



SHOFTIM

When Everyone's Wrong

How to See the Good When Everyone Else Sees the Bad

PARSHAH OVERVIEW

Shoftim

Moses instructs the people of Israel to appoint judges and law enforcement officers in every city. “Justice, justice shall you pursue,” he commands them, and they must administer it without corruption or favoritism. Crimes must be meticulously investigated and evidence thoroughly examined: a minimum of two credible witnesses is required for conviction and punishment.

In every generation, says Moses, there will be those entrusted with the task of interpreting and applying the laws of the Torah. “According to the law that they will teach you, and the judgment they will instruct you, you shall do: you shall not turn away from

the thing that they say to you, to the right nor to the left.”

Shoftim also includes the prohibitions against idolatry and sorcery, laws governing the appointment and behavior of a king, and guidelines for the creation of “cities of refuge” for the inadvertent murderer. Also set forth are many of the rules of war: the exemption from battle for one who has just built a home, planted a vineyard, or gotten married, or is “afraid and soft-hearted”; the requirement to offer terms of peace before attacking a city; and the prohibition against wanton destruction of something of value, exemplified by the law that forbids cutting down a fruit

tree when laying siege. (In this context, the Torah makes the famous statement, “For a person is a tree of the field.”)

The *parshah* concludes with the law of the *eglah arufah*—the special procedure to be followed when a person is killed by an unknown murderer and their body is found in a field—which underscores the responsibility of the community and its leaders not only for what they do but also for what they might have been able to prevent from being done.

QUESTION FOR DISCUSSION

How do you decide whether a widely held moral claim is trustworthy, or it rests on an unexamined premise?

TEXT 1

Deuteronomy 16:18;
17:8-11

יח. שִׁפְטִים וְשֹׁטְרִים תִּתֵּן לְךָ בְּכָל שְׁעָרֶיךָ אֲשֶׁר
ה' אֱלֹהֶיךָ נָתַן לְךָ לְשִׁבְטֶיךָ, וְשִׁפְטוּ אֶת הָעָם
מִשְׁפָּט צֶדֶק . . .

ח. כִּי יִפְלֹא מִמֶּךָ דְּבַר לְמִשְׁפָּט, בֵּין דָּם לְדָם בֵּין
דִּין לְדִין וּבֵין נֹגַע לְנֹגַע דְּבַר רִיבַת בְּשַׁעְרֶיךָ,
וְקַמְתָּ וְעָלִיתָ אֶל הַמָּקוֹם אֲשֶׁר יִבְחַר ה' אֱלֹהֶיךָ
בּוֹ.

ט. וּבָאתָ אֶל הַכֹּהֲנִים הַלְוִיִּם וְאֶל הַשֹּׁפֵט אֲשֶׁר
יִהְיֶה בַּיָּמִים הֵהֱם, וְדִרְשָׁתָּ וְהִגִּידוּ לְךָ אֶת דְּבַר
הַמִּשְׁפָּט.

י. וַעֲשִׂיתָ עַל פִּי הַדְּבָר אֲשֶׁר יִגִּידוּ לְךָ מִן הַמָּקוֹם
הַהוּא אֲשֶׁר יִבְחַר ה', וְשָׁמַרְתָּ לַעֲשׂוֹת כְּכֹל אֲשֶׁר
יֹרֶוךָ.

יא. עַל פִּי הַתּוֹרָה אֲשֶׁר יֹרֶוךָ וְעַל הַמִּשְׁפָּט אֲשֶׁר
יֹאמְרוּ לְךָ תַּעֲשֶׂה, לֹא תִסּוּר מִן הַדְּבָר אֲשֶׁר יִגִּידוּ
לְךָ יָמִין וּשְׂמָאל.

18. You should establish judges and law enforcement officials for yourself in all your cities that your G-d gives you, according to your tribes, and they will judge the people in righteous judgment. . . .

8. If a matter eludes you in judgment in your cities, between blood and blood, judgment and judgment, or lesion and lesion—any matter of dispute—rise and go to the place your G-d will choose.

9. And come to the priests, the Levites, and the judge who will be in those days and ask, and they will issue words of judgment.

10. And you must abide by the word they tell you from the place G-d will choose, and you must be careful to do as they direct you.

