

Our *Parashah*, which is always read in the month of *Elul* preceding the Days of Judgment, begins: "Judges and officers you shall appoint at all your gates--which *Hashem*, your *Elokim*, gives you--for your tribes; and they shall judge the people with righteous judgment." R' Levi Yitzchak of Berditchev z"l (1740-1809; early *Chassidic Rebbe*) writes that this verse is offering us a recipe for a successful judgment on *Rosh Hashanah*. *Hashem* wants to judge us mercifully, but we must allow Him to do so. When we behave with kindness and judge our fellow Jews favorably, we awaken *Hashem's* kindness, so that He can judge us the same way. Through such behavior, we open the "gates" of Heavenly kindness, allowing blessing to flow to all of the Jewish People.

This, writes R' Levi Yitzchak, is the lesson of our verse: You will appoint the judges and officers who determine your fate on *Rosh Hashanah* by choosing your gates, *i.e.*, choosing which gates you will open. How? By judging all of the people with righteous judgment, *i.e.*, by always seeing the righteousness of others and judging them favorably. (*Kedushat Levi*)

A related thought from the anonymous 13th century work *Sefer Ha'chinuch* (*Mitzvah* 171): Our Sages teach that man is measured by his own measuring stick. However, the author continues, this teaching is misunderstood. It does not mean that *Hashem* looks at how man behaves and responds accordingly. That is a human trait. Rather, through his own actions, man makes himself into a receptacle to receive reward or punishment.

"Shemittat Kesafim"

While the agricultural aspects of the *Shemittah* year apply only to the land and produce of *Eretz Yisrael*, the *Mitzvah* of *Shemittat Kesafim* / releasing loans applies between Jews anywhere in the world.

This week, we present some of the *Halachot* of *Shemittat Kesafim*, as summarized by R' Binyamin Yehoshua Zilber z"l (1916-2008; an influential *Halachic* authority in Israel) in *Brit Olam: Shevi'it*, chapter 10. Readers are reminded that questions regarding the practical application of these laws should be directed to a rabbi.

There is an affirmative commandment *Le'hashmit* / to abandon loans in the seventh year, as is written (*Devarim* 15:2), "Every creditor shall remit his authority over what he has lent his fellow; he shall not press his fellow or his brother." *Shemittat Kesafim* applies according to Torah law only in an era when the *Yovel* / Jubilee Year is in effect, which is not the case in our era.

According to rabbinic law, *Shemittat Kesafim* applies even today, and everywhere in the world.

No *Berachah* is recited over this *Mitzvah*, because it is performed passively.

The *Mitzvah* is to abandon the loan. Therefore, one fulfills the *Mitzvah* by not demanding payment of the loan. If the debtor offers to pay, one should say, "I abandon it." If the debtor says, "Even so, I wish to pay" the creditor may accept payment, because he is receiving a gift.

This *Mitzvah* applies to men and to women. It is not a "time bound" *Mitzvah* because the abandonment of the loan is forever. Even if the debtor offers payment many years later, there still is an obligation to say, "I abandon it."

The release of loans is automatic, even without a verbal declaration by the creditor. Therefore, if one does violate this *Mitzvah* and demand payment, he not only has violated this *Mitzvah*, he is also a thief.

Only loans are released. Therefore, profits of a partnership that one partner is holding for the other must still be paid. [There are a number of factors that determine what is considered a "loan."]

If a loan will not come due until after the *Shemittah*--for example, a loan with a 10-year term--it is not released. Likewise, if a loan was due before the *Shemittah*, but never collected, it is not released.

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Teshuvah

The *Gemara* (*Shabbat* 12b) states: One may not read by the light of an oil lamp on *Shabbat* for fear he might tilt the lamp to improve the flow of oil to the wick [which is prohibited on *Shabbat*]. The Sage Rabbi Yishmael said of himself, “I may read because I will not tilt the lamp.” One time he read and nearly tilted the lamp. He exclaimed, “How profound are the words of the Sages who said not to read!” Rabbi Natan says, “R’ Yishmael actually tilted the lamp, and [after *Shabbat*] he wrote in his notebook, ‘I read and tilted the lamp. When the *Bet Hamikdash* is rebuilt, I will bring a fat *Chatat* / sin-offering.’” [Until here from the *Gemara*]

R’ Avraham Yitzchak Hakohen Kook z”l (1865-1935; *Ashkenazic* Chief Rabbi of *Eretz Yisrael*) explains: Writing down one’s sins in a notebook awakens a person to the fact that he should remember his sins. The reason is as follows: If a given act had only a temporary impact on one’s soul, it would be sufficient to repent immediately after sinning, and remembering one’s sins would serve no purpose. However, that is not the case. The forces within man’s soul engage in many complicated interactions, and one sin can have many negative effects. Some forces are hidden deep within the soul, and not until those forces are called upon to react to some future situation will a person realize that they were impaired by some past sin. Only when one becomes aware of these negative affect will he be able to repair that part of the damage that his long-ago sin caused, and that is why it is necessary to remember that sin. (*Ain Ayah*)

