

PURSUING TRUTH AND JUSTICE

by Rabbi Yissocher Frand

These divrei Torah were adapted from the hashkafa portion of Rabbi Yissocher Frand's Commuter Chavrusah Tapes on the weekly portion: Tape #602, Saying Kaddish for 12 Months. Good Shabbos!

Pursuing Truth and Justice

The beginning of this week's parsha contains the laws that apply to judges. They are warned not to show favoritism. They are warned not to accept bribes. They are commanded to pursue justice. All this is commanded: "in order that you will live and inherit the land." [Devorim 16:20]

The commandment in this pasuk [verse] to pursue justice is stated in a redundant fashion: Tzedek, Tzedek tirdof. (Literally, "Justice, Justice shall you pursue.") Many homiletic explanations have been given for this redundancy.

In a previous year, we mentioned the teaching of Rabbi Elya Meir Bloch that even when pursuing justice as an "end", the "means" also needs to be just: Pursue Tzedek with Tzedek.

This year, I would like to share an insight from the Sefas Emes. The Sefas Emes emphasizes the word "Tirdof" [pursue]. The idea is that we need not only SEEK justice, we need to PURSUE it. A 'rodef' is a pursuer. It is a word with a very harsh connotation. In the context of justice, the term 'rodef' seems like a rather strange word to use. Ironically, there is one other place where we find a parallel usage: "Seek out peace, and pursue it." (Bakesh shalom, v'radfehu.) [Tehillim 34:15]

Normally, the word 'rodef' has a negative connotation. We speak of someone being a 'rodef' after honor. Someone who is an aggressor or persecutor is termed a 'rodef.' Is it not strange then to find the Torah using the term in connection with Justice, and the Tanach using it in connection with peace?

The Sefas Emes cites the Medrash that before the Almighty created man, he consulted with the Heavenly Court, asking the various 'forces' in Heaven whether they felt it would be a good idea to bring man into existence. "Emes" [Truth] advised "Don't create man for he is full of lies." "Shalom" [Peace] advised "Don't create man for he is totally argumentative." The consensus among the 'forces' in Heaven was that man should not be created.

The Sefas Emes states that we see clearly from this Medrash that humanity does not have a proclivity for Emes, nor do they have a proclivity for Tzedek [Righteousness], nor do they have a natural innate tendency towards Shalom. Consequently, if man is to achieve Righteousness and Peacefulness, he must be 'rodef' after them. Man must pursue them with all his might, with all his heart, with all his soul, if he is to have any chance of overcoming his natural tendencies and achieving them. If man does not 'pursue' them, they will escape him. They are inconsistent with the inclination of man.

Peace is not attained casually or incidentally. Neither is Justice. They must be pursued with all our might.

Kohen Gadol's Election Dependant On The Unintentional Murderer

This week's parsha contains -- for at least the third time in the Torah -- the mitzvah of the city of refuge (arei miklat). We are commanded to set aside three cities in the inheritance that we will be granted from the Almighty. If a person kills inadvertently, he is not put to death because his action was not intentional, but on the other hand he does not get off totally free either. He is sentenced to live in a city of refuge (either one of the three Cities of Refuge in Trans-Jordan or in one of the three Cities of Refuge in Eretz Yisrael proper).

How long must he reside there? In Parshas Massai [Bamidbar 35:25] the Torah teaches that he needs to stay there until "the death of the High Priest that he anointed with the holy oil." If the reigning Kohen Gadol dies six months later, the unintentional murderer leaves the City of Refuge after six months. If the Kohen Gadol lives another sixty years, he will have to remain in the City of Refuge for sixty years.

The Gemara [Makkos 11b] questions the peculiar language "that he anointed with the holy oil." A simple reading of the pasuk seems to indicate that the subject is the murderer. The Gemara asks, "Did the murderer anoint the Kohen Gadol?" The Gemara explains that the intent of the expression is to ensure that the Kohen was anointed in the "time of the murderer" -- meaning the Kohen Gadol was already serving at the time the murderer was sentenced by the court to go to the City of Refuge. If one Kohen Gadol was in office at the time of the unintentional murder and a second Kohen Gadol is in office at the time of the sentencing, it is the death of the second Kohen Gadol that sets the murderer free.

Rav Meir Simcha points out a beautiful insight. Suppose the Almighty wants a certain individual to only remain in the City of Refuge for one month. The Almighty knows that this was really an unintentional crime and that 1 month of exile fully atones for this crime. What will have to happen, then, is for Divine Providence to arrange for the anointing of a High Priest who has only one more month to live. This Kohen will be appointed the Kohen Gadol so that Reuvain the unintentional murderer will be able to go home after one month. On the other hand, if the Almighty decides that Shimeon should be in a City of Refuge for 20 years, He will arrange for a Kohen Gadol who has 20

more years to live.

This, Rav Meir Simcha says, gives new insight into the expression "whom he anointed with the oil of anointing". In a sense, the murderer anointed the Kohen Gadol, because the length of the murderer's deserved stay is what prompted Divine Providence to anoint one person as the Kohen Gadol over another.

Given the fact that numerous people may be in the Cities of Refuge simultaneously, this becomes a very complex calculation. However, that is exactly the point. The degree of precision of Divine Providence is something that is far beyond mortal comprehension. This is what we mean when we say HaTzur Tamim P'aolo [The Rock; Perfect are His Actions] [Devorim 32:4].

The wheels of history grind every so slowly, but ever so finely. So too, the wheels of Divine Providence may grind ever so slowly but there is no greater precision in the world than the personal Divine Providence (Hashgacha Pratis) that the Almighty executes in His control of the universe.

This week's write-up is adapted from the hashkafa portion of Rabbi Yissocher Frand's Commuter Chavrusah Torah Tapes on the weekly Torah portion. A listing of the halachic portions for Parshas Shoftim from the Commuter Chavrusah Series is provided below:

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