

# JUDGING ESSENCES

by Rabbi Pinchas Winston

## Friday Night:

*Judges and officers you shall appoint in all your cities . . . (Devarim 16:18)*

We have spoken in the past about Toras Atzilus and Toras Beriyah, and how they represent two different levels of Torah clarity. We explained that Toras Atzilus is a much higher level of Torah, corresponding to the first set of tablets that Moshe had descended with, and then broke. They had been fashioned and written by G-d Himself.

However, the second set of tablets, Moshe had made as per the commandment of God, had only been written by G-d Himself. This was the reason for and the symbol of the lesser level of Torah that the Jewish people merited as a result of the sin of the golden calf. The second set of tablets corresponded to Toras Beriyah.

One of the best ways to measure the difference between these two levels of Torah and the realities they represent is the first mitzvah of this week's parshah. One could ask, "Does not the Torah represent the ideal reality? Fine, the Jewish people sinned with the golden calf, but is history not the path to rectification, to reach the ideal? If so, why have we been commanded to set up courts and police networks? Does that not imply that crooked behavior is a part of that ideal society?"

Yes, and no. You see, in Toras Atzilus, on the level of the Luchos Rishonos - the first set of tablets - there would have been no need for judges or police, just as there won't be in Yemos HaMoshiach. Toras Atzilus is Toras Moshiach, meaning that once Moshiach comes, we will once again achieve the level of the Luchos Rishonos. However, the Torah we live by in the meantime, Toras Beriyah, is the prescription that the doctor has given for the unwell patient, to help nurse us back to the ideal reality.

But doesn't that just set up another more fundamental question? Are Toras Atzilus and Toras Beriyah two different Torahs - G-d forbid - for two different periods of history? If so, that would imply the mitzvos we perform today are not eternal mitzvos, G-d forbid, or at least the ones that are not found in Toras Atzilus - like many of those found in this week's parshah, including the mitzvos to do with war, which clearly will become a relic from man's upside-down past.

After all, the Talmud itself states that:

There is no difference between this world and the Days of Moshiach, except the oppression of nations. (Brochos 34b)

Thus, no wars will occur for reasons of selfishness, just in order to oppress other nations. However, what about the other kind of wars, the so-called humanitarian wars, like freeing nations from their evil dictators, and such?

## **Shabbos Day:**

You shall not pervert judgment . . . (Devarim 16:19)

Well, as we have said countless times before, the Talmud makes it clear that the yetzer hara is another casualty of Yemos HaMoshiach (Succah 52a). I say casualty because the Talmud has reason to assume that we will actually mourn its loss, even though now we count down the days until its demise. However, once we see what life is like without free-will, and the chance to increase our portions in the World-to-Come, then we will also learn to appreciate the importance of the yetzer hara in our lives as well, albeit very late.

In any case, without the yetzer hara, it will be a world without evil and without evil people. Those fortunate enough to survive into this period of time will no longer require alarm systems on their houses or their cars. Come to think of it, they may not even require houses or cars, well at least some of the people. Everyone living at that time will just be, focusing only on enjoying their personal relationships with G-d and being happy with their portions. No yetzer hara, no jealousy, no hatred, no desire.

"But mitzvos are eternal!" you must be silently screaming.

Yes, they are, aren't they?

Fortunately, we are not the only ones to ponder these questions, as we shall now learn:

The doing of mitzvos and all their rectifications affect every world, according to the relevancy . . . (Sha'arei Leshem, p. 487)

As we know, all the mitzvos correspond to a different part of the Sefiros (a.k.a. "worlds"), the spiritual "structure" of creation. Do a particular mitzvah, and it brings rectification to its specific corresponding part of the Sefiros. Sin, and it's damages to the specific part of the Sefiros to which the body part used for the sin corresponds. Yes, it is that direct.

It is the same for all prohibitions, as the Arizal wrote:

That which is pure in Beriyah is impure in Atzilus; there is a concept of k'lipos (spiritual barriers) in all worlds, just that what is considered to be k'lipah in an upper world is considered to be pure in the lower world; that which is base and refuse in an upper world is pure and clean in a lower world.

Likewise, that which is considered opaque and material in an upper world is considered to be transparent and spiritual in a lower world ("P'nimios v'Chitzonios," Drush 8). Thus, everything ascends from world to world, including mitzvos and the tikun they have, affecting according to the level of that world. (Ibid.)