11. You must obey the law they issue according to the judgment they tell you: do not stray either right or left from what they tell you.

TEXT 2A

Maimonides,
Mishneh Torah, Laws
of the High Court 9:1

סְנֵה־רֵיִן לְשַׁתְּחוּ כָּלֶם בְּדִינֵי נִפְשׁוֹת תִּחְלָה וְאָמְרוּ כָּלֹן חַיִּב,
הֵרִי זֶה פְּטוֹר.

עַד שֶׁיִּהְיוּ שָׁם מְקַצֵּת מִזְכִּין שֶׁיִּהְפְּכוּ בְּזָכוֹתוֹ וַיִּרְבוּ הַמַּחְיִבִּין,
וְאַחֵר כָּךְ יִהְיֶה.

When a court tries a capital case and the initial opinion of every judge on the court is to convict, the defendant is immediately exonerated.

A majority must vote to convict over a minority opinion that seeks to exonerate the defendant. Only then is the defendant executed.



In Halachic courts, the judges determined a verdict by majority. While a unanimous vote confirmed innocence, it did not confirm guilt.

TEXT 2B

Talmud, Sanhedrin
17a

מַאי טַעְמָא?

כִּיּוֹן דְּגַמְרִי הֶלְנִת דִּין לְמַעְבַּד לִיה זְכוּתָא, וְהָנִי
תוּ לָא חֲזוּ לִיה.

What is the reason?

We learned that executions must be delayed by one day so that judges can spend the night seeking ways to exonerate the defendant. But [the frame of mind of] these judges will not [permit them to] consider arguments in favor of acquittal.

QUESTION

If everyone is judging the defendant as “guilty” why does the person get to go free?

ANSWER

The court requires judges to look for reasons to defend the person. If no judge can find even one point in their favor, the guilty verdict is not valid.

TEXT 3A

Rabbi Yehudah
Loew, *Be'er Hagolah*,
section 2

כי אין בית דין ראוי לדון רק דבר שהוא משפט
אמת מכל צד ולא יהיה בזה שום עולה. כי
השכינה בישראל והיא שעושה משפט ברחמים.
ולפיכך אין על בית דין של מטה לעשות דבר
שאפילו כחוט השערה אין ראוי להיות.

כי התורה הצריכה לעשות הלנת דין, מפני כי
האדם הוא חמרי וכל שכל ודעת אשר יש לו
התלות בחומר אינו שכל ברור. . . . וכאשר
הדין עומד באדם ולין עמו הדין, לא שיהיה
לומר שהיה ממהר לפסוק קודם שראוי שהיה
לן אצלו הדין. ואז המשפט כמו שראוי לאדם
בעל חומר.

ובית דין שראוי כולם לחובה כאלו נפסק הדין .
. . . וכינון שהם מסולקים מן הדין אין מחפש לו
זכות כלל. וכבר אמרנו כי האדם מפני שהוא
אדם גשמי צריך שיהיה . . . מעיין בו עד שירד
לעומק . . .

A court may only issue verdicts that are true from every angle and are beyond reproach. This is because G-d is present among Jews and only G-d [channeled by the courts] convicts the guilty. This is why the courts may not deviate even an iota from proper protocol.

The Torah requires that executions be postponed overnight because the human mind is fallible. . . . When the judges sleep on the matter, they can't be accused of skipping due process in their rush to judgment. When they follow protocol, the verdict is valid despite the judges' fallibility.

However, if the entire court is prone to convict [at this early stage], the matter appears to be decided. . . . If the judges are decided, they won't consider arguments to objectively exonerate. And we have already stated that human judges may only reach a verdict . . . after deep reflection and careful weighing of the arguments.



TEXT 3A

Rabbi Yehudah
Loew, *Be'er Hagolah*,
section 2

וְכֵאֲשֶׁר יֵשׁ לְחוּשׁ לְשׁוֹם דְּבָר שְׂאִינוּ כְּמוֹ שֶׁרְאוּי,
אֵין עַל בֵּית דִּין שָׁל מִטָּה לְדוֹן אוֹתוֹ, וְיָדוֹן אוֹתוֹ
שׁוֹפֵט כָּל הָאָרֶץ, אֲשֶׁר הַמֶּשְׁפָּט אֵלָיו.

