



Shoftim - "Deep State"

Our system of Justice and Government

Parshas Shoftim is generally the first Parsha in Elul (with the exception of years like this one when Shabbos Parshas Re'eh is itself Rosh chodesh Elul) and therefore there must be a connection and message for Elul. The topics of this week's Parsha include our entire system of government, justice, internal and external affairs. The Parsha opens up with the Mitzvah of setting up courts and policing system in every city in the land of Israel with city courts, tribe courts and the special laws of the "Beis Din HaGadol" – the Supreme Court that sits on the Temple mount. Because of its supreme authority there is the prohibition that carries the death sentence of "zaken mamreh" - the sage that rejects the ruling of this Supreme Court. There are laws of testimony and punishment for false testimony, the laws of anointing of King and his special authorities, responsibilities, and prohibitions. There are the authorities of the prophet and the laws of war.

The six-colored tripod of reality

The other mitzvos in the parsha all relate to these mitzvos all of which fit into the three major pillars that are the tripod that "holds up" the world: "Torah", "Avoda"-Divine service, and "Gemilus Chasadim"- acts of kindness (Avos 1:2). These are referred to elsewhere (Avos 1:18) as the three that **sustain** the world: "Din"-judgement, "Emes"-truth, and "Shalom"- peace. The pillar of Torah is "Emes"- truth. The pillar of "Avoda"-Divine service is "Din"-judgement. The Maharal explains that Divine service and judgement come from the same attribute of "Gevura"-might. We have to be mighty and overcome our laziness and passions to serve Hashem and this might have to be applied in judgement. As it says this week's Parsha, we not swayed by bias, refuse bribes, and

have the **courage** to mete out judgment and not be intimidated by anybody. The pillar of "Gemilus Chasadim"- act of kindness brings "Shalom"- peace to the world.

The tripod in our Parsha

Justice and policing system are "Din" -Judgement which is the pillar of "Avoda"-Divine service. Therefore, the Grand Supreme court sits near the altar on the Temple mount where we do our Divine service. The king sets the laws and enforces the law and his word is law. This is the secret that a king from the house of Dovid may sit in the "Azarah" of the Temple while everyone else must stand. "Din" is to apply and adjust matters to the **truth** of the **Torah**. The grand Supreme Court that sits on the Temple Mount are the ones that have the authority to interpret the Torah which the justice system applies and enforces. The king whose word is **Law** has special restrictions and with the special obligation to write himself a special **sefer Torah** to remind him to be humble and faithful so that he should be faithful to the **truth** of the **Torah**. The prophet's word is law and we must obey him **so long as he is not changing the Torah in any way**. If he tampers with the Torah we know he is a false prophet! [*we must obey everything he says even to transgress a mitzvah of the Torah as a "Horaas sha'ah" a **temporary directive** -with the exception of idol worship that even on a one-time basis may never be transgressed*] All the laws of justice that are in our Parsha bring to **peace**. **The greatest kindness to society is to enforce law and order!** **Waging battle against the evil makes peace!** If we let the evil run rampant there will not be peace in the world. **The wars of the Torah are for the sake of peace!** **When permitted**, we must offer the option to surrender and to make peace because peace is the end goal. This parsha

includes the Mitzva of being **kind** and supporting the kohanim and Levi'im who also are the teachers of **Torah** and do the **Divine service**. The central theme of the mitzvos of parshas shoftim is the 6 colored tripod that **supports** and **sustains** the world. What does it mean to **"support"** and **"Sustain"**?

What is to "sustain"?

That these 3 sustain the world means: **They are the life force of the world!** With this we could understand what Chazal say (Shabbos 10a) "Any judge that **judges a true judgment** (meaning totally according to the truth of the Torah) becomes a partner of Hashem in creation". **Torah law is not imposed upon reality - it is reality itself! The laws of the Torah are the very laws of nature** [*in Kabbalah we draw parallels between ideas in the Torah and the natural laws*]. Because the laws of the Torah gave us the laws of nature - to uphold Torah law is to actually be a partner in creation which brings **peace and harmony**, not only to the litigants, but to reality itself.

What is "Support"?

Support comes from the outside. The support has to be there first in order for an object to rest on top of it. With this we could understand the well-known Chazal that **Torah was created before the world was created**, it is the pillar everything stands on. Elsewhere (Pesachim 54a) Chazal say that there are actually an additional 6 things created before the world was created: "Teshuva"-repentance, the Divine Throne, Gan Eden, Gehinom, the concept of the Beis Hamikdash, and the name of Moshiach. All 6 branch of the Torah which is truth and neatly fit into the categories of the mitzvos of this week's Parsha. The name of Moshiach and the Divine Throne is **kingdom**. It also refers to **justice** as Moshiach will judge lead the world with Justice. Hashem 'sits' on "the Throne of Judgment". Gan Eden and Gehinom are where judgment is meted out. The Beis Hamikdash is the place of **Divine service** where the **Torah** resides, and **justice** comes out from. these were all created before the world was created because they have to be there first as they are elements of the tripod that hold up the world! But how does Teshuva fit into all of

this? How could Teshuva exist before there is even such a thing as a "sin" if we assume that Teshuva just means a way to fix it?