In other words, though mitzvos may affect different layers of reality with different levels of impact, they are still eternal. Which raises our question: What happens to mitzvos that seem only relevant on this side of history once we enter the "other side" of history?

This is the underlying principle behind many statements of Chazal regarding the keeping of mitzvos in the Time-to-Come, of which there seem to be diverse opinions. In Tractate Niddah (61b), it says that mitzvos will no longer apply in the Time-to-Come, as it does in Tractate Shabbos (151b), where it says that in the Days of Moshiach, the system of merit and demerit will no longer be operative. As well, in Tractate Avodah Zarah (3a, 4b), it says, "Today, to do them" (Devarim 7:11), but not tomorrow to do them, for, as Rashi explains, mitzvos will no longer be applicable in the Time-to-Come. In Midrash Shochar Tov (Mizmor 146:5), it says: He will permit that which is forbidden; some say that in the Time-to-Come, The Holy One, Blessed is He, will make pure all animals that were impure in This World, etc., and permit all that was forbidden, and some say that The Holy One, Blessed is He will not make pure, etc. Tractate Kiddushin (72b) speaks along the same lines, with Rebi Yosi holding that, in the Time-to-Come, Mamzers and Nesinim will become pure, while Rebi Meir holds that they will remain impure. However, in the Talmud Yerushalmi (Megillah, 5), Rebi Yochanan says that the Books of the Prophets and the Writings, in the future, will no longer be relevant, whereas the five books of the Torah will be. For what reason? (It says,) "a great voice; and He added no more" (Devarim 5:19). Rabbi Shimon ben Lakish said: Even Megillas Esther and Halachos (of the Oral Law) will still be relevant, as it says, "for the ways of the world are His" (Chavakuk 3:6); look at the source inside. The Rambam decided accordingly, at the end of Chapter Two of Hilchos Megillah, also stating that they would never become irrelevant. This, too, is clear from Tractate Rosh Hashanah (30a), where they say: Should the Temple be re-built, speedily in our days, they will say that last year, we did not eat when the sun began to rise in the east, etc. From these sources, it seems that mitzvos will be applicable in the future time, just as Rav Yochanan Yavetz points out in his appendix to the Talmud. As well, we find similar opinions in Tractate Beitzah (5b), and Tractate Sanhedrin (22b), and you should review these sources. In Midrash Shochar Tov, it says: In This World, a man goes to collect figs on Shabbos, and the figs say nothing! In the future, a man will go to collect figs on Shabbos, and the figs will yell out, "It's Shabbos!" (Midrash Shochar Tov, Mizmor 73). Yet, elsewhere it says that all sacrifices in the future will no longer apply, except for the Thanksgiving-Offering (Mizmor 56, 100), and we find a similar statement in Vayikra Rabbah (9:7). In Midrash Mishlei, it says that all holidays will be cancelled in the future, except for Purim, which will always be kept; Rebi Elazar says: Even Yom HaKippurim will not be annulled ever. Thus we have many statements from Chazal, which seem to contradict one another. (Ibid.)

So much for the question - what about the answer?

### SEUDOS SHLISHIS:

*I will sanctify My Great Name . . . And I will take you from the nations and gather you . . . And I will sprinkle pure waters upon you . . . And I will give you a new heart and a new spirit . . . I will put My spirit within you, and I will make it so that you will follow My decrees and keep My judgments and do them. You will dwell in the land . . . (Yechezkel 36:23-28)*

As the Leshem is about to point out, the above posuk seems to say it straight:

In truth, this is amazing, for it is explicit in many verses and parshios in Yechezkel, where it speaks about the ingathering of the exiles and the future building. There (above and the following), it clearly says that the Torah will be kept at that time: They will no longer be divided . . . They will no longer be contaminated . . . My servant Dovid will be king over them, and there will be one shepherd for all of them; they will follow My judgments and keep My decrees and follow them. They will dwell on the land . . . (Yechezkel 37:22-25). Specifically with respect to sacrifices, laws of the priests, and the keeping of the holidays, there are many such explicit verses. So, then, how is it possible to say that they will be annulled, G-d forbid, in Yemos HaMoshiach? The resolution comes from knowing that, at the beginning of Yemos HaMoshiach, there will be a combination of nature and miracle working at one time, as we saw at the time of the leaving of Egypt. Also, at the beginning of the redemption, there were great miracles, yet the Jewish people still were quite physical and material; the zuhama was not removed from them until the giving of Torah. So, even though G-d dealt with them on the level of great miracles, still their lives were completely governed by nature. It will be the same way in Yemos HaMoshiach, with the redemption being a function of both great miracles and nature; the entire world will remain quite physical, as well as the Jewish people. Any annulment of zuhama and refinement of physicality will only begin later. (Sha'arei Leshem, p. 487)