When there is even a shadow of impropriety, the
earthly courts should not try this case. Instead, it
should be left to G-d, the Judge of the entire world,
Who alone has true judgment.

FIRST REASON A COURT CAN'T CONVICT THE DEFENDANT

If it seems the judges rushed or skipped part of the process, the verdict isn't trusted. No matter how wise they are, only G-d is perfect, so the case is overturned and left to Him.

TEXT 3B

Rabbi Tzvi Hirsh
Chajes, Sanhedrin
17a

בְּכָל דְּבָר יֵשׁ צְדָדִים לְזָכוֹת עַל פִּי אוֹפְנִים רְחוּקִים לְהַצִּילוֹ מִן עוֹנֶשׁ מָוֶת, לֵאמֹר אוֹלֵי
לֹא הָיָה אֵז שֶׁכָּלוּ בְּרוּר. וּבְחוּסָר דַּעַה הִנֵּה אֵין עַל פְּעוּלָתוֹ מִנְשָׁפֶט מָוֶת. וְכַדוּמָה שְׁאָר
הַתְּנַצְלוֹת רְחוּקוֹת . . .

וְכִינֹן שְׁבִית דִּין זֶה רָאוּ מִיָּד לְחוּבָה, וְלֹא נוֹדַע לָהֶם שׁוּם זָכוֹת עַל צַד הַיּוֹתֵר רְחוּק, אִם
כֵּן מוֹכַח דְּבִית דִּין זֶה אֵין בְּקִיָּאִים וְאֵין דִּינָם דִּין. אוּ הֶחְלִיטוּ הַמְּשַׁפֵּט בְּמַהֲירוֹת בְּלִי
עֵיוֹן וּבְלִי בִיקוּר וּבְחִינָה הֵיטִיב.

In every case, arguments, even remote arguments, can be found to exonerate the defendant from execution. For example, one can argue that the defendant was not of sound mind, and in cases of insanity, defendants are acquitted. There are many similar hypothetical justifications. . . .

By reaching an immediate conviction without finding a single argument, no matter how remote, in the defendant's favor, the court demonstrates incompetence, and its verdict carries no weight. Or perhaps it prosecuted the case swiftly without conducting a proper investigation, examination, and deliberation.

SECOND REASON A COURT CAN'T CONVICT THE DEFENDANT

For whatever reason, the judges might not be capable of handling this specific case.

TEXT 3C

Rabbi Shlomo ben
Shimon Duran,
Milchemet Mitzvah,
p. 10b

וְאִם נִשְׁאָאוּ וְנִתְּנוּ בִּדְבָר וְלֹא הָיָה לוֹ
שׁוּם מְלִמָּד זְכוּת וְלֹא הִנִּיחוּהוּ גַם כֵּן
שֶׁיִּלְמַד זְכוּת הוּא עַל עֲצָמוֹ, אֲלֵא מִיָּד
כְּשֶׁעָמַד לִפְנֵי הָעֵדָה לְמִשְׁפָּט פְּתָחוֹ
כֻּלָּם וְאָמְרוּ חַיִּיב אַתָּה, הוּא פָּטוּר . . .

וְכִיּוֹן שֶׁסִּנְהֶדְרִין אֵלָיו טָעוּ בְּכַךְ וּפְתָחוֹ
כּוֹלָם לְחֻבָּה, גָּלוּ דַעְתָּם שֶׁבָּאוּ כּוֹלָם
חֲפָצִים לְהַמִּיתוֹ, וּבְדִינֵי נִפְשׁוֹת אֵין
רְאוּי לְהִיּוֹת כָּךְ.

וְזֶה כְּבָר נִסְתָּמוּ טַעְנוֹתָיו, וְאִפִּילוּ
בְּבֵית דִּין אַחֵר לֹא יוּכַל לְלַמֵּד זְכוּת
עַל עֲצָמוֹ, לְפִיכָךְ נִפְטָר מִכָּל וְכָל.

If the court debates the case, finds no argument to exonerate, and reaches an immediate conviction without allowing the defendant to present their case, the defendant is acquitted.

. . . By issuing an immediate conviction, the court demonstrates bias against the defendant. This is [especially] inappropriate in a capital case.

Once the defendant sees what he or she is up against, they are too fearful to present their arguments, even if a change of venue could be secured. This is why the defendant is fully exonerated.

