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THE PATH TO FOLLOW

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THE TIME IS SHORT AND THE WORK ABUNDANT

(by Rabbi David Hanania Pinto שליט"א)

How does the law normally deal with a crime? When a person is apprehended for having stolen something, or for having committed an offense that must be addressed in court, the police or law enforcement officer arrests the suspect and puts him behind bars until he is brought to court. Next, the judge decides the case in light of his offense and the law. Hence for all this to happen, an officer must first act, and only then can a judge get involved.

When we look at this week's parsha, however, we see something astonishing at the very outset: "Judges and officers shall you appoint for yourself in all your gates, which the L-RD your G-d gives to you" (Deuteronomy 16:18). This is difficult to understand, for according to what we have just said, the verse should have stated: "Officers and judges shall you appoint." That is, the officers should have been mentioned first, and only then the judges.

The reason for this unusual order is that Scripture is not speaking of a material judgment here, but instead is expounding upon spiritual justice. This is particularly appropriate for the time in which we find ourselves, in the month of Elul, a time of mercy and the recitation of Selichot. People unfortunately tend to put things off until later, to procrastinate, just as the saying goes: "Why do things now when you can do them later?" However this is not the way of the Torah.

The harvest is over, the summer has past, and we have not yet been saved. Time passes and days go by, never to return again. We once again approach the days of judgment, a time when we shall stand before the throne of justice, before the King of kings, the Holy One, blessed be He. Everything hidden will then be revealed, including all the secrets that people keep. Hashem is the Judge, and He knows how to repay everyone according to his deeds and way of life. During such days we need extremely gifted advocates to plead our case. We must prepare first-rate defenders for ourselves, ones who know how to highlight our merits before Hashem, the Judge of all the earth. Yet how should we go about

doing this? We must be, at this point, already progressing in Torah study and the performance of mitzvot, as well as working on ourselves. We must fix everything that is not yet right in our relationship with G-d, and especially in our relationships with others. It is in this way that we can approach the days of judgment in a state of spiritual cleanliness and purity. This is why we must act as judges with respect to our own selves, evaluating each action we take to know if it is good or not, to determine if it is acceptable to Hashem. Would we act in a given way before a king of flesh and blood? After being certain that what we are planning to do is good, we can then go ahead and actually do it.

The judge represents the "legislative branch" of authority, whereas the officer represents authority's "executive branch." That is, the officer puts the judge's decisions into action. This is why the Torah cites them in that order: "Judges and officers shall you appoint." First judge yourself and determine if what you plan to do is desirable and upright, and only then should you, like an officer, carry out your decision. You will then be placing yourself under your own authority. Under what circumstances should this occur? It should happen "in all your gates" – at each instant you should act as a judge over yourself – for each action, each idea, and each thought – and only then should you carry out what you have deemed proper. If we were to adopt the reverse order, we would eventually wash our hands of all culpability and say, "It wasn't so bad, and anyhow what's done is done." In that case, what would become of our decisions? In addition, we must recall that it is in our relationship to our fellowman that we must put the most effort. On this the Sages have said that for sins between a man and his fellow, even Yom Kippur does not effect atonement until the offended party grants forgiveness (Yoma 85b). This is why the verse continues by saying, "Judges and officers shall you appoint for yourself in all your gates, which the L-RD your G-d gives to you, according to all your tribes." In other words we must not appoint judges and officers only for what concerns us, but instead we must think of what matters for

each tribe – for every Jew – and try to better our relationship with them. It is in this way that we will better our relationship with G-d.

We find a similar idea concerning Chanoch, who ascended to Heaven while still alive. The Sages said, "Chanoch was a cobbler, and whenever he worked on a shoe he would say, 'Blessed be the Name of the glory of His kingdom forever and ever' " (Midrash Talpiot). We need to understand what the Midrash means by this obscure remark. We know that we unify G-d's Name when performing mitzvot, just as we say before accomplishing each mitzvah: "For the sake of the union of the Holy One, blessed be He, with His Shechinah." Yet what does this have to do with working on shoes? Is that representative of any mitzvah?

