

# DON'T INVITE AN AUDIT

*by Rabbi Yissocher Frand*

## Parshas Ki Savo

### Don't Invite An Audit

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These divrei Torah were adapted from the hashkafa portion of Rabbi Yissocher Frand's Commuter Chavrusah Tapes on the weekly portion: Tape # 648, The Onain and Kaddish. Good Shabbos!

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The beginning of this week's Parsha contains "Vidui Ma'aser" [the confession of the tithes], which is said at the conclusion of bringing the tithes. The Torah describes the process of "Vidui Ma'aser": "Then you shall say before Hashem, your G-d: 'I have removed the holy things from the house, and I have also given it to the Levite, to the convert, to the orphan, and to the widow, according to whatever commandment You commanded me; I have not transgressed any of your commandments, and I have not forgotten. I have not eaten of it in my intense mourning, I did not consume it in a state of contamination, and I did not give of it for the needs of the dead; I have hearkened to the voice of Hashem, my G-d; I have acted according to everything You commanded me.'" [Devarim 26:13-14]

This is a rather strange statement to be called a "confession." Normally we think of Vidui [confession] as an enumeration of things that a person has done wrong: "For this sin...; For that sin..." However, this paragraph is called a "Confession of tithes," despite the fact that the person testifies that he has done everything properly.

The climax of this recital is the following pasuk [verse]: "Gaze down (Hashkeefa) from Your holy abode, from the heavens, and bless Your people Israel, and the ground that You gave us, as You swore to our forefathers, a Land flowing with milk and honey." [Devorim 26:15]

In connection with the destruction of Sdom [Bereishis 18:16], Rashi comments on the singular nature of the word Hashkeefa, coming from the verb VaYashkef [and he gazed down]: "Every place where the Torah uses the word Hashkeefa, it connotes evil -- a looking down from Heaven utilizing the Attribute of Din [Judgment] with the intent of meeting out punishment." However, this pasuk

(Devorim 26:15) is the exception to the rule. Here the word Hashkeefa invokes the Attribute of Mercy. "Great are gifts to the poor", comments Rashi, "for their fulfillment enables the Attribute of Judgment to be transformed to the Attribute of Mercy."

Rav Schwab asks a simple question: Why, in fact, is the word 'Hashkeefa' used in Vidui Ma'aser? If in fact the word 'Hashkeefa' has connotations of punishment and destruction, why not formulate the prayer at the end of the Tithe Confession using a different verb?

The answer is that Vidui Ma'aser inevitably and invariably invites looking down from Heaven with the Attribute of Judgment. Whenever a Jew says to the Almighty, "I've done it all" there is bound to be Judgment. No Jew should ever make that claim! Man can never be found totally innocent before Him in Judgment. As good as we may think we are, we dare not brag about it to G-d. It is like asking for an audit! One may be the most honest person in the world, but it is never wise to ask for an audit.

Once the "vidui" has claimed such meticulous observance and fulfillment of duties, inevitably the "hashkeefa" will be "for evil" -- if not for the fact that the merit of "Gifts to the poor" transforms the Attribute of Judgment to the Attribute of Mercy.

### **A "Chassidishe Vort"**

The following Chassidic insight is a classic "Chassidishe vort". It must be prefaced with the concept that "one does not ask questions on homiletic expositions" (ayn meyshivin al ha'drush). This is certainly not the straightforward interpretation (pshat) of the pasuk we will be quoting, nor is it meant to be. The concept of ayn meyshivin al ha'drush means that the underlying lesson inferred from the pasuk is true, whether or not the pasuk is coming to teach this particular lesson at its simple level of understanding. The "Chassidishe vort" uses the medium of pasukim in Chumash -- sometimes with inappropriate punctuation -- to teach us moral lessons that are true and eternal, irrespective of the source of that teaching.

The pasuk in the Tochacha states: "Because you did not serve Hashem, your G-d, amid gladness, and goodness of heart, when everything was abundant". [Devorim 28:47] This pasuk appears well into the body of the long and harsh litany of curses presented in the Tochacha.

This is a mind-boggling pasuk. All of these many bitter curses can apparently come, not merely for not doing the mitzvot, but for not doing them with JOY (b'simcha).

The Chassidic insight into the pasuk is based on a pasuk in Tehillim [38:10]: "My Master, before You are all my desires and my sighing is not hidden from you." There is no fooling the Master of the Universe. He sees into our hearts.

Dovid HaMelech tells the Almighty, "Hashem you know exactly what I am thinking. I am not going to deny it. My desires, my urges, my impulses are all laid out before You. But, Master of the Universe, neither is my sighing hidden from You either." In other words, I may sin because of my inner

impulses and my evil inclination, but when I do those sins it is with pain, regret, and feelings of guilt.

With this understanding we can return to the "Chassidic re-punctuation" of the pasuk in the Tochacha: The punishments are coming: "Because you did not serve Hashem" -- meaning you stumbled and you did all kinds of sins and forbidden actions. But what really bothers the Almighty is that these sins were committed -- not with sighing and groaning -- but "amid gladness and goodness of heart". There was not guilt or remorse. The sins were committed as unadulterated pleasures. When sin is devoid of any type of remorse, then the Tochacha follows.

### **A "Chassidishe Story"**

Finally I would like to share a true Chassidic story involving the Klausenberger Rebbe, zt"l. This is an incident that happened shortly after World War II. The Klausenberger Rebbe made it out of the concentration camps. He gathered together a small community of followers who also survived the Holocaust and from this small group, he eventually rebuilt the whole community.

We are all familiar with the near universal custom that when the Torah reader reads the Tochacha in both Parshas Bechukosai and Ki Savo, he reads it in a subdued tone. We rush through it, as it were, and do not interrupt to give extra aliyos within those sections. We read it in hushed tones, as if to say: "If we read it quietly maybe it won't happen."

It was Parshas Ki Savo in the late 1940s and the Klausenberger Rebbe was in New York with his small minyan of followers. When the Baal Koreh began the Tochacha, he began it in a low voice, as is the custom in Israel.

The Klausenberger Rebbe banged on his shtender [lectern] and said "louder!" The Baal Koreh thought that he was reading so low that no one could hear, so he raised his voice a bit. Again the Rebbe banged and said "louder!" By the third time this scenario was repeated, the Baal Koreh got the message. The Rebbe did not want him to read the Tochacha in low tones or even in regular tones, but at the top of his lungs.

The Baal Koreh came to the Rebbe after the minyan and asked for an explanation. The Rebbe responded: "This can be read quietly when you are afraid that it might happen and you don't know what is going to happen to you once it happens. We, however, have already lived through this and we are still here. This is now something that we are proud of. This happened to us and we are still in shul on Shabbos. We are still reading the Torah each week! The Tochacha is now our badge of honor. It will no longer be read silently. It will be read completely out loud! We can say 'We were there. It happened to us and we have remained Jews of integrity (ehrlicher yidden).'"

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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. The halachic topics dealt with in the portion of

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Transcribed by [David Twersky](#); Seattle, Washington  
Technical Assistance by [Dovid Hoffman](#); Baltimore, MD

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