THIRD REASON A COURT CAN'T CONVICT THE DEFENDANT

The court might have been biased against the defendant.

TEXT 4A

Maimonides,
Mishneh Torah, Laws
of the High Court 2:1

אֵין מַעֲמִידִין בְּסִנֵּה־דָרִין בֵּין בַּגְּדוּלָה בֵּין בִּקְטָנָה
אֶלָּא אֲנָשִׁים חֲכָמִים וְנָבוֹנִים, מְפֹלְאִין בְּחִכְמַת
הַתּוֹרָה, בְּעָלֵי דַעַה מְרֻבָּה.

We may only appoint to the court, both the supreme court and minor courts, scholars of extreme intellect who are steeped in wisdom and understanding and are unique in their knowledge of the Torah.

QUESTION

We may be too quick to blame the judges:
after all, they were wise and learned scholars.
But if the fault lies with the defendant, why are
they still found not guilty?

TEXT 4B

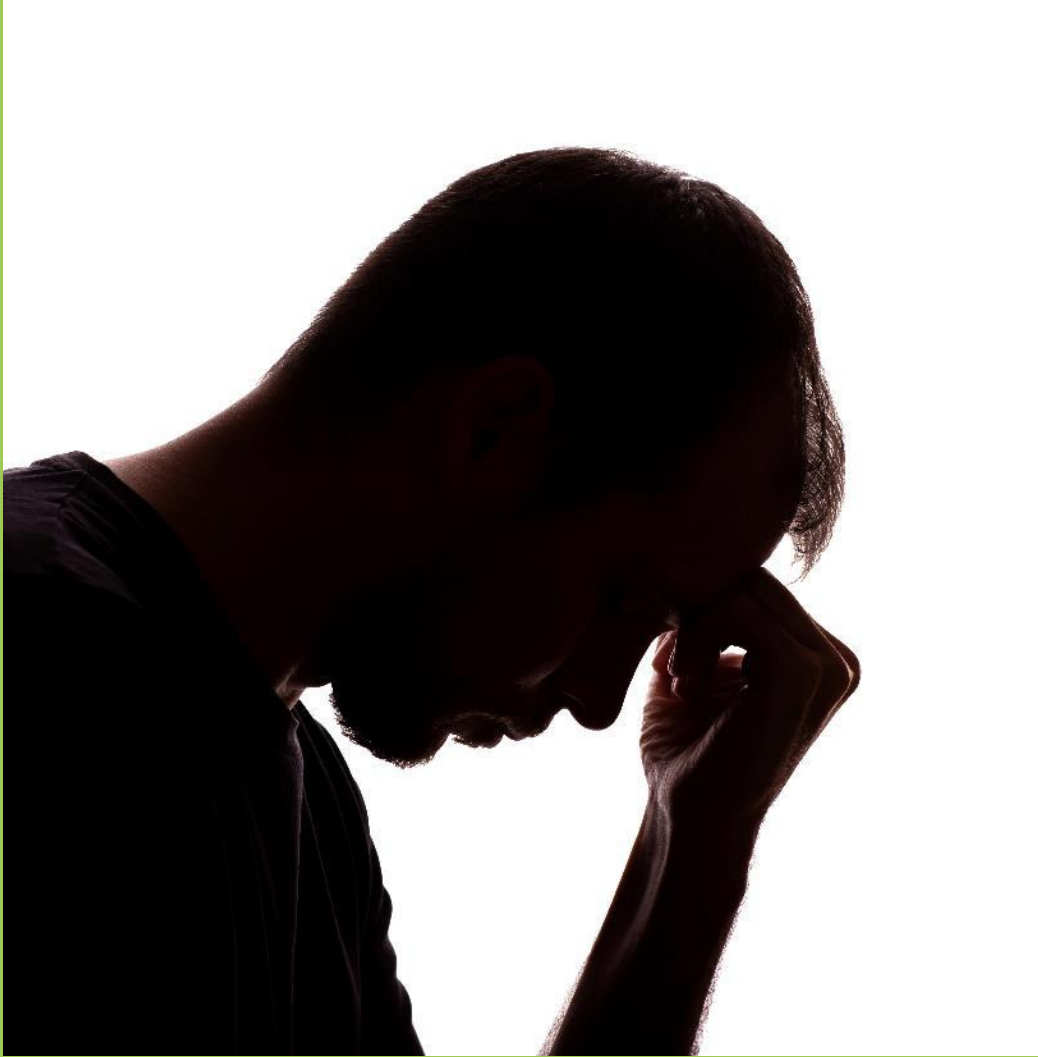
Exodus 18:21

וְאַתָּה תִּחְזֶה מִכָּל הָעָם אֲנָשִׁי חַיִּל יִרְאֵי
אֱלֹקִים אֲנָשִׁי אֱמֶת שֹׂנְאֵי בָצֵעַ.

From the entire nation, you must select
men of substance [who are] G-d-fearing,
men of truth who hate monetary gain.

They were G-d-fearing,
honest men, carefully chosen
and promoted step-by-step.
So it's hard to believe they
were unqualified or biased.





In Judaism, punishment isn't for revenge or to stop harm. It's meant to heal the sinner's soul. Sin stains the soul, and punishment cleans it so the person is fully accepted by G-d.

TEXT 5

Talmud, Sanhedrin
6:2

”וַיֹּאמֶר יְהוֹשֻׁעַ מָה עֲכַרְתֶּנוּ יַעֲקֹבִי ה' בַּיּוֹם הַזֶּה”
(יְהוֹשֻׁעַ ז, כה). בַּיּוֹם הַזֶּה אַתָּה עָכוּר, וְאִי אַתָּה
עָכוּר לְעוֹלָם הַבָּא.

And Joshua said, “Why have you muddied us?
May G-d muddy you this day” (Joshua 7:25). [By