Indeed it is. Nobody should think that it is only with mitzvot between man and G-d that we unify Hashem's Name. This also occurs with mitzvot between man and his fellow. Even when performing these mitzvot, a person must think about not wronging his fellow. He must remind himself that the Holy One, blessed be He, is before him and sees everything he does, knowing whether he is performing a mitzvah to perfection or not.

Fixing shoes pertains to the domain of mitzvot between a man and his fellow. When a cobbler is in his shop and working for a client, he can do so with the utmost concentration. Alternatively, he can sin by using fewer stitches or less nails than he should, thinking that nobody can see what he is doing. In that case he would be sinning against his fellowman. With each stitch that Chanoch made as he worked on a shoe, he unified the Name of G-d. That is, he put the utmost concentration into his work, which is why he merited to purify himself in this world at a young age and ascended to Heaven while still alive. It is in this spirit that each of us must act during Elul, the month of mercy and the recitation of Selichot. We must place judges and officers over ourselves in all our gates, for each mitzvah that we perform, and in this way we will merit reaching Rosh Hashanah in a state of spiritual purity.

MUSSAR FROM THE PARSHA

Who Are a Person's Judges and Officers?

"Judges and officers shall you appoint for yourself in all your gates" (Deuteronomy 16:18).

The term *lecha* ("for yourself") seems superfluous at first. We see, however, that the Torah commands each person to be a judge over himself and to constantly examine his actions to see whether or not they conform to Hashem's will. Each person must also act as a law-enforcement officer over himself, to ensure that the decisions he has taken as a judge are in fact carried out. When the "officer" in a person notices that the decisions of the "judge" are not being carried out, he must deal with the "guilty party," meaning himself. The Ramchal explains that soul-searching is divided into two parts: Reflecting upon one's actions (*pishpush*), and the decision a person takes with regards to his actions (*mishmush*). Reflecting upon one's actions consists of distinguishing good from bad. Deciding upon one's actions, however, goes much further and deeper than that, for there are actions that seem, at least superficially, to be good. If we were to examine them more closely, however, we might discover that the action itself is neither good nor in accordance with Hashem's will. This is why self-criticism is an absolute obligation. A person must be a judge and officer over himself, determining whether or not he is doing good with each step that he takes.

The Chafetz Chaim used a parable to illustrate this subject: A merchant hired a driver to bring him to a certain town, telling the driver to be especially careful that his horses not stray from the road that leads to his destination. Once they had traveled beyond the city limits, however, the driver fell asleep and the horses naturally sensed that he was no longer guiding them. Hence they veered off the road and brought the carriage into a field. The carriage was jostled about and actually flipped over, and the merchant was furious with the driver: "I warned you about your animals! How could you let them wander off and go where they wanted?" The driver tried to justify himself by saying, "I know my horses. They're intelligent and would never go off the road!" The merchant replied, "Don't be a fool! How can you say that a horse is intelligent? As soon as an animal sees something that stirs it up, its instincts take control and it goes off blindly in search of what it wants. That's why you should have held the reins tightly and not let your horses wander off." The same applies to man, who is composed of both a spiritual and animal soul, for he must be vigilant with himself at all times in life. He must not allow his animal soul to take over and persuade him to follow his instincts. A master of Mussar once said that there are people who are certain of getting a "front row seat" in paradise when they arrive in the future world after a full life on earth. However when their judgment takes place, Hashem will show them many sins that, at least to them, appeared to be mitzvot. That is, because they did not engage in any soul-searching, they failed to reach the proper conclusions concerning their deeds. May we all learn from this!

Being Wholehearted

"You shall be wholehearted with Hashem your G-d" (Deuteronomy 18:13).

