came home late, after the get was given. He said that he wanted us, his children, to understand how important it was to him to have this woman receive her get. "Now that she is a free woman," he said, "I can conduct the Seder."

In 1958, we moved back to Jerusalem when my father was appointed to serve as a justice in the rabbinical court in Jerusalem. Subsequently, he began serving in the rabbinical high court. In 1968, he became Sephardic chief rabbi of Tel Aviv-Jaffa. Prior to this, he had written Chazon Ovadia and the first few volumes of Yabia Omer. He received awards for these seforim, including the Rav Kook Prize for Torah Scholarship, the Rabbi Uziel Prize and the Israel Prize for his rabbinic writings and bold halachic decisions.

In 1972, he was elected the Sephardic chief rabbi of Israel. After the Yom Kippur War, Minister of Defense Moshe Dayan asked him to examine the possibility of declaring the wives of soldiers who were missing in action and presumed dead as halachic widows. These women would remain agunot otherwise. When Dayan was asked why he went to [Rav Ovadia] and not to another rav, he said, "Because I have absolute faith in him and, just as I trust him, so do all of Am Yisrael; they will accept his halachic decision . . . If [Rav Ovadia] investigates the issue and he [declares them widows,] nobody will disagree with that decision."

He questioned the soldiers who served with the men missing in action. With each testimony, he cried. He couldn't eat during those days, didn't drink, didn't sleep, could not close his eyes, until he gave a heter to every one of the wives whose husbands were missing. There were nearly 960 widows resulting from the Yom Kippur War. For many, the bodies of their husbands were found and identified. But [in those cases] where the bodies could either not be found or identified, as a result of my father's pesak and thorough investigation of each and every case, not one woman was left an agunah.

#### A Teacher of Torah

Abba was known for having the ability to rub shoulders with kings and rulers of countries but also with the common man. He never refused an invitation; whether it was to visit the kibbutzim of Hashomer Hatzair [the secular Communist kibbutz movement] or the king of Spain, he went with the same enthusiasm. He was especially happy to go [teach Torah at] the secular kibbutzim because he said this was their only opportunity to hear divrei Torah. In the beginning [of his rabbinic career], he went everywhere by bus. He never complained that it was difficult for him, and he never felt that he should stay home and learn Torah instead. He thought that learning Torah and teaching others were both important and that he had to do both.

On one of his trips to the States, he visited a school in Los Angeles. A seven-year-old boy from the well-known Syrian Jewish Falas family was so inspired by his visit that when he reached the age of sixteen he went to Jerusalem to study in a yeshivah for two years. Soon after, this young man met my daughter and [became my son-in-law]. He was recently chosen to be the Sephardic chief rabbi of London. At the age of seven, he saw the joy of Torah and it brought him to a place where he yearned to learn Torah. Abba always supported my son-in-law's pesakim. Abba told him, "Go with strength and save Am Yisrael. You have the ability to speak English; I wish I could."

After serving as chief rabbi of Israel for ten years, Abba founded the Shas party. He wanted to finish what he started. He wanted to serve Am Yisrael, to take care of the underprivileged, to work for the glorification of Torah. He knew that in order to execute ideas, one needs political power. He wasn't naïve. He knew that [without Shas,] he would not be able to implement his vision.

We, the family, were unhappy with this decision and asked him to reconsider. We were afraid that [his involvement in politics] would cast a shadow over his greatness in Torah, chas vechalilah, and his prestige would suffer. Abba drew his answer, as usual, from the sources. "Yechezkel the Prophet was called Yechezkel ben Buzi. Why? Because he embarrassed himself for the Torah . . . in order to spread the Torah, he had to dirty himself more than once. [He had to] go into the mud, to ask people to come and listen to divrei Torah. This is the reason why he was privileged to have God reveal Himself to him and call him 'Ben Adam.' Prophecy was given to prophets who did not have the designation of 'Ben Adam.' But God wanted to uplift Yechezkel due to the fact that he had shamed himself for the Torah." My father then turned to my mother and said, "Can I stand on the side? Is this what I will say to Hakadosh Baruch Hu? That I cared more for my honor?"

