



Adapted from the sefer חמין במוצאי שבת and חדוותא דזעיר אנפין collections of maamarim given by the Tolner Rebbe shlita at Seuda Shlishis and Melave Malka

Melave Malka Parshas Shoftim 5759

The *sefer Eliyah Rabbah* quotes the *sefer Amarcal* who states that אלול is an acronym for the words אִישׁ לְרַעְהוּ וּמִתְנֹת לְאֲבִיוֹנִים words from Megillas Esther which describe the Mitzvos of *mishloach manos* and *matanos La'evyonim*. Other *sefarim* present different acronyms such as אָהוּב וְיִשְׁאֲלוּ אִישׁ לְרַעְהוּ לְשָׁלוֹם and לְמַעַל וְנִחְמַד לְמַטָּה. The fact that all of these phrases related to *mitzvos bein adam l'chaveiro* teaches us that our primary focus during these days of *teshuvah* should be on those *mitzvos*.

Our parsha reveals a great *chidush* in *mitzvos bein adam l'chaveiro*. In perek 'כ', the Torah describes how, before Am Yisrael went to war, the *shotrim* announce that certain people should return home rather than continue on to the battlefield. Someone who has built a house and not yet lived in it, someone who has planted a vineyard and not yet eaten its fruits, and someone who has become engaged to a woman and has not yet married her, all return home.

There is one final category:

וַיִּסְפוּ הַשְּׁטָרִים לְדַבֵּר אֶל הָעָם וַאֲמָרוּ מִי הָאִישׁ הַזֶּה וְרָךְ הַלֵּב יֵלֶךְ וַיָּשֶׁב לְבֵיתוֹ וְלֹא יִמָּס אֶת לֵבָב אָחִיו כְּלָבָבוֹ

(And the *Shotrim* will continue to speak to the nation and say, "If there is someone who is afraid and soft-hearted, he should go and return to his home, and not weaken the heart of his brothers...).

In Maseches Sotah (מ"ד.), Rav Yossi Haglili says that the *pasuk* refers to someone who is afraid to go into battle because of his sins. The Torah



[1]

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enabled him to attribute his return home to the other categories listed above.

In other words, the Torah didn't want a *baal aveirah* to participate in the battle. On the other hand, the Torah didn't want to publicly embarrass a sinner who had to leave the army. This is why the Torah first exempted those who built a home, planted a vineyard, and became engaged. When the sinner leaves the camp to return home, people won't identify the reason and come to embarrass him. They will attribute his leaving to one of the other reasons that required soldiers to return home.

This alone teaches us an important lesson about how much we should care about and protect each person's honor, even *baalei aveirah*, and certainly do everything possible to avoid embarrassing them.

However, Rav Yossi Haglili's statement reveals an even greater *chidush*. Let's imagine the scene. A large army has assembled and is now prepared to go to war. The *shotrim* announce that people in certain situations must return home. Among those people, there are *baalei aveirah*. Rav Yossi Haglili, explained that the Torah protected the honor of those *baalei aveirah*, by exempting a variety of people from going to war. Therefore, someone watching the *baal aveirah* pack his bags, will attribute his return to other, less embarrassing reasons.

However, if we continue to follow the *baal aveirah* as he returns home, his embarrassment seems to be inevitable. When he returns to his village, all of his friends and relatives know that he did not recently build a house, plant a vineyard, or become engaged. They will quickly reach the conclusion that he returned because of his sins.

This might lead us to wonder why the Torah went to such lengths to protect him from embarrassment when he first leaves the camp, if he is going to suffer embarrassment anyway as soon as he returns home.



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The answer is that the Torah wanted to teach us a very powerful lesson that changes our entire perspective on the *halachos of bein adam l'chaveiro* and *lashon hara*.

We have to take care not to share and publicize information about others even if it is already public knowledge. Try to imagine how you would feel if someone spread negative information about you. Think of how upset you would be each time you discover that yet another person heard the story even if it has already been heard by countless others. Think about how much money you would be willing to spend in order to prevent the story from spreading, even if that expenditure will only prevent the story from reaching distant lands where your reputation hasn't yet been destroyed.

These thoughts should motivate us to filter everything we say, ensuring that we don't denigrate anyone, even by sharing information that is already public knowledge.

As we approach *Yom Hadin*, a day when even angels tremble, one of the best ways to prepare is by improving our observance of *mitzvos bein adam l'chaveiro*.

David Hamelech said, (שמואל ב' כ"ד:י"ד)

נִפְלָה נָא בְיָד ה' כִּי רַבִּים רַחֲמָיו וּבְיָד אָדָם אֶל אִפְלָה

(Let us fall into the hand of Hashem for his mercy is great, and not fall into the hand of man).

It's possible to apply the *pasuk* to our topic. It is better to have to deal with transgressions of *Bein Adam La'makom* that can be atoned for on Yom Kippur, than *Bein Adam L'chaveiro* where atonement is unattainable even on Yom Kippur, without first being forgiven by the injured party.

My grandfather often quoted the *Kedushas Levi* (ריש פרשת שופטים);



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“Hakadosh Baruch Hu judges *Knesses Yisrael* on the Day of Judgement with mercy and lovingkindness. However, in order to awaken those *midos*, we first need to awaken them in our own lives. How can we awaken the *midah* of *chesed*? By performing acts of *chesed*. By being *melamed zchus*, defending others and judging them favorably, Hashem will judge us, and all of Am Yisrael with *chesed*.

Therefore, through his actions, man can open the gates of *chesed* above, causing all Jews to be showered with *chesed*. This is the meaning of the *pasuk* (שְׁפֹטִים וְשֹׁטְרִים תִּתֶּן לָךְ בְּכָל שְׁעָרֶיךָ, (דברים ט"ז:י"ח) (You shall appoint judges and enforcers in all of your gates).

The *pasuk* is telling us that you yourself influence the judgement above by שְׁעָרֶיךָ - the gates that you construct and open with your actions. The *pasuk* continues, וְשֹׁפְטוּ אֶת הָעָם מִשְׁפָּט צֶדֶק, – And they shall judge the nation with צֶדֶק, meaning that if you teach yourself to be *melamed tzedek u'zchus*, defending all Jews, you open the parallel gate in the heavens. The person then receives a favorable judgement, as the Gemara says in Sotah (נ : ח) - במידה שאדם מודד מודדין לו (ח : נ) - a person is repaid measure for measure.”

The *sefer Otzar Hachaim* (פרשת קדושים), brings a *peirush* of the Baal Shem Tov on the *pasuk* (וַיִּקְרָא י"ט:י"ח) ה' כְּמוֹדְךָ אֶנִּי ה'. He explained that the last three words can be read אֶנִּי ה' כְּמוֹדְךָ – (As you will be, I Hashem will be). In other words, Hakadosh Baruch Hu tells us that his relationship with us will reflect the way we treat our fellow Jews, מידה כנגד מידה. If we treat others with love and respect, even protecting the honor of a *baal aveirah*, Hashem will protect our honor and won't be embarrassed by us. ובעזה"י תכלה שנה וקללותיה, תחל שנה וברכותיה אבי"ר



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