The holy Alsheich said, "The Name 'Hashem' represents mercy, while the Name 'G-d' represents strict justice. Whether Hashem deals with you through mercy or justice, you should in any case be wholehearted with Him." The Yerushalmi recounts the following story: A non-Jew was in the habit of consulting the stars to predict the future. He eventually converted, and at one point he had to leave home for some business affair. Yet because he saw in the stars that danger lurked on the road, he decided not to go. Afterwards, however, he said to himself, "Why did I convert? Was it to believe in the stars?" He therefore left on his business trip. While on route he encountered some wild animals, and he barely made it back alive. The Yerushalmi says, "Because he looked to the stars, he endangered his life. However because he had faith in Hashem, in the end he was saved" (Shabbat 6:9). This is the meaning of being wholehearted with Hashem.

True Prophecy

"But the prophet who shall willfully speak a word in My Name, which I have not commanded him to speak..." (Deuteronomy 18:20).

The book *Toldot Adam* states that a certain *chacham* from the east came to Vilna in order to enjoy the company of the *tzaddik* Rabbi Zalman. He especially wanted to see just how great his knowledge was of the Rambam's works. This Sephardic sage went to the Beit Midrash of the *tzaddik* and said to him, "I've heard it said that you are extremely well-versed in the works of the Rambam. Although I would like to stay in Vilna and enjoy your company, Hashem said to me: 'You shall not go.'" Rabbi Zalman was astounded at what this man was saying, answering him: "My brother, don't you know and have you not heard that there is an extensive work by our great master the Rambam [Hilchot Avodah Zarah 5:8] which states that one who prophesizes something that he did not actually hear through prophecy, or one who heard the words of another prophet and says that they actually came from him, such a person is a false prophet! We should be very careful not to say, 'Hashem said to me.'" The Sephardic sage had come to see just to what point Rabbi Zalman had mastered the Rambam's work, and he indeed demonstrated his scholarship!

In Parsha Ki Teitzei, which follows our parsha, the Torah picks up by stating, "When you go out to battle your enemies" (Deuteronomy 21:10). This tells us that the subject of warfare has not yet been fully exhausted. That being the case, why does the passage dealing with the heifer whose neck is broken appear in between? The answer is that when a person commits an act of cruelty, it tends to imbue him with a cruel nature. Concerning a city given over to idolatry, the Torah tells us to burn it along with everything it contains for Hashem. This is done in order for Hashem to turn back from His anger and take pity on us. Why must Hashem take pity on us? It is because He commanded us to do a cruel thing. That being said, we must not think that because of this commandment we will automatically become cruel, since Hashem takes pity on us. Here the Torah commands us to go out to war, and after three sections that pertain to warfare it gives us the section on the heifer whose neck is broken. This is to instruct us that life is not given to anyone just for their pleasure. The discovery of a dead body in itself justifies the breaking of a heifer's neck and the testimony of the elders from the nearest town, certifying that they did not spill that blood. Why do we go to "all this trouble" over the life of a single person? It is to make us realize that people's lives are not to be neglected, that blood is not to be shed like water.

Removing Innocent Blood

"You shall remove the innocent blood from your midst when you do what is upright in the eyes of the L-RD" (Deuteronomy 21:9).

The gaon Rabbi Chaim Kanievsky Shlita asks, "What is the meaning of, 'Remove the innocent blood from your midst when you do what is upright in the eyes of the L-RD'? The Shelah HaKodesh states in the name of Rabbeinu Menachem, and the same thing appears in Targum Yonatan, that if the Jewish people merit it, worms will emerge from the body of the murdered individual and proceed to the murderer. This is why the Torah states, 'Remove the innocent blood from your midst.' How does a person merit this? If you are deserving – that is, 'When you do what is upright in the eyes of the L-RD' – then it will be removed from you."

No Reason For Pride

"So that his heart does not become haughty over his brothers and does not turn from the commandment right or left, that he may prolong his days over his kingdom, he and his sons amid Israel" (Deuteronomy 17:20).

How can a person protect himself from pride? The Maggid of Dubno explains with a parable: Two men traveled to a fair in which merchants having little money could purchase goods on credit and sell it little by little. They would then repay, at the next fair, what they had purchased on credit. These two men thus purchased merchandise on credit at the fair, and one of them returned with much more than the other, who had purchased far

less merchandise. Could we possibly say that the man with the greater amount of goods should feel a sense of pride and superiority over the one who had less? Obviously not! The one with more merchandise has more to sell, meaning that his debts are greater! The Maggid said that a person who has received abilities from Hashem – one who is able to do more than others – is obviously more indebted to Him. Hence there is no reason to feel proud about our abilities!