Rabbi Ovadia Yosef speaking to religious students before their induction into the IDF (1973). Photo: Israel Sun

Rabbi Ovadia Yosef speaking to religious students before their induction into the IDF (1973). Photo: Israel Sun

Indeed, what we feared came to pass. People got angry or mocked Abba for things he said. His divrei Torah were not always properly understood, and such misunderstandings also took place when he would broadcast shiurim via satellite. We urged him to cancel the broadcasts. We told him that journalists are listening and they don't understand. He was very

distressed after he spoke about the reincarnation of souls connected to the Shoah and survivors misunderstood what he said [and assumed he had referred to them as evil]. He didn't mean that they were evil, *chalilah v'chas*, but many survivors were shattered and demonstrated outside of our home. That was the only demonstration during which he went out to the people and said, "I apologize. I was misunderstood; no one on Earth went through what you did." That was the only time he cried with the demonstrators because they did not understand him. After that incident, we once again urged him to stop the broadcasts. And he said, "No, I've learned what is not understood. And I'll make more mistakes. There is no individual who is immune to making mistakes. How can I otherwise reach 30,000 people?" They heard him in Morocco, in France; they heard him everywhere. So he continued, in spite of the fact that there were things that hurt him and hurt us.

#### "Bringing the University to Us"

My father introduced me to my husband. I was eighteen years old. I wanted to work, to support my family. Abba said, "Ezer kenegdo, not alone; he will help you and you will help him. You will build a home together. May Hashem make it successful." So my husband, like my father, worked as a *chazzan* and gave classes in the evening, and I clothed the daughters of Israel. I had a bridal gown salon.

Later, my husband became a *dayan*. We have three children and thirteen grandchildren, *baruch Hashem*. When our youngest daughter got married seventeen years ago, I thought, how can I contribute, to leave my mark, as the daughter of Rav Ovadia?

I realized that higher education was the answer. Two hundred years ago, academic study had caused [many among] Am Yisrael to become secular and this led to much intermarriage; it was known as "hashmadat dat," the destruction of religion [the Enlightenment]. Therefore, the Chareidim in Israel boycotted university studies. However, academic study helps develop the world, as it is written in the Torah, "Wisdom among the non-Jews should be believed."

What can we do to provide Chareidim with education, with the knowledge to participate in the twenty-first-century world?

I thought about this issue because I was raised in Abba's home. People came to him seeking his advice. I knew that hearing about all their difficulties caused him to feel deeply distressed. They didn't have money to feed their children, to buy them clothes, to support their families. They were working,

but the salaries didn't cover their monthly expenses. I thought: we have to bring academic studies to Am Yisrael, to the Chareidim. Not to send the Chareidim to university, but to bring the university to us.

Abba immediately agreed with me. He asked that things be done in the proper way, in the way of the Torah. I opened the Haredi College of Jerusalem thirteen years ago with twenty-three women. Today, more than 1,000 students—men and women—study in the college. The degrees are awarded by Bar-Ilan and Ben-Gurion universities.

Five years ago, when Abba came to visit the college, he asked me, "Where are the men?" I said, "Abba, I only teach women, because I am afraid that the Ashkenazic *rabbanim*, who were very opposed to the college in the beginning, will claim that I'm taking the men out of the *yeshivot*." He said, "You're afraid of the Ashkenazic rabbis and not of me? If I'm saying [to bring the men,] then obviously I know that those who will come to the college [will do so because they] need to support their families. They are people who will not become *rabbanim*."

Working with the academic world was a challenge, and Bar-Ilan University was concerned about opening new degree programs for Chareidim. I wanted to offer a lot of academic options. I wanted Chareidim to study computer science and guidance counseling—everything students could learn elsewhere. The [coursework is] the same, but I wanted to give Chareidim the opportunity to study among other Chareidim in separate-gender classes. Pre-election rally in Tel Aviv where Rabbi Ovadia Yosef encouraged voters to vote for Shas (February, 2006). Photo: Leon Kahane/Israel Sun

Pre-election rally in Tel Aviv where Rabbi Ovadia Yosef encouraged voters to vote for Shas (February, 2006). Photo: Leon Kahane/Israel Sun

One day, Abba said, "I will go to Bar-Ilan and I'll talk to the president." And he did. He met with the university president, after which, the president promised that he would open the door to all of the degree programs in the university.

