

IN THE SHADOW OF HASHEM

by Rabbi Yochanan Zweig

"You shall observe the festival of Sukkos...Judges and officers you shall appoint..." (16:13,18)

Although Ezra the Scribe divided the Torah into the weekly portions as we know them, there is another system which is used to divide the Torah, that of "pesuchos" and "stumos", literally "open" and "closed". A pesucha is roughly translated as a new chapter and a stumah as a new paragraph. A pesucha begins as a new line, while a stumah begins on the same line. The section of the laws of judges is a parsha stumah, a new paragraph, but not a new chapter.[1] Therefore, there must be a significant connection between these laws and the laws of Sukkos, which concludes last week's parsha.[2]

The judicial system in Israel requires that every city contain a minor Sanhedrin consisting of twenty-three judges. The Talmud teaches that a city must be populated with a minimum of one hundred twenty people to warrant a judicial system. Each judge has two understudies.[3] What is the rationale for requiring a city of one hundred twenty people to have sixty-nine judges? Why the need for so many courts throughout the land?

The function of the Jewish court system is not only to dispense justice and restore order; a judge is the conduit for the word of Hashem and must create a society where Hashem's presence is felt. A Jewish law-abiding citizen must observe the law, not due to a fear of retribution, but a fear of sin. A system which is predicated upon the notion that people will not violate the law due to their fear of the consequences cannot succeed. The reason for this is as follows: If a person perceives the rewards for violating the law to be worth the risk of being caught, he will violate the law. The only effective system is one where a person perceives that it is intrinsically wrong to violate the law. This can only be achieved if people feel the presence of Hashem in their midst. The function of the judge is to create this atmosphere. If the purpose of the judicial system were to create fear of punishment, there would be no need for so many judges. Bolstering the police force would be more effective. Since the purpose of the judge is to create a society where Hashem's presence is tangible, we understand the need for such a large number of judges.

A major theme pertaining to the festival of Sukkos is that we leave our houses in order to go into the "shadow of Hashem".[4] The Sukkah is a place where Hashem's presence manifests itself. Therefore, the connection between the festival of Sukkos and the judicial system is clear. The judicial system serves to create the same atmosphere throughout society, which is found in the Sukkah.

- 1.Yad Hilchos Sefer Torah 8:1,2
- 2.16:13-17
- 3.Yad Hilchos Sanhedrin 1:2
- 4.See Bnei Yissoschor Maamer Chodesh Tishrei #9

Protection For The Way

"If a corpse will be found on the land...." (21:1)

When a Jew is murdered and the perpetrator is not found, the city closest to the corpse assumes the responsibility of performing the ritual which will bring atonement to Bnei Yisroel for this heinous act. During the procedure, the elders of the city declare, "Our hands have not spilled this blood." [1] The Talmud questions the need for this statement. How could we suspect the elders for culpability in this crime? The Talmud explains that they must declare that if this individual had visited their city he would have received the necessary "hachnasas orchim" - "hosting guests" and would not have departed unescorted and without provisions. [2] Implicit in the Talmud's answer is that if the victim would have been accompanied and supplied with provisions, he would not have been killed.

The Maharal notes that the mitzva of "levaya" - accompanying a guest, only requires accompanying the guest eight feet out of the house, one does not require escorting him to the next city. Additionally, we do not find anywhere that one must be armed when accompanying a wayfarer. Therefore he asks: How would accompanying the guest have helped protect him? [3]

The Rambam in his Yad Hachazaka comments that of all various components of "hachnasas orchim", the "livui" - "the accompanying of the guest" is the greatest part of the mitzvah. How can livui be more important than feeding or giving the guest a place to rest? [4]

A visitor to a city or someone who is lost is generally more susceptible to being mugged or robbed than someone who lives in that city. The reason for this is that there is a certain profile which a mugger searches out to identify his "mark". Someone who is unfamiliar with his surroundings tends to project his lack of confidence in the manner by which he carries himself. Thus, he is more prone to being attacked.. When we accompany a guest for even a short distance, we convey the message that we are disappointed that he is leaving us and we wish we could be with him. This gives a person a strong sense of belonging. He feels connected to the community from which he just departed. Such a person walks with an air of confidence which will dissuade most muggers from attacking. In contradistinction, even if we give him to eat but do not accompany him a few steps when he leaves a city, he feels disconnected and emotionally weak. This will be expressed by a gait that projects his lack of confidence, resulting in a greater propensity for a crime to be perpetrated against him.

- 1.21:7
- 2.Sotah 45b
- 3.Chidushei Aggados Sotah 45b
- 4.Hilochs Avel 14:2

Body And Soul

"You are children to Hashem, your G-d - you shall not cut yourselves..."(14:1) The Torah juxtaposes the statement "banim atem laHashem" - "you are children to Hashem" to the prohibition "lo sisgodedu" - "you shall not lacerate yourselves". Rashi explains that since we are Hashem's children we should not deface our bodies.[1] The Talmud teaches that there are three partners in the creation of a human being, the father, the mother and Hashem. Parents supply the child with physical characteristics and Hashem supplies the child with a soul.[2] Why does the verse describe our relationship with Hashem as His children in the context of safeguarding our physical form?

From the expression "lo sisgodedu" the Talmud derives the prohibition against separate factions observing divergent Halachic practices within the same community ("aggudos" - "groups").[3] Since the prohibitions against lacerating ourselves and having separate factions are both derived from the same expression, a unifying thread between them must exist. What do they have in common?

In the first paragraph of the Shema we are commanded to teach our children Torah, "veshinantam levanecha".[4] Rashi comments that "your children" refers to "your students" for a person's students are considered as his children. To support this notion Rashi cites our verse in Parshas Re'eh, "banim atem laHashem" - "you are children to Hashem".[5] How does this verse indicate that a person's students are his children? It is apparent from Rashi's comments that he understands that through the study of Hashem's Torah we become His students, and can therefore be referred to as His children.

The Mishna teaches that a person is obligated to return his teacher's lost object prior to returning an object lost by his father, for his father provides him with a finite existence while his teacher offers him an infinite existence.[6] The Torah taught by his teacher not only guarantees the soul an infinite existence, but also elevates the body given to him by his father from a physical and finite state to a spiritual and eternal state.

Although Hashem is clearly the source of the soul, Torah study enables the body to be perceived as a product of the same source. This message is punctuated by the commandment against lacerating our bodies because we are Hashem's children; through Torah study we become His students and thereby His children, body and soul. The reconciliation between body and soul is the ultimate proof that we emanate from one source. Since only the Torah is able to accomplish this reconciliation, it is of the utmost importance that the Torah itself be viewed as emanating from one source. Any action distorting this truth undermines the efficacy of the Torah to unite and reconcile all apparent divergent forces in creation. It is therefore self-evident that separate factions observing divergent Halachic practices within the same community cannot be tolerated.

- 1.14:1
- 2.Niddah 31a
- 3.Yevamos 13b
- 4.6:7

5.Ibid

6.Bava Metziah 33a