this Joshua meant that] “On this day [of
judgment] you are foul, but you will not be foul in
the World to Come.”

TEXT 6

The Rebbe, Rabbi
Menachem Mendel
Schneerson, *Likutei
Sichot* 29, p. 1118a

וְעַל פִּי זֶה מִסְתַּבֵּר, אַז אֵין א פֶּאל וָוַען
מִיתַת בֵּית דִּין וָוַעט (קָען) נִיט בְּרַעֲנֻגָּען
דִּי כַפָּרָה אִיז נִיטָא קִיין מָקוֹם צו
דוֹרְכִפִּירן דִּי מִיתָה . . .

וויבאלד אז א בית דין כָּשֶׁר, וואס אַלְקִים
נָצַב בַּעֲדַת אֵל, וְעַל אַחַת כַּמָּה וְכַמָּה
סְנֵה־דָרִין גְּדוֹלָה שְׂבָל־שֹׁכֶת הַגְּזִית, הָאֶבֶן
אֲלֵע בֶּאלֶד גַּעֲזָאגֶט חֲזִיב, און ס'אִיז נִיטָא
אָפִילו קיין אַיינער וואס זאל מְלַמֵּד זְכוּת
וַיִּין, אִיז א רֵאָיָה אַז דָּער נִידוֹן אִיז "גְּדוֹל
עֲוֹנו מִנְּשׂוֹא" (בְּרֵאשִׁית ד, יג). עַר
גַּעֲפִינֵט זײַך בְּמַעֲמָד וּמַצָּב יְרוּד בִּיּוֹתֵר, בִּיז
אַז עוֹנֵשׁ מִיתַת בֵּית דִּין אִיז אֵינוֹ יָכוֹל
לְכַפֵּר עָלָיו. און דַּעַרְפֶּאָר, פּוֹטְרִין אוֹתוֹ.

It follows that when a conviction won't usher in atonement, there is no reason to carry out the execution.

. . . If a legitimate court that channels Divine justice, especially the supreme court in the Chamber of Hewn Stone, reaches a unanimous immediate conviction, and not a single judge finds an argument to acquit, it demonstrates that the defendant's "iniquity is too great to bear" (Genesis 4:13). His or her sinful state is so extreme that even execution by the courts cannot atone for their sin. Therefore, he or she is exonerated.

Punishment only atones if the sinner is open to change. If not one judge can find a redeeming quality, the punishment won't help and the case is left to G-d.