Mystery in Rambam's Hilchos Teshuva

Of the 10 chapters of the Rambam's laws of Teshuva only half actually speak about Teshuva. Chapters 1, 2, 3, 4, and 7 discuss Teshuva per se. The other half discusses topics seemingly unrelated: free will, the landmarks of Destiny such as Moshiach and Olam Haba, reward and Punishment, and finally the necessity to learn Torah and serve Hashem out of love for its own sake. Why are all these ideas in the laws of Teshuva?

Teshuva – GPS for the journey of life

As a Young Man I asked **my Rosh Yeshiva Maran HaGaon HaRav Yaakov Weinberg zt"l** the following question: Chazal say, "a moment of Teshuva and good deeds in this world is better then the whole olam Habah" (Avos 4:22). How could it be that the sinner, even though he repents, comes out ahead and will have a greater experience than the Tzadik who was always Sin free and never had to do Teshuva? Should the Tzadik miss out because he never did anything wrong? He answered me cryptically: **"you don't do Teshuva for sinning - you do Teshuva for being born!"** I only understood the full meaning of what he was telling me years later when I was learning under **my Rebbe Maran HaGaon HaRav Moshe Shapira zt"l** who taught us how to understand the Rambam at the beginning of the 7th chapter of the laws of Teshuva: "..... to constantly be washing his hands of his sins so he should **die as a baal Teshuva** and merit olam Haba". My Rebbe explained that the day you die is the day "Teshuva"-return because it is the day you go back to Hashem! Meaning to say: **Teshuva is not about escaping punishment - Teshuva is to get back to Hashem! It's a way of life!** We are born into this world and distanced from Hashem and we have to find our way back to Him. Teshuva is not a response to sin - it is the 'guidance system' that's leading us on the 'journey of life' so we should finish off our lives going full circle back to Hashem.

Cosmic Teshuva

Just like it is that way for the individual, it is that way for the cosmos in Destiny. The whole world was created by Hashem, but then the Sinners took the world in their own direction, distancing it from its source-Hashem. **The world has to find its way back to Hashem and that's what these great landmarks in Destiny are about!** Moshiach, the resurrection, and olam Haba, are all Stations on the track of the world finding its way back to Hashem. **Free Will is the engine to propel ourselves in whichever direction we choose - for the purpose of choosing Hashem and clinging to Him. The laws of Teshuva end off with serving Hashem out of love – because that is to go full circle- just choosing Him for His own sake – not for our own benefit – just Him!** This is what it means the Teshuva was created before the world was created: **Before embarking on a journey you have to have the 'guidance system' to make that Journey and find our way back to Hashem through the scenic route of all the tests that we experience during life in this world.** You need your GPS before you embark on the journey....

"Deep State"

The system of government is not just for the nation, it is for the individual! The Chasidic Masters developed an idea that is found in the Kuzari and other early works that likens a person's self-management to governance. Man is supposed to be a king, judge, and policeman over himself and over all the forces in his body and character. He is supposed to judge his every action, speech, and thought, and police them to make sure that they are in coordinated with his conscience that he molded according to the values of the Torah. The human form parallels all the forces in the cosmos and man has the great responsibility of being King, judge, and policeman over all the near infinite Powers contained within him. In the land of Israel we put judges and law enforcement in **"all the gates"**, so also in all the gateways of all the forces of your personality there should be a judge that clearly rules on every thought, word, or action that you produce **before it emerges**, and there has to be the power of discipline to force the organs to comply with that ruling.

Elul – Carving a heart of stone into Luchos HaBris

This is the significance of the month of Elul. Elul is the month before the new year and represents the time before the world was created. If the world is recreated every year on Rosh Hashanah through Yom Kippur, then the month of Elul is the time that is before the new world will be created. We have to work on building up the 'guidance system' which is comprised of the tripod of Torah Avoda and Gemilus chasadim which corresponds to judgement truth and peace that will uphold and sustain that world that is to be recreated. The Baal HaTurim sees an allusion to the month of Elul in the words "your heart and the heart [of your children]"- the first letter of each word spells out Elul. We are building our heart which is the seat of the central core of our Persona - it is our personal Beis Hamikdash, it is where we judge ourselves, it is what shoots out life to all the limbs like the law of Hashem. We're building our own personal internal government, our deep state. On Rosh Chodesh Elul Hashem calls Moshe up to heaven with the command "carve two tablets". **The tablets represent the heart! We are carving out our hearts during the month of Elul so that on Yom Kippur the tablets of our hearts will be engraved with the words of Hashem upon them.** We're building up our GPS - our system of values - our system of internal government, so that we will be able to truly say to Hashem on Rosh Hashana that we really accept His laws and to be on His side in accordance with His will



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