Abba went to see the university's Torah library, and was amazed at the Responsa Project. He said, in jest, "Let's have a contest. One of you ask a question, and I want to see how many answers the computer will give, and how many I'll give." A question was asked. He answered way before the computer did.

### A Follower of Beit Hillel

Abba was very well respected. Tremendous rabbanim, like Rav [Yosef Shalom] Elyashiv, who did not always approve of his halachic opinions, agreed that he was a genius in Torah, and that his pesak was clear-cut and solid. Many also appreciated his lenient approach. Abba never hesitated to quote posekim who did not rule the way he did.

At one point, he was questioned about his decision regarding the status of the several thousand IDF converts who were converted [outside of the framework of the Chief Rabbinate] in special IDF conversion courts. Abba said, "I checked it out [and decided that] whoever converted, converted. We don't posek a person after he has converted."

Abba left an ethical will to my brother, Rabbi Yitzhak Yosef, the new Sephardic chief rabbi of Israel. He is a genius in Torah, head and shoulders above others. In his ethical will, my father said to him: "Go according to Beit Hillel. And don't make it burdensome for the tzibbur [public]. If you want to take something more difficult upon yourself, I won't tell you not to. But don't be machmir [stringent] with the tzibbur, because it will just distance them. You have to draw the tzibbur close. Take that as a will that I am leaving you. Continue in this way, because I know you are filled with Torah; you know how to make halachic decisions. You have courage, but choose always to go in the way of Beit Hillel and not Beit Shammai."

We lost a leader who was a giant, a leader whose head reached the stars and whose feet were planted in the ground. I want to conclude with a verse from Tehillim: "Blessed is the man who does not walk in the counsel of the wicked, nor stands in the way of sinners, nor sits in the seat of scorners. But his delight is in the Tora of the Lord; and in his Tora he meditates day and night. And he shall be like a tree planted by streams of water, that brings forth its fruit in its season; its leaf also shall not wither; and in whatever he does he shall prosper" (Tehillim 1:1-4) (The Jerusalem Bible [Jerusalem: Koren Publishers, 2000]).

So was Abba, who planted trees that bring forth fruits in season, the fruits being the talmidei chachamim of our generation. And then there are the books. There is nothing Abba cherished more. He used to bring home a new sefer and hug and kiss it as if it were a human being. Abba left the scores of books he wrote as an inheritance for us and for all of the generations to come.

*Toby Klein Greenwald is a journalist, educator and community theater director who lives in Efrat, Israel with her family. Rabbanit Adina Bar Shalom is the eldest daughter of Rav Ovadia Yosef. Special thanks to Shira Leibowitz Schmidt for assisting in the preparation of this article.*

### Summary of The Weekly Torah Reading

I wanted to point out one pasook in this week's parasha that stood out. In the 4th aliyah which at the end discusses different types of avoda zara and sorcery that people would use to tell the future Perek 18, Pasook 13 says "tamim tihyeh yim Hashem Elokecha (you shall be simple with Hashem)". And the Rabenu Yonah in his work Shaare Teshuba (which coincidentally is great recommended reading for Elul) explains that this pasook is the source in the Torah for the obligation to have Bitachon and trust in Hashem. The pasook is telling us don't look into the future. Don't worry too much about finding out what will be. Be simple with Hashem. Trust that he will take care of you and do what is best for you (i.e., do your hishtadloot but don't worry and trust that Hashem will do what is best for you).