TEXT 7

Talmud, Sanhedrin
44a

”חָטָא יִשְׂרָאֵל” (יְהוֹשֻׁעַ ז, יא). אָמַר רַבִּי אָבָא בַּר זְבִדָּא: אַף
עַל פִּי שְׁחָטָא, יִשְׂרָאֵל הוּא.

אָמַר רַבִּי אָבָא: הֵיִינוּ דְּאָמְרִי אִינְשִׁי, ”אַסָּא דְקָאִי בֵּינִי
חִלְפִי, אַסָּא שְׁמִיה, וְאַסָּא קָרוּ לִיה”.

“Israel has sinned” (Joshua 7:11). Rabbi Aba ben Zavda said,
“A Jew is a Jew, even when they sin.”

Rabbi Aba said, “This is like the common adage, ‘A myrtle
found among thorns is still called a myrtle, and people call it
myrtle.’”



Every Jew is holy. Even if the spark of G-d is hidden and not visible, it is still there even in someone unanimously judged guilty.

TEXT 8

Rabbi Tzvi Freeman,
“Orthodox Judaism
and Unorthodox
Jews,”
www.chabad.org

[T]he Lubavitcher Rebbe said: “Labels are for shirts.” Okay, there are other things that can take labels. Like Reform Temples, Conservative Synagogues, Reconstructionist Pine Groves. But the Jews that you’ll find in these places have all just one label: Jews. Because “Jew” is not a behavioral term. It’s an essential state of being. It’s not where you’re at, it’s where you belong.

So, if anyone should ask you to describe the three kinds of Jews today, answer as follows:

There are three types of Jews:

1. Jews who do mitzvahs.
2. Jews who do more mitzvahs.
3. Jews who do even more mitzvahs.

And that’s about it. . . .

ANSWER

If even the carefully trained judge cannot detect the spark of holiness that is surely hidden within the defendant, their punishment cannot atone for the sin. The defendant goes free since their atonement can only be achieved by G-d.

TEXT 9

Rabbi Shneur Zalman
of Liadi, *Maamarei
Admur Hazaken
Haketzarim*, p. 464

מורי, זכרונו לְחַיֵּי הָעוֹלָם הַבָּא, הָיָה נוֹהֵג כְּשֶׁנִּפְלָה
לּוֹ אִיזָה הַשְׁגָּה בְּמוֹחוֹ הָיָה אוֹמֵרָה בְּפֶה אֶף שֶׁלֹּא
יָבִינּוּ הַשּׁוֹמְעִים כָּל כָּךְ, שֶׁהָיָה מְדַבֵּרָה רַק כְּמוֹ
בְּפִי עֵצְמוֹ.

וְהַטַּעַם לָזֶה הוּא בְּכַדִּי לְהַמְשִׁיךְ אֶת הַהַשְׁגָּה שֶׁנִּפְלָה
לּוֹ בְּזֶה הָעוֹלָם בְּבַחֲיִנַת יְצִיאַת הַדִּיבּוּר כְּשֶׁמְדַבֵּרָה
בְּפִיו. עַל יְדֵי זֶה שֶׁמְדַבֵּרָה בְּצִירוּפֵי אוֹתִיּוֹת
הַדִּיבּוּר, מְמַשִּׁיכָה לְעוֹלָם הַזֶּה. וְאַזִּי, כְּשֶׁיִּמְשִׁיכָנָה
לְעוֹלָם הַזֶּה, יוּכַל אַחֵר אֶף שֶׁהוּא בְּסוּף הָעוֹלָם
לְהַשִּׁיגָה עַל יְדֵי יְגִיעָתוֹ בְּתוֹרָה וְעִבּוּדָה. שְׂיוּכַל
לִיפּוֹל בְּמוֹחוֹ זֶה הַהַשְׁגָּה מֵאַחֵר שֶׁיִּשְׁגָּנֶה בְּעוֹלָם הַזֶּה
עַל יְדֵי שֶׁהַמְשִׁיכָה בְּדַבָּרוֹ אוֹתָהּ בִּיְצִיאֹת הַדִּיבּוּר
כְּנִזְכָּר לְעִיל . . .

