SILENT JUSTICE

by Rabbi Aron Tendler

In a few days the world will memorialize the Shoah (Holocaust). The Shoah was an event of such enormity and import that it has defined who we are as a nation while defying definition and comprehension. Because the Shoah is unfathomable we have been forced to depend upon Emunah (belief-trust) and only Emunah to keep our faith in G-d's goodness and Am Yisroel's primacy.

Emunah demands that we accept the limits of mortal time and intellect. Emunah demands that we accept the limits of available information, now and possibly forever. Emunah demands that we accept the totality of our dependency on G-d while making decisions that impact our destinies in sometimes unpredictable and inconceivable ways. Emunah is accepting G-d as is and leaving unanswered the many questions that have beset humanity since its inception. Therefore, we need to understand what Emunah is and how to teach it to our children.

This week's Parsha frames Emunah in the silence of Aharon's pain. Confronted with the deaths of his two eldest sons, Nadav and Avihu, Aharon is silent. (10:3) "... and Aharon was silent."

In the preceding verse, Moshe offered Aharon an explanation that seemingly did not explain and a rational that seemingly did not clarify. Moshe told his beloved brother that the deaths of Nadav and Avihu were because, (10:3) "I (G-d) will be sanctified through those who are nearest Me, thus I will be honored before the entire people."

Did Moshe explain to Aharon how their deaths sanctified G-d? Did Moshe explain that their deaths were a punishment? Assuming their deaths were a punishment, did Moshe explain what sin Nadav and Avihu had transgressed to deserve death? Did Moshe explain how their deaths would honor G-d before the nation? No! Instead, Moshe compounded the incomprehensible with the seemingly enigmatic!

The moment of Nadav and Avihu's deaths coincided with the inauguration of the Mizbeach (alter) into national service. It was the eighth day of the Mishkan's (Tabernacle) dedication ceremony and fire was to descend from heaven and set ablaze the wood pyre arranged on the Mizbeach. It was to be the crowning moment of the nation's return to intimacy with G-d and their atonement for the Golden Calf. The fire did descend and the Mizbeach was set afire, but along the way the heavenly fire also killed Nadav and Avihu. The glorious became tragic and the joy turned to pain.

What were Moshe and Aharon thinking at the moment of the inauguration and what were they thinking at the moment of the tragedy?

Rashi (10:3) quotes the Medresh and the Talmud in Zevachim. "Moshe said to Aharon: When G-d commanded the construction of the Mizbeach He said that at the time of its completion (Shem. 29:43) ?and it shall be sanctified with My glo

(The Hebrew word for "glory" can also be interpreted as "those who are honored by G-d;" therefore the meaning of the verse would be, "...and I will be sanctified through those who are honored by Me (G-d).")

Rashi continues: Moshe explained to Aharon: "I knew at the time of the commandment to construct the Mizbeach that G-d would be sanctified through the death of one of us. I thought that it would be either you or me. Now I see that Nadav and Avihu were greater than both you and I because G-d took them and not us." It was in response to this explanation that Aharon remained silent.

Moshe clearly anticipated and expected that the "death of G-d's honored ones" would somehow equal G-d's glorification. Aharon's silence, in spite of his personal loss and pain seemed to echo the same acceptance of death equaling the sanctification of G-d and His glory. What does the Torah mean that G-d will be glorified through the death of those whom He honors? What does it mean that G-d is glorified through the death of the righteous?

First and most challenging of all the unanswered questions that have beset humanity since its inception is the question of Divine justice. As limited mortals we are not capable of understanding G-d's justice because His justice is a reflection of His timelessness and all encompassing knowledge; however, fundamental to Judaism and our understanding of G-d is that G-d is the essence of justice. He is the "Dayan Haemes," the one and only "Truthful Judge."