Alive Yet Dead

“By the testimony of two or three witnesses, the dead shall be put to death” (Deuteronomy 17:6).

Since the person in question, the accused, is still alive, what is the meaning of “the dead shall be put to death”? The Ohr HaChaim Hakodesh wrote that the Torah is teaching us that a person who commits a sin is already guilty. He is immediately likened to the dead, just as the Sages have said: “These are the wicked, who in their lifetime are called dead” (Berachot 18b). However justice desires witnesses to be present, and the judges order them to kill the accused themselves. If there are no witnesses, nor a prior warning to the accused before he commits his capital offense, the earthly court cannot have him executed. Be that as it may, the accused is still considered “dead” in the eyes of Heaven.

Divining if it is Kosher or Treif

“There shall not be found among you one who causes his son or daughter to pass through the fire, one who uses divination, one who practices augury, or an enchanter” (Deuteronomy 18:10).

Exactly what is a meonen (“one who practices augury”)? It is a person who makes predictions based on the time. For example, he would say that such and such a day is good to engage in business, whereas another day is not. What is a menachesh (“an enchanter”)? It is a person who, for example, would see a black cat crossing his path and say that it is a sign of bad luck. When Rabbi Meir Shapira Zatzal built his Lublin yeshiva, people asked him why he was doing this. He replied that because the generations have been deteriorating over time, there would soon be rabbis who are examples of the Torah’s prohibition against “one who uses divination, one who practices augury, or an enchanter.” When asked what he meant by this, he replied: “If I don’t open the yeshiva, the situation will deteriorate to the point that there will be rabbis who, when asked whether a chicken’s gizzard is kosher, will take out a book and decide the question by divination. That is, if they open the book and land on a page that starts with a kuf, they will say that the gizzard is kosher. And if they land on a page that begins with tav, they will say that it is treif.”

REASONS FOR THE MITZVOT

Obeying the Sages

“You shall not deviate from the word that they will tell you, right or left” (Deuteronomy 17:11).

The Sefer HaChinuch states that this is among the mitzvot related to obeying judges, meaning the great sages who live in every generation. We must not disregard their commands, and even if they make a mistake in some specific area, we should not argue with them. Instead we should follow their decision, despite error. In fact it is better for them to make a mistake and everything to remain under their good discretion, rather than having each person doing what is right in his own eyes. The latter case would mean the end of wisdom. It would be a source of conflict among the Jewish people that would lead to their downfall.

Due to these considerations, the intentions of the Torah have been revealed to the Sages of Israel. Furthermore, it has been decreed that they should remain a minority among the people. The Ramban comments on the reasons for this mitzvah: “Even if you think in your heart that they are mistaken, and the matter is simple in your eyes just as you know [the difference] between your right hand and your left hand, you must still do as they command you. ... You are to say: ‘G-d, Who enjoined the commandments, commanded that I perform all His commandments in accordance with all that they, who stand before Him in the place that He shall choose, teach me to do. He gave me the Torah as taught by them, even if they were to err.’ Such was the case with Rabbi Yehoshua and Rabbi Gamliel on the Day of Atonement that occurred according to his reckoning” (Ramban on Deuteronomy 17:11).

Despite all this, a person must realize and trust that the Sages are actually correct in their decisions, for the spirit of Hashem rests upon those who serve Him. He does not abandon His faithful ones, and He certainly protects them from all error.