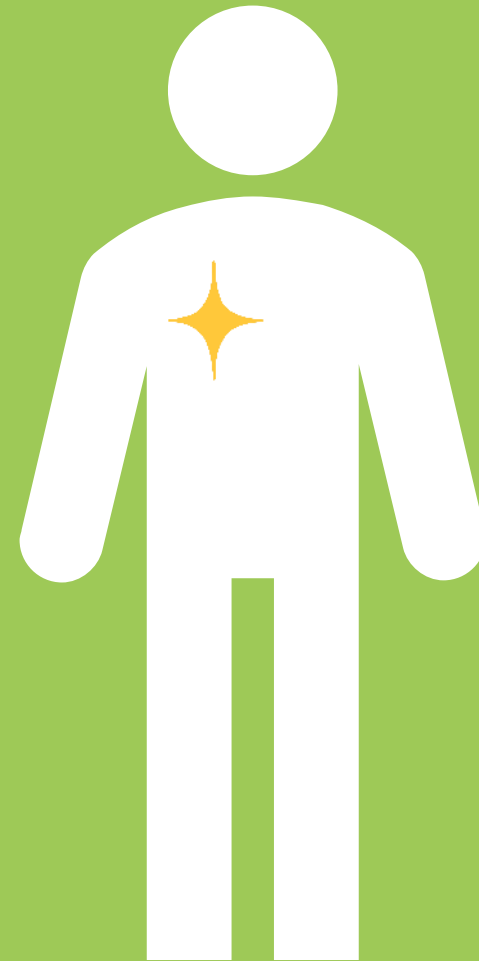
אָבָל אִם לֹא הָיָה מְמַשִּׁיכָה לְעוֹלָם הַזֶּה עַל יְדֵי
הַדִּיבּוּר, אֶף שֶׁיִּיגַע אַחֵר הַרְבֵּה, לֹא יִשְׁיַגְנֶה בְּמוֹחוֹ.
שֶׁאִינָה נִמְצָאת בְּזֶה הָעוֹלָם, שֶׁהִיא בְּשָׁמַיִם.

Whenever a new Torah insight occurred to my
teacher of blessed memory, he would verbalize it,
although no one understood what he was saying,
as if he were talking to himself.

He did this to bring his new Torah insight into the
physical world through oral speech. Articulating it
into spoken words channels it into this world.
Once it is present in this world, others, even
people on the other side of the world, can reach
the same insight by toiling in the Torah and their
prayers. My teacher granted them access by
articulating it and channeling it into the world. . . .

Had he not spoken the insight into this world, it
would never have occurred to others, even if they
applied themselves diligently, because, as a
Heavenly insight, it would be inaccessible on
earth.

Even if the courts can't convict them, we don't abandon them: by declaring their hidden spark of goodness we can inspire it to come out.



TEXT 10

The Rebbe, Rabbi
Menachem Mendel
Schneerson, *Likutei
Sichot* 29, p. 120

אָפֿלויַן ווען עס רעדט זיך וועגן אזא אידן
וואס געפינט זיך ב'שפּל המצב עד כדי כך,
אז אָפֿילו סנהדרין וואס די תורה זאגט אז
ענגנאם איז "והצילו העדה" — צו זוכן און
געפינען אַ העלף וזכות אויף יעדער אידן
— און דאך זעען אויף זיי אויף אַם נאר
חובה, זיי זעען נישט קיין זכות אויף אים,
פונדעסטוועגן פסק'נט תורת אמת א פסק
דין ברור, אז דאס איז אַ מציאות וואס
קען נישט זיין. אויף ביי דעם אידן איז דא
דער רופּה לקיים כל המצוות.

ובמילא ברענגט דאס גופא אז די סנהדרין
זיינען מלמד זכות אויף דעם אידן און
דורך דעם איז מען מגלה דעם רופּה שבו,
טוב שבו.

The Torah of truth issued a clear verdict that every Jew inherently desires to fulfill all the commandments. Exceptions to the contrary are impossible. This is true even of Jews who are in such a degraded state that the high court—to whom the Torah assigned the task of saving sinners by finding ways to exonerate them—can only see their guilt and can't discern their goodness.

By declaring that this Jew is filled with concealed but inherent goodness that the courts could not discern, they judge the defendant favorably. This very statement reveals the defendant's intrinsic holiness and desire to fulfill G-d's will.



NO ONE IS BEYOND REDEMPTION

Even if someone commits a serious crime, don't judge. They still have goodness inside, and something must have led them to act wrongly.