In other words, says the Leshem, the difference of opinion really comes down to one opinion, but two different focuses. According to the opinion that says mitzvos will still be relevant in Yemos HaMoshiach, they are talking about the beginning of that fantastic period of time. Those who say mitzvos will no longer be applicable, they are speaking about the end of the period of Yemos HaMoshiach, once miracles have taken over all aspects of daily life, then even the first opinion would agree mitzvos will not function as they do now.

Thus it will be during the period of Yemos HaMoshiach that things will start to move from the natural to the miraculous slowly, but continuously. Perhaps the yetzer hara won't even be killed right away, but at a moment when miracles become too great to allow for any meaningful free-will.

And, says the Leshem, there is precedent for this type of reality: Egypt. In Egypt, while mothers cooked supper and father's tended to chores around the house, phenomenal miracles were destroying Egypt. It must have been quite surreal for the Jewish people still in Egypt, going about

their everyday activities at the same time the 11 o'clock news showed overwhelming and supernatural feats of Heavenly power!

That's all well and fine. However, this does not answer the question with which we started, namely, what purpose will the appointing of judges and police officers serve during a period of history when no evil can be done?

Fortunately, we have one more slot left in this parshah sheet to answer that question.

## **Melave Malkah:**

Let's use an analogy to answer the question.

Human personalities are multi-faceted. They can change so many times in the course of a lifetime - indeed, even in the course of a single day!

However, does this mean that every person is really schizophrenic, G-d forbid? No. We don't mind that people have different aspects to their personalities, as long as all of those aspects are consistent . . . consistent with what?

Consistent with the ESSENCE of who the person is.

In other words, part of human adaptability is adjusting ourselves according to various different situations in life. Life's circumstances are not consistent, and usually demand unique reactions. Relaxed behavior is totally unfitting during a "serious" moment, and no one likes to be around a serious person when it is time to relax, or a sad person when it is a happy moment.

However, there is a part of people over which they have little or no control. It is a function of many things that they had no say over, such as which soul they received, or which parents merited to give birth to them, and raise them. We rarely got a vote when it came to which schools we attended while young, which neighborhoods we spent our formative years - which psychologists say is between the years of 0 and 12 years of age - and which friends we gravitated to, and which ones accepted us.

And yet, all of that formed the foundation of who we are. Not only that, but it is that foundation that is the basis of the rest of our lives, that which colors the way we react or do not react to the world and people around us. Furthermore, in the end, as we age to the point where we can no longer really participate in life too much, it will be the essence of that with which we are left.

Later on, when we stand before the Heavenly Tribunal on our final day of judgment, we will be judged for our free-will choices based upon how we responded to reality, given the foundation with which we started. However, though we may have changed hats and clothes many times throughout

life, and throughout many lifetimes, we are, in essence, who we are in essence.

So is a mitzvah. The essence of a mitzvah is not the physical representation of it during any given period of human history. It is some abstract concept whose physical embodiment is subject to change based upon the historical environment in which it is applied. And thus, when the sin of the golden calf had been committed, a spiritual environment resulted that created the need for certain physical embodiments of specific mitzvos to assist that reality in its process of rectification, such as the appointment of judges, and the deployment of police offices.

This is what the concepts of Toras Atzilus look like when they are applied in the spiritual realm of Beriyah.

Thus, when the time comes that mankind can no longer do any bad, Beriyah will also become more elevated to higher spiritual realms. Eventually, it will be on par with Atzilus, and the clothing of Toras Beriyah will be shed to reveal Toras Atzilus within. The extra layers of the Luchos Shnions (Second Tablets) will fall away to reveal the Luchos Rishonos within.

And thus will the hearts of the Jews finally become circumcised, and all barriers between G-d and man will finally dissipate into nothingness, may it happen soon in our time.

With four weeks until Rosh Hashanah and our date with the Heavenly Tribunal, b"H, we need to contemplate this and what it means in everyday life.

Have a great Shabbos,

Pinchas Winston