Shoftim - Mitzvot relevant to establishing a society (judges, kings, war) in Israel

- 1- The mitzvah to appoint judges and law enforcers. An individual who worships avoda zara. The rebellious elder.
- 2- The mitzvah to appoint a king in Israel. Halachot of a king
- 3- Benefits and obligations of the Leviim
- 4- A kohen who desires to serve not during his assigned time. The mitzvah not to use sorcery, witchcraft or other avoda zara to learn the future.
- 5- Hashem sends us prophets (in place of sorcery used to learn the future). Laws regarding cities of refuge
- 6- Edim zomemin (false witnesses). Laws when Israel goes to war (who goes to war).
- 7- Laws when Israel goes to war (offering peace, who is killed), eglah arufa

### EXCERPTS FROM THE JERSEY SHORE TORAH BULLETIN

**"It shall be that the city nearest the corpse, the elders of that city shall take..." (Debarim 21:3)**

At the end of the perashah the Torah teaches the law of Eglah Arufah (the axed heifer). The murder of a Jew is a tragedy for the community, and if it was in any way due to the neglect or indifference, everyone must feel a share of the guilt. Consequently, if the corpse of an unwitnessed murder is found lying in the open, the Torah requires the elders of the town nearest to the corpse perform a public ritual in which they declare that they were not

culpable and they pray for forgiveness for the Jewish people.

One might ask, if the people of the nearest town were not culpable in that murder, why did Hashem cause it to occur near that town? Rabbi Ibn Ezra writes, "It may be that Hashem commanded that the incident should take place near that town because they did something sinful that is compared to the murder. For if the sinfulness had not been present in their town, such a mishap would not have occurred." That's why the Torah concludes with the words, "Then the blood shall be atoned for them," as a result of their regret and prayers of forgiveness.

This misvah teaches us the far-reaching effects of our deeds, for better or for worse. A story is told that on one Shabbat Rav Shach zt"l went for a walk with his student. When they reached the boundary of Bnei Brak, suddenly Rav Shach asked his student, why on this road did they drive on Shabbat and on the road nearby they don't drive on Shabbat? The student answered simply, "Up till here is Bnei Brak and there is the city of Ramat Gan. In Bnei Brak there is no driving and in Ramat Gan there is." Rav Shach answered, "That isn't the reason. The reason is that the power of the Shabbat observance of the religious Jews of Bnei Brak reach up till here, up till this road. If our Shabbat would have been stronger then the influence would have extended further, and there would be no driving on the next road."

In a similar comment the Brisker Rav said that the reason why Yom Kippur is so universally observed in Israel, is not because the general Israeli public views Yom Kippur as very special. It's because the observant Jews view this day as so very holy, it makes that day more observed by all. Rabbi Reuven Semah

**"Let your heart not be faint, do not be afraid"  
(Debarim 20:3)**

When the Jewish people went out to war, the Kohen would give them words of encouragement and tell them not to be afraid, not to tremble, not to panic and not to become weak hearted. The Gemara says that there are four terms used here because the Gentile nations would use four methods of frightening the Jews: by screaming; by blowing shofar; by clanging their weapons together; and by making their horses stamp their hooves loudly. We see from here how loud noises could shake up a person and make him lose his equilibrium. During World War II, the enemy used to fire bombs known as "Screaming Mimis," which would terrorize the soldiers.

The evil inclination uses everything he could in his arsenal. When we hear the deafening sounds which society calls music, it enters our soul and has the power to shake us up. Recently, while I was

stopped at a traffic light, my car began to shake and I wondered what could be wrong, until I realized that the car next to me had his radio on so loud and the sounds were so powerful that they actually caused a car next to it to vibrate! Music has the ability to inspire and to elevate a person closer to Hashem, provided it is pure and sweet. What the world now treats as music is closer to cacophony which incites feelings and emotions in a person that will not get him closer to Hashem. We have to be judicious in what we let enter our ears and especially those of our kids. (I am not even speaking of some of the lyrics which are downright vulgar and offensive.) The sounds we hear affect us tremendously and we don't realize the extent and the long term effect it could have on us. If the Torah emphasizes the hazards that it had on Jewish soldiers, we could readily understand why the yesser hara (evil inclination) made a whole industry out of it. Let us hear only the music that will inspire us to greater heights of sensitivity! Rabbi Shmuel Choueka

**RABBI ELI MANSOUR  
We are All Judges**

Parashat Shoftim begins with the command to appoint judges throughout the land: "Shoftim Ve'shoterim Titen Lecha."

While the simple meaning of this Pasuk is that it refers to courtroom judges, there is also an additional level of interpretation. The Torah is telling that "Titen Lecha" – each one of us is a judge. Throughout the day, every day, whenever we speak with or even just see another person, we judge. We make judgments about people based on how they look, what they say and what they do. This is inevitable. We are thinking beings, and we thus naturally cast judgments in our minds every time we have any sort of contact with others.