Justice, as it is true for the entire Torah, does not distinguish between the mighty, weak, rich, poor, great, little, significant or otherwise. Whatever distinctions exist in the imposition of Mitzvos (commandments), such as the differences between men and women regarding certain time oriented commandments, are the only distinctions and differences. Beyond them there are no other distinctions or exceptions. Where exceptions do exist they exist for anyone presenting the same set of circumstances. (For example, a life threatening situation that demands an exception from standard expectations and commandments such as Shabbos and Kashrus.)

Likewise, justice should be blind. The list of qualifications for proper judges, "men of accomplishment, G-d fearing, truthful, people who despise money, men who will not pervert justice, will not show deference to a litigant, and not accept bribes," proves that justice must be indifferent to station or position. Justice cannot take anything else into consideration except the truth, and it is the death of a judicial system when justice shows special deference to the rich, the accomplished, the famous, or the mighty.

The glory of G-d is not that which appears to be "like human," rather, it is that which is uniquely Divine, that which is unique to G-d and only G- d. G-d is One in a manner that sets Him apart and above all of creation. The fact that we commonly attribute to G-d human qualities is only the

limitations of mortal language and comprehension. As the Rambam (Maimonidies) explains, we have no choice but to describe G-d in terms that we can understand. However, the moment we actually believe that G-d has human characteristics we engage in Avodah Zarah ? idol worship. Therefore, the glory of G-d is not that which appear

Justice is uniquely Divine and therefore His glory is directly linked to His justice and judiciousness. When G-d took the lives of Nadav and Avihu He revealed to all that His justice is exacting and equitable. G-d did not take the lives of Nadav and Avihu because they were righteous and innocent. The Talmud lists a number of reasons why Nadav and Avihu were deserving of punishment. True they were righteous. True they were righteous on a level that possibly surpassed Moshe and Aharon; however, "there is no such thing as a righteous person who never sinned." Nadav and Avihu were magnificent in their righteousness, but they were not innocent; therefore, G-d took their lives. It is the exacting nature of G- d's justice that makes it uniquely divine and awesome. It is His evenhandedness in all matters that although incomprehensible is the greatest reflection of His glory.

Rashi in Zevachim 115b explains that when G-d imposes justice on the most righteous and exalted His name is sanctified and glorified because everyone sees the even-handedness of G-d. If G-d punishes the righteous He will certainly punish the less righteous and the wicked.

Many of you know that my Father-In-Law, R' Chaim Shapiro Zt'l, was the sole survivor of his family. He would tell about an old custom in Europe of burying women who had died during childbirth in a special section of the cemetery. It was assumed that the custom stemmed from the Talmudic statement, "Women die in childbirth for three sins: not exercising care in family purity, not taking challah, and not lighting candles."

The Divrei Malkiel, Reb Malkiel Tenenbaum, the Rabbi of Lomza, completely dismissed this notion. He explained that in those days there was little or no obstetrical care and the risks of dying during childbirth were very great. A woman who chose to bear children was literally taking a life threatening chance to do the will of G-d. If the mother died in the performance of G-d's Mitzvos, should she not be considered as having died Al Kiddush Hashem ? For The

My Father-In-Law Zt'l, like all survivors, asked himself, "Why did I merit living while six-million others perished?" He used to quote this Divrei Malkiel and say, "It's the exact opposite! The six-million were such Kedoshim - such holy and pure martyrs! They were the ones who merited glorifying G-d's name. I am the one who did not merit going through the chimneys of Auschwitz with them!"

Today we are confronted daily with more and more Kedoshim, more and more Korbanos. Thank G-d this past Yom Tov was quiet; and may it be G-d's will that it continue to be so; nevertheless, we need to have a perspective on the past and in preparation for the future. As this week's Parsha states, "G-d is sanctified with those who are closest to Him." We, like the great Aharon Hakohain, never know exactly why one person is taken and another not, and therefore we are silent. However, we know that the ways of G-d must be just and the Neshamos (souls) He is collecting are pure and innocent.

May their collective voices assault His heavenly throne and may we all merit witnessing the end of terror and evil and the coming of Mashiach.

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