The book Sha’ar Bat Rabim explains why the Sages can say, for example, something similar to “right is left and left is right,” an apparently extreme example! Here the Torah comes to alert us that we must obey them and accept their explanations even if they are not explicitly written in the Torah, and even if they do not follow from a simple reading of the text. For example, on the verse, “You shall surely tithe” (Deuteronomy 14: 22), the Sages explain: “Give tithes that you may be enriched” (Taanith 9a). In their interpretation of this verse they modified the word te’asser (“you shall tithe”), changing the letter sin (with its vowel point on the left) to the letter shin (with its vowel point on the right). It is in this regard that the Torah commanded us to heed the words of the Sages and not ignore their explanations. Even if they tell us that the right (shin) is the left (sin), we must obey them.

IN THE LIGHT OF THE HAFTORAH

Completion

“I, I am He Who comforts you” (Isaiah 51:12).

The term hu (“He Who”) seems to be redundant, since it would have been enough for the verse to say, “I comfort you.” We can explain this apparent redundancy by the verse, “For the hand is on the throne of G-d: Hashem maintains a war against Amalek” (Exodus 17:16). On this verse the Sages have explained that Hashem’s Name and His throne will remain incomplete until the memory of Amalek is wiped out. The letters missing in the verse (those needed to complete the Tetragrammaton and the Hebrew word for “throne”) are hei, yud, and aleph. Together these letters form the word hu, which is precisely what the verse in our Haftorah is alluding to. This means that the Holy One, blessed be He, will comfort us in the future by means of hu – completing His Name and His Throne – just as they were at the beginning.

– Tzavarei Shalal

GUARD YOUR TONGUE!

Arriving Empty Handed

It is written, “Some pretend to be rich, yet have nothing” (Proverbs 13:7). There are some people who apparently succeed in their business – dealing as they do with large sums of money – yet in the end they find themselves with very little, having actually earned nothing. How can this happen? It occurs when a person’s expenses and losses are greater than his revenues. We find a similar situation with regards to the performance of mitzvot and their reward. There are some people who perform mitzvot and good deeds all their lives, yet when they arrive before the celestial court they find themselves without any such merits, since they lost them by uttering forbidden words. What can this be compared to? It is like someone who filled up an entire barrel with wine, yet in the end he found it empty because of a small hole at the bottom.

A TRUE STORY

Goodness Surrounds One Who Trusts in Hashem

“When you go out to the battle against your enemy...you shall not fear them, for the L-RD your G-d is with you” (Deuteronomy 20:1).

Rabbi Yosef Yoizel Horowitz, the Alter of Novardok, was known for his extraordinary confidence in Hashem, even in times of great danger. It is said that once after Shabbat, Rabbi Yosef Yoizel was standing with cup in hand, ready to recite Havdalah. Suddenly a band of armed robbers sprang from the forest and a hail of bullets sprayed onto the street. As the robbers approached his home, those inside quickly began to hide, lest they get struck by a bullet. As for Rabbi Yosef Yoizel, he continued to wait before reciting Havdalah, filled as he was with faith in G-d. As he tranquilly performed Havdalah over the wine with a steady voice, not a single drop spilled from his cup. His students looked at him with admiration, taking note of his great trust in Hashem even at such a frightening time. There was not the slightest change in his behavior or his thoughts.

A MATTER OF EDUCATION

Personal Education in Light of Collective Training

It is written, “Judges and officers shall you appoint for yourself” (Deuteronomy 16:18). The Ran wrote in his eleventh drasha concerning the establishment of a judiciary system: “Human beings need judges to decide between individuals, otherwise each person would eat the other alive.” Every nation needs a political system for this, since as a wise man once said, there exists justice even among thieves. The Jewish people have as much need for a judiciary system as any other. They also need it for another reason, which is to have the laws of the Torah carried out. The Sefer HaChinuch (mitzvah 73), Duties of the Heart (ch.3), the Rambam (Guide to the Perplexed, Part III) and others underline that the laws of the Torah were given to the entire people as a whole, for if the mitzvot had been adapted individually, Hashem’s word would not have been carried out. Similarly, the judicial system is meant to stabilize and ensure peace in society. However we cannot educate each person according to his particular personality. With the Torah, we have the possibility of remaining “a lowly person within the permissible realm of the Torah,” as the Ramban says in his commentary at the beginning of Parsha Kedoshim. Even though the Torah is different than the judicial systems of other nations – insofar as it tends to make us not only a “law obeying people,” but also a “kingdom of priests and a holy nation” – it still directs the people as a whole so that society is protected from harm. However the development of each individual depends on what he and his teachers make of the Torah. For this we need personalized education that infuses a person with the spirit of the Torah, while at the same time instructing its performance on a societal level.