The Torah therefore instructs at the conclusion of this opening Pasuk, "Ve'shafetu Et Ha'am Mishpat Sedek" – "They shall judge the nation justly." We are bidden to give people the benefit of the doubt, rather than hastily reach negative conclusions. If we see behavior which appears to reflect negatively upon a person, we are to find a basis on which to judge that person favorably, rather than immediately assume the worst.

The Torah then adds, "Sedek Sedek Tirdof" – literally, "Justice, justice you shall pursue." This has been explained to mean that we are to go as far as we need to for the sake of giving the benefit of the doubt. We are to "pursue" a favorable judgment



regardless of how far we must go, no matter how far-fetched an explanation we need to come up with.

The Gemara in Massechet Shabbat tells a story of a poor man who worked for three years for a certain wealthy person. When he completed his term of service, on Erev Yom Kippur, he came to his boss and asked to be paid so he could support his family. The man said he was unable to pay, because he had no money. The worker asked if he could be paid through other assets – fruits, animals, land, or even houseware – but the man said he had done. The worker returned home empty-handed. Several weeks later, the employer obtained the money he needed and brought it to the worker. He paid him, and asked what he was thinking in his mind when he said he could not afford to pay. The worker he said he assumed that the employer had invested all his cash in promising business ventures, had not yet tithed his produce, lent out all his animals, leased his property to sharecroppers, and consecrated all his houseware. The employer swore that this was all correct. The worker went out on a limb to judge his employer favorably, and he turned out to be correct.

The employer then blessed him, “Just as you judged me favorably, so may you always be judged favorably.”

Indeed, the Gemara there comments that if a person judges other people favorably, then Hashem will judge that person favorably.

For this reason, the Torah writes, “You shall pursue justice, in order that you live...” If we judge people favorably, then Hashem will judge us favorably, as well, and bless us with life and happiness.

It is no coincidence that Parashat Shoftim is always read around the time of Rosh Hodesh Elul, as we start preparing for the judgment of the High Holidays. During this period, especially, we must heed the message of “Sedek Sedek Tirdof” – the need to give people the benefit of the doubt and judge them favorably. As we prepare ourselves for Rosh Hashanah and Yom Kippur, we need every possible “strategy” for earning a favorable sentence. And perhaps the most effective strategy is to give others the benefit of the doubt, to view other people from a positive angle, in the merit of which we, too, will be judged favorably and blessed with a happy, healthy, successful new year, Amen.

**Rabbi Wein**  
**JEWISH SOLIDARITY**

One of the hallmarks of the story of the Jewish people over the millennia of our existence has been the fact that Jews, no matter what their political persuasion or level of religious belief and observance, always seem to care for one another. Though there always were divergent interests and different agendas present in the Jewish world, nevertheless when Jews were in mortal danger the Jewish world somehow rose to attempt to help and defend our brethren who were so threatened.

Many times our efforts were too little and too late. That certainly was the case regarding European Jewry during World War II. Till today, there is much controversy and bitterness, academic dispute and political debate regarding what was done and what more could have been done to rescue Jews from the jaws of the Holocaust.

It is a topic that gives us no rest and provides no proper solution. I remember how my own family personally anguished over the destruction of my uncles, aunts and cousins. They always asked themselves if more could have been done to somehow extricate them from Lithuania before 1940.

Yet such feelings are purely hypothetical and incapable of being proven correct. Both American and Israeli Jewry are still conscience stricken regarding their rather tepid successes and ineffectiveness in ameliorating the destruction of European Jewry in the last century. So we proclaimed “Never Again” and promised ourselves that if, God forbid, such a situation ever arose once more, we would not allow it to have the same ending.

