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On the Parsha

In this week's Parsha, Rashi explains that the words, "Justice, justice you shall pursue..." (Devarim 16:20) is an admonition to the litigants of a court case to pursue a fitting and proper Beis Din - a "Bais Din Yafeh" – a beautiful court. This is also what is stated in the Sifrei on this verse, "Go after a good and proper Beis Din - pursue the court of Rabbi Yochanan ben Zakkai and pursue the court of Rabbi Eliezer."

It is clear from the unqualified language of the Sifrei, that in all cases, the litigants must pursue a Bais Din Yafeh. This would apparently include a scenario where the judges in the litigants' city are scholars and righteous men. Even in this case, there is still a commandment incumbent upon the litigants to seek out a court of even greater scholars.

The Maharal in his Gur Aryeh explains that the underlying rationale of this commandment is that there are times when the judges may rule incorrectly and if their mistakes are not discovered, the plaintiff will end up stealing from the defendant by being awarded something that was not supposed to be his or the defendant will end up stealing by retaining something that should have been given to the plaintiff.

Rav Henschel Liebowitz ZT"l says that we see a remarkable insight regarding truth and justice. The plaintiff, for example, naturally thinks he is right, yet he still needs to be open to the possibility that he may be wrong - that is why The Torah obligates every person to feel that he and the court in his city may, in fact, be in error regarding its verdict. Even though it is very difficult for a person to accept that he is wrong, whether as a litigant of a court case, or in any

instance for that matter, the Torah expects it of him nonetheless.

The Sifsei Chachomim says that one can overcome one's tendency to be certain of the accuracy of his claim by focusing on the fact that he is not out to win his case but rather to ensure that justice is done regardless of the outcome. Then, he can come to doubt himself and seek out the Bais Din Yafeh to ensure that his case has a just outcome.

It is interesting to note that the Chazon Ish in his Sefer Emunah and Bitachon (Chapter 3:36) says that it is permissible for a Torah scholar to rule on Halachic matters for himself, even in a case where he has significant pecuniary interests.

However, Rav Henschel adds, that whenever he has the opportunity to seek the counsel of those that are wiser and more righteous than him, he should seek their opinion to ensure that he has not been mistaken.

Halacha – Jewish Law

QUESTION:

There is a Mitzvah of honoring one's parents and there is a prohibition of telling a lie. May a Talmid Chochom (Torah scholar) produce Divrei Torah (Torah thoughts) and attribute them to his father who is an unlearned Jew? On the one hand, attributing Divrei Torah to one who did not produce them is a lie, but in this instance, one is doing so to enhance the honor of a parent which is a Mitzvah.

ANSWER: Rav Fish in his Titain Emes L'Yaakov (Siman 78) cites the following Gemorah (Sukkah 45b) "Chizkiyah said, that Rabbi Yirmiyah said, in the name of Shimon Bar Yochai, 'I am able to absolve the entire world from judgment for [all of the] sins committed from the day I was created until now (the merit that he accrued through his

righteousness and the suffering that he endured, would atone for the sins of the entire world). And if the merit accrued by Eliezer, my son, was added to my own, we would absolve the world from judgment for [all of the] sins committed from the day that the world was created until the present time. And were the merit accrued by the righteous king, Yosam ben Uzziah, added together to our own, we would be able to absolve the world from judgment for sins committed from the day that the world was created until its end.”

Rashi commenting on this Gemorah explains the merit of Yosam ben Uzziah. His unlearned father who was also king, had contracted leprosy (and needed to be secluded which precluded him from performing his duties) so he ruled in his father’s stead. While Yosam ben Uzziah performed his father’s duties, all of his wise rulings he attributed to having been said by his father.

We see from Rashi’s explanation of Yosam ben Uzziah’s merit, that a Talmid Chochom may attribute his wise rulings (or Divrei Torah) to his father to bring him honor even if they are not his father’s rulings. There is a possibility, however, that one may only engage in this practice if his father is amenable to it.

Chizuk - Inspiration

A Gadol (a leading scholar and pious person) was once telling his Talmidim (students) that when he was in school as a child, there was an occasion where he did not have time to study for an exam. Since he was not prepared for the exam, he cheated off someone else. His cheating was discovered, and his parents were informed. He felt terribly ashamed and he regretted it immediately. He felt he had caused a terrible Chillul Hashem (desecration of Hashem’s name). He told this to his Talmidim out of humility and love so that his Talmidim would develop a love and pride in being honest and develop a sensitivity to the terrible feelings of shame that a Chillul Hashem can bring.

Mussar – Introspection

We continue with our translation of the fifth chapter of the Chofetz Chaim’s Sefas Tamim.

“And in particular in our times, man should certainly not rush to become wealthy because wealth is comparable to a rich man who was from the country’s aristocracy, who was accustomed to many different kinds of pleasures each day including musicians that played their instruments for him day and night.

As a result of this man’s overwhelming arrogance, he rebelled against the king. It was decreed against this man that he should be placed on the roof of a 200-story tower, and all of these delights should be brought to him day and night, together with all of the pleasures that included the musicians playing their musical instruments that he was accustomed to. This is how he would be treated for one full year. Would he take pleasure in all these delights of the world and with the sweetness of the melodies when at any moment he is in danger of falling off the roof and breaking every bone in his body? It would be much better for him if they simply lowered him down from the roof to the ground and fed him bread and water.

So too regarding wealth in our times. Today it is common that circumstances will reverse at any moment and he will fall down from a lofty position in life into a deep pit, and even more than he is happy now in his present status in life, he will mourn later on because of what he lacks.

Therefore, it is very appropriate and good for man to think carefully about all of these things first, and not rush to become wealthy even in a permissible way, and certainly not to pursue wealth by being clever and deceitful in order to acquire more wealth, because with absolute certainty that will be his end as I wrote above...”