R’ Tzaddok Hakohen Rabinowitz z”l (1823-1900; *Chassidic rebbe* in Lublin, Poland) writes: The sign that one has completed his *Teshuvah* for a sin is that he has no memory of that sin. Just as we are forbidden to say to a *Ba’al Teshuvah*, “Remember when you did such-and-such,” so *Hashem* does not remind a complete *Ba’al Teshuvah* of his prior sins. As such, the person will not remember them. All human abilities come from *Hashem*. Just as no person could speak if *Hashem* did not give him a voice [see *Shmot* 4:11], so if *Hashem* does not send a person memories, he will not remember. This is what King David means when he says (*Tehilim* 51:4-5), “Abundantly cleanse me from my iniquity, and from my sins purify me. For I know my transgressions, and my sin is before me always.” The fact that one still knows of his sins means that he has not yet been cleansed. For his part, however, man is obligated to keep his sins before him always.

(*Tzidkat Ha’tzaddik* 99)

“You shall not accept a bribe, for the bribe will blind the eyes of the wise and make just words crooked.” (16:19)

Rashi z”l writes: “Even if you mean to give a just judgment.”

R’ Malachi Hakohen z”l (rabbi of Livorno, Italy; died 1772) writes: *Rashi’s* interpretation is necessitated by the end of the verse because, if the bribe-taker is not interested in judging justly, it makes no sense to warn him that “the bribe will blind the eyes of the wise . . .” (*Yad Malachi: Beur Al Ha’Torah*)

“Judges and officers you shall appoint in all your gates -- which Hashem, your Elokim, gives you -- for your tribes, and they shall judge the people with righteous judgment.” (16:17)

This is the first verse of this week’s *Parashah*. The preceding verse, the final verse in last week’s *Parashah*, states: “Everyone according to what he can give, according to the blessing that *Hashem*, your *Elokim*, gives you.”

R’ Reuven Halevi Horowitz z”l (*chassidic rebbe*; died 1810) writes: Sometimes a person complains to *Hashem* about the fact that He gave the person *Bechirah* / free choice and that he has a difficult battle to wage against the *Yetzer Ha’ra*. That person may say to his Creator, “I do not want *Bechirah*. Rather, I place myself entirely in Your hands to lead me in the way of truth and to compel me to do Your will. Even though, in this way, I will not earn reward, I do not care, for the greatest reward is to be able to serve You. I am not asking to change the nature of the world, which is that man has *Bechirah*. Rather, this is my free choice: to serve You without the interference of the *Yetzer Ha’ra*.” This, writes R’ Horowitz, is an appropriate sentiment, if it is sincere.

This, continues R’ Horowitz, is hinted at by the above adjacent verses. “Everyone according to what he can give.” A person has the right to “give” himself completely into *Hashem’s* Hands, to be ruled “according to the blessing that *Hashem*, your *Elokim*, gives you.” How does one accomplish this? “Judges and officers you shall appoint.”

Thereafter, the person must continue to “judge the people”--in this case, himself--“with righteous judgment.” A person cannot expect *Hashem* to send a prophet to guide one’s every step. But, when one sincerely does his best and prays for *Hashem’s* guidance, *Hashem* will plant the proper thoughts in his head so that he will act only in accordance with *Hashem’s* will.

(*Duda’im Ba’sadeh*)

“Tzeddek, Tzeddek you shall pursue . . .” (16:20)

Targum Onkelos interprets: “Truth, truth you shall pursue.”

R’ Dov Yaffe z”l (1928-2017; *Mashgiach Ruchani* of Yeshivat Knesset Chizkiyahu in Rechasim, Israel) writes: From here we learn how great is a person’s obligation to seek the truth. We read similarly (*Mishlei* 3:3), “Let kindness and truth not depart from you . . .”

R’ Yaffe continues: In several places in the Talmud, we read that there was a *Halachic* dispute between Bet Hillel and Bet Shammai, but, then, “Bet Hillel changed their minds and ruled like Bet Shammai.” Since everyone now agrees what the *Halachah* is in those cases, why mention that Bet Hillel once argued? asks R’ Yaffe. *Rambam* z”l explains that the purpose is to teach us the trait of truth-seeking. When the scholars of Bet Hillel heard the opposing view and recognized it as more correct, they did not hesitate to change their position.

R’ Yaffe concludes: When a person pursues truth, his life is a different life. Pursuing truth is pursuing G-d, for, we are taught, G-d’s seal is truth.

(*Shma Bni*)