When the cause of the freedom of Soviet Jewry to emigrate from Russia arose in the 1960s and thereafter, it provided an opportunity for Jewish solidarity to express itself. In its early years, many Jewish leaders in Israel and the United States refused to help and sanctioned the acts of those actively fighting for Soviet Jewry’s freedom. By the middle of the 1970s, Jewish solidarity asserted itself in strength and numbers and eventually prevailed over the internally rotting Evil Empire of the Soviet Union. The Jews of the Western world actively cared about and campaigned for the rights and lives of their fellow Jews who were locked behind the Iron Curtain. Rallies throughout the Jewish world illustrated the wide variety of Jews who were united in this cause and who truly felt the pain and anguish of their brothers in the Soviet Union.

It was a heartwarming display of Jewish solidarity that somehow began to ameliorate the feeling of inadequacy caused by the poor response to the

impending Holocaust in World War II. It proved somehow, that in spite of all of our superficial differences in Jewish society, Jews still cared deeply about the fate of other Jews and were willing to take action. Sometimes this action was unpopular and against stated policies of the governments of the countries that they were citizens of - in order to protect and aid their fellow Jews.

Now the emergence and success of the State of Israel has greatly complicated the issue of Jewish solidarity. Not every policy or decision of the various governments of the state of Israel over the past sixty-seven years has been worthy of the support of all of the Jewish people throughout the world. However, in times of deep crisis such as the 1967 Six Day War and the subsequent 1973 Yom Kippur War, the Jewish world once again united in solidarity with the preservation of the Jewish state against armed aggression and threats of annihilation. When pushed to the brink, Jewish solidarity emerged, strong, vocal and ultimately with influence and enormous assistance..

The test model for Jewish solidarity now is the nuclear deal with Iran. It is not the State of Israel as an entity that is being affected and threatened openly by the mullahs of Teheran, rather it is that once again six and a half million Jews are being marked for annihilation. And, painfully, the Western world led by the United States is apparently willing to let this threat slide.

The world prefers to whistle while walking past the graveyard. So now the question arises, what about Jewish solidarity? Do the Jews who live outside of the State of Israel feel a responsibility to preserve the lives of their brethren who live in the ancient homeland of the Jewish people? This difficult choice has provoked much debate and angst in the Jewish world.

Much of the Jewish world just wishes that Israel would leave it alone. But the Lord does not allow for that option and therefore the moment of decision and testing is present. A show of solidarity will go a long way in helping us meet the challenges that are clearly before us

### **Chief Rabbi Sir Jonathan Sacks Environmental Responsibility**

Some commands in the Torah were understood so narrowly by the sages that they were rendered almost inapplicable. One example is the ir hanidachat, the city led astray into idolatry, about which the Torah states that "you must kill all the inhabitants of the city by the sword" (Deut. 13: 16). Another is the

ben sorer umoreh, the stubborn and rebellious child, brought by his parents to the court and if found guilty, put to death. (Deut. 21: 18-21).

In both these cases, some sages interpreted the law so restrictively that they said "there never was and never will" be a case in which the law was applied.[1] As for the condemned city, Rabbi Eliezer said that if it contained a single mezuzah, the law was not enforced.[2] In the case of the rebellious child, R. Judah taught that if the mother and father did not sound or look alike, the law did not apply.[3] According to these interpretations, the two laws were never meant to be put into practice, but were written solely "so that we should expound them and receive reward." [4] They had only an educational, not a legal function.

In the opposite direction, some laws were held to be far more extensive than they seemed at first sight. One striking example occurs in this week's parsha. It refers to the conduct of a siege in the course of war. The Torah states:

When you lay siege to a city for a long time, fighting against it to capture it, do not destroy its trees by putting an axe to them, because you can eat their fruit. Do not cut them down. Are the trees people, that you should besiege them? However, you may cut down trees that you know are not fruit trees and use them to build siege works until the city at war with you falls. (Deut. 20: 19-20)

This prohibition against destroying fruit-bearing trees was known as the rule of bal tashchit, "Do not destroy." On the face of it, it is highly limited in scope. It does no more than forbid a "scorched earth" policy in the conduct of war. It seems to have no peacetime application. However, the sages understood it very broadly, to include any act of needless destruction. Maimonides states the law thus: "Not only does this apply to trees, but also whoever breaks vessels or tears garments, destroys a building, blocks a wellspring of water or destructively wastes food transgresses the command of bal tashchit." [5] This is the halakhic basis of an ethic of environmental responsibility.