Some systems include in their education forms of social punishment that also apply to individuals. However this causes problems in the area of education. “He shall certainly be stoned,” is only said in a societal context. Yet even a boy who is 13 years old – one who has just entered society and does not yet understand the greatness of the Torah – may be punished in this way by society. However from a personal context, he requires love and true friendship, with the head and the heart, in order not to abandon his attempt at understanding.

A certain country in the Middle East (where theft is punishable by cutting off a hand and similar punishments are carried out for other crimes) is said to have one of the lowest crime rates in the world. However people from this country are among the foremost criminals in the United States. This is a typical example demonstrating that it is simply not enough to give “public training” for personal education, and especially not training that creates an atmosphere of fear instead of instilling people with a love for justice.

EISHET CHAYIL

Meriting a Son Like King David

Ruth, the daughter of the king of Moab, arrived in the land of Judea with her mother-in-law Naomi. She was facing an extremely difficult situation, for her husband was dead, she was destitute, and she had to care for her mother-in-law. The future did not look bright, to say the least. Being a Moabite, there was also some doubt as to whether Ruth could marry a Jew. Poverty forced her – this daughter of a king, a woman accustomed to royal privileges – to glean among the wheat in people’s fields in order to provide for herself and her mother-in-law. Upon arriving in the field of Boaz, she discovered to her great surprise that the young women gleaning there were not careful with regards to modesty, as is fitting for a daughter of Israel. However Ruth did not allow herself to be influenced by this.

The Midrash states, “All the women bend down to gather the ears of wheat, but she sits and gathers; all the other women hitch up their skirts, and she keeps hers down; all the other women jest with the harvesters, while she is reserved” (Ruth Rabba 4:6). Ruth did not let herself get influenced by her friends, and instead she went against the current. Ruth merited marrying Boaz, the greatest sage of his generation, and she became the mother of the royal house of David and the ancestress of Mashiach. Ruth shows us the way: Staying far from clothing that is contrary to the norms of modesty, and avoiding actions that do not correspond to Hashem’s will. By doing such things, a woman will merit the very best!

YOUR EYES SHALL BEHOLD YOUR TEACHER

Rabbi Moshe Aharon Pinto

The gaon, tzaddik, and Kabbalist Rabbi Moshe Aharon Pinto Zatzal was the son of Rabbi Haim Pinto Hakatan, also a gaon, tzaddik and Kabbalist, may his merit protect us all. He in turn was the great, great-grandson of the holy Kabbalist Rabbi Yehoshiyahu Pinto, the author of The Rif on Ein Yaakov and other Torah works. Rabbi Moshe Aharon’s degree of holiness was known throughout the world. On the order of his father, Rabbi Haim Pinto, he started living in isolation, enclosing himself in his home for 40 years. Even during those years, when he went to live in Casablanca people gathered around him outside and covered him with blankets so he wouldn’t see the street. The same also took place when he ended his years of isolation, for he did not want to gain anything by looking at the street or anything around him.

When his father passed away in the year 5698, Rabbi Moshe Aharon quickly made his way to the funeral and immediately came back home and returned to his isolation. Numerous tales of wonder surround him, some of which will appear in a book produced by his son, our holy Rabbi David Pinto Shlita. Everyone was aware of Rabbi Moshe Aharon’s tremendous modesty. He showed great respect for every individual, to the point that he arose before everyone who came to him. He experienced illness during his final years of life, until finally on the night of Elul 5, 5745 his soul ascended to Heaven from Ashdod, where he is buried. A mausoleum has been built over his tomb, one that serves to the present day as a place of pilgrimage for thousands of Jews who seek Hashem’s mercy. May his merit protect us all. Amen, may it be so.