Why did the Oral tradition, or at least some of its exponents, narrow the scope of the law in some cases, and broaden it in others? The short answer is: we do not know. The rabbinic literature does not tell us. But we can speculate. A posek, seeking to interpret Divine law in specific cases, will seek to do so in a way consistent with the total structure of biblical teaching. If a text seems to conflict with a basic principle of Jewish law, it will be understood

restrictively, at least by some. If it exemplifies such a principle, it will be understood broadly.

The law of the condemned city, where all the inhabitants were sentenced to death, seems to conflict with the principle of individual justice. When Sodom was threatened with such a fate, Abraham argued that if there were only ten innocent people, the destruction of the entire population would be manifestly unfair: "Shall the judge of all the earth not do justice?"

The law of the stubborn and rebellious son was explained in the Talmud by R. Jose the Galilean on the grounds that: "The Torah foresaw his ultimate destiny." He had begun with theft. The likelihood was that he would go on to violence and then to murder. "Therefore the Torah ordained: Let him die innocent rather than die guilty." [6] This is pre-emptive punishment. The child is punished less for what he has done than for what he may go on to do. Rabbi Shimon bar Yohai, who said the law never was or would be applied, may have believed that in Judaism there is a contrary principle, that people are only judged for what they have done, not for what they will do. Retributive punishment is justice; pre-emptive punishment is not.

To repeat: this is speculative. There may have been other reasons at work. But it makes sense to suppose that the sages sought as far as possible to make their individual rulings consistent with the value-structure of Jewish law as they understood it. On this view, the law of the condemned city exists to teach us that idolatry, once accepted in public, is contagious, as we see from the history of Israel's kings. The law of the stubborn and rebellious child is there to teach us how steep is the downward slope from juvenile delinquency to adult crime. Law exists not just to regulate but also to educate.

In the case of bal tashchit, however, there is an obvious fit with much else in Jewish law and thought. The Torah is concerned with what we would nowadays call 'sustainability.' This is particularly true of the three commands ordaining periodic rest: the Sabbath, the sabbatical year and the jubilee year. On the Sabbath all agricultural work is forbidden, 'so that your ox and your donkey may rest' (Exodus 23: 12). It sets a limit to our intervention in nature and the pursuit of economic growth. We become conscious that we are creations, not just creators. The earth is not ours but God's. For six days it is handed over to us, but on the seventh we symbolically abdicate that power. We may perform no 'work,' which is to say, an act that alters the state of something for human purposes. The Sabbath is a weekly reminder of the

integrity of nature and the boundaries of human striving.

What the Sabbath does for humans and animals, the sabbatical and jubilee years do for the land. The earth too is entitled to its periodic rest. The Torah warns that if the Israelites do not respect this, they will suffer exile: 'Then shall the land make up for its sabbatical years throughout the time that it is desolate and you are in the land of your enemies; then shall the land rest and make up for its sabbath years' (Leviticus 26:34). Behind this are two concerns. One is environmental. As Maimonides points out, land which is overexploited eventually erodes and loses its fertility. The Israelites were therefore commanded to conserve the soil by giving it periodic fallow years, not pursuing short-term gain at the cost of long-term desolation. [7] The second, no less significant, is theological: 'The land,' says God, 'is Mine; you are but strangers resident with Me' (Lev. 25:23). We are guests on earth.

Another group of commands is directed against over-interference with nature. The Torah forbids crossbreeding livestock, planting a field with mixed seeds, and wearing a garment of mixed wool and linen. These rules are called chukkim or 'statutes'. Nahmanides understood this term to mean laws that respect the integrity of nature. To mix different species, he argued, was to presume to be able to improve on creation, and is thus an affront to the Creator. Each species has its own internal laws of development and reproduction, and these must not be tampered with: 'One who combines two different species thereby changes and defies the work of creation, as if he believes that the Holy One, blessed be He, has not completely perfected the world and he now wishes to improve it by adding new kinds of creatures.' [8] Deuteronomy also contains a law forbidding taking a young bird together with its mother. Nahmanides sees this as having the same underlying concern, namely of protecting species. Though the Bible permits us to use some animals for food, we must not cull them to extinction.

Samson Raphael Hirsch in the nineteenth century gave the most forcible interpretation of biblical law. The statutes relating to environmental protection, he said, represent the principle that 'the same regard which you show to man you must also demonstrate to every lower creature, to the earth which bears and sustains all, and to the world of plants and animals.' They are a kind of social justice applied to the natural world: 'They ask you to regard all living things as God's property. Destroy none; abuse none; waste nothing; employ all things wisely ... Look upon all creatures as servants in the household of creation.' [9]

Hirsch also gave a novel interpretation to the phrase in Genesis 1, 'Let us make man in our image after our own likeness.' The passage is puzzling, for at that stage, prior to the creation of man, God was alone. The 'us', says Hirsch, refers to the rest of creation. Because man alone would develop the capacity to change and possibly endanger the natural world, nature itself was consulted as to whether it approved of such a being. The implied condition is that man may use nature only in such a way as to enhance it, not put it at risk. Anything else is ultra vires, outside the remit of our stewardship of the planet.

In this context, a phrase in Genesis 2 is decisive. Man was set in the Garden of Eden 'to work it and take care of it' (Gen. 2: 15). The two Hebrew verbs are significant. The first – le'ovdah – literally means 'to serve it'. Man is not just a master but also a servant of nature. The second – leshomrah – means 'to guard it'. This is the verb used in later Torah legislation to describe the responsibilities of a guardian of property that does not belong to him. He must exercise vigilance in its protection and is liable for loss through negligence. This is perhaps the best short definition of man's responsibility for nature as the Bible conceives it.

Man's dominion over nature is thus limited by the requirement to serve and conserve. The famous story of Genesis 2-3 – eating the forbidden fruit and the subsequent exile from Eden – makes just this point. Not everything we can do, may we do. Transgress the limits, and disaster follows. All of this is summed up by a simple midrash: "When God made man, He showed him the panoply of creation and said to him: 'See all my works, how beautiful they are. All I have made, I have made for you. Take care, therefore, that you do not destroy my world, for if you do, there will be no one left to mend what you have destroyed.'" [10]

We know much more than we once did about the dangers to the earth's ecology of the ceaseless pursuit of economic gain. The guidance of the Oral tradition in interpreting "do not destroy" expansively, not restrictively, should inspire us now. We should expand our horizons of environmental responsibility for the sake of generations not yet born, and for the sake of God whose guests on earth we are.

[1] Sanhedrin 71a.

[2] Ibid.

[3] Mishnah Sanhedrin 8: 4.

[4] Tosefta Sanhedrin 11: 6, 14: 1.

[5] Hilkhhot Melakhim 6:10.

[6] Mishnah Sanhedrin 8:5.

[7] The Guide for the Perplexed, III: 39.+

[8] Ramban, Commentary to Lev. 19: 19.

[9] S. H. Hirsch, The Nineteen Letters, Letter 11.

[10] Kohelet Rabbah 7: 13.

## AS HEARD FROM RABBI AVIGDOR MILLER Z'TL

### "And they that remain shall hear and be afraid" (19:20)

The verse should be: "And the entire nation should hear and be afraid", but why the expression "they that remain"? The people were not involved in this crime; why should they be considered as "remaining", as if they escaped punishment?

But this is a general Torah-attitude, that when any punishment is executed, or when any misfortune occurs, everyone should feel as if he had been saved from that punishment or misfortune. They have "remained" unharmed, but they must think that such a punishment could have been visited upon them. And this thought would make them afraid to do such a crime.

Thus, when calamities came upon Egypt for mistreating the Israelites, the Israelites were frightened, and Hashem consoled them; "If you will hearken to My commandments, all the sufferings that I have put upon Egypt, I shall not put upon you" (Shemot 15:26).

Even when the wicked are suffering the punishments which they deserve, the righteous must become afraid of Hashem and thereby gain in virtue. Thus we learn that all the misfortunes, even of the sinners, are intended by Hashem chiefly for the improvement of the righteous; for it is certain that Hashem is more interested in the benefit of the righteous than in the punishment of the sinners. "No misfortune comes into the world except for Israel" (Yibamot 63A) to teach lessons to them.

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