OPTIONAL

TEXT 11A

Midrash, *Shir*
Hashirim Rabah 5:2

"אֲנִי יְשָׁנָה וְלִבִּי עֹר" (שִׁיר
הַשִּׁירִים ב, ה).

אָמְרָה כְּנֶסֶת יִשְׂרָאֵל לִפְנֵי הַקְדוּשׁ
בְּרוּךְ הוּא, "רְבוּנוּ שֶׁל עוֹלָם אֲנִי
יְשָׁנָה מִן הַמַּצּוּוֹת וְלִבִּי עֹר
לְגַמְלִלוֹת חֲסִדִּים. אֲנִי יְשָׁנָה מִן
הַצְדָּקוֹת, וְלִבִּי עֹר לַעֲשׂוֹתָן . . .

אֲנִי יְשָׁנָה מִן הַקֶּץ, וְלִבִּי עֹר
לְגֵאָלָה. אֲנִי יְשָׁנָה מִן הַגְּאָלָה, וְלִבִּי
שֶׁל הַקְדוּשׁ בְּרוּךְ הוּא עֹר לְגֵאָלָנִי
. . . שֶׁנִּקְרָא הַקְדוּשׁ בְּרוּךְ הוּא
לְבֶן שֶׁל יִשְׂרָאֵל".

"I am asleep, but my heart is awake" (Song
of Songs 5:2).

The congregation of Israel proclaims to G-d,
"Master of the universe, I am asleep
regarding the commandments, but my
heart is awake for acts of kindness. I am
asleep regarding acts of charity [because I
can't afford them], but my heart is awake: [I
want] to give charity.

". . . I am asleep regarding the end of days,
but my heart is awake for the Redemption. I
am asleep regarding the Redemption, but
G-d's heart is awake to redeem me. . . . For
G-d is called the heart of Israel."

OPTIONAL

Even if someone isn't fully observant, every Jew's heart is still **connected** to G-d.



OPTIONAL

Most Jews give
tzedakah or act
kindly, showing the
true, committed
heart of every Jew.



OPTIONAL

TEXT 11B

Rabbi Yosef Yitzchak
Schneersohn, *Sefer
Hamaamarim*
Yiddish, p. 11

און דאס מיינט אַני יִשְׁנָה וְלִבִּי עֹר, אַני יִשְׁנָה
אין גָּלוּת אָפֶער וְלִבִּי עֹר אין דָּעם עֲנִין פֿון
מָסִירַת נָפֶשׁ.

אז בְּזֶמֶן הַגָּלוּת איז לייכטער מְעוֹרֵר זיין אין
זיך דָּעם עֲנִין פֿון מָסִירַת נָפֶשׁ איידער בְּזֶמֶן
שְׂבִיטַת הַמִּקְדָּשׁ קָיָים. לִבִּי עֹר איז דָּער נְקוּדַת
הַלֵּב וואס דָּאָרט איז דָּער נְקוּדַת הַיְהוּדוּת. וואס
די נְקוּדָה איז פֿאַראַן תָּמִיד אויף בְּזֶמֶן הַגָּלוּת
און ווערט גִּתְּגָלָה דורך אַ מִנְגָּד.

ווען עס זיינען פֿאַראַן מְנַגְּדִים אויף קיום
הַתּוֹרָה וְהַמִּצְוֹת דאן ווערט גִּתְּעוֹרֵר די נְקוּדַת
הַלֵּב וְנְקוּדַת הַיְהוּדוּת וואס דאס איז די אָמוּנָה
פֿשוּטָה וועלכע איז פֿאַראַן ביי יעדען אידען.
וואס ער איז מאַמִּין בִּהְשֵׁם יְתָבָרָךְ און איז זיך
מוסר נָפֶשׁ בְּפוֹעַל מָשׁ.

Herein lies the deeper meaning of “I am asleep,
but my heart is awake.” I am asleep in Exile, but
my heart is awake, even to the point of self-
sacrifice.

It is easier to be inspired to self-sacrifice during
the Exile than it was when the Temple stood. The
words “my heart is awake” refer to the
quintessential point of Jewishness within us. This
quintessential point is always present, even during
the Exile. In fact, it is provoked by opposition.

When there are forces that keep us from studying
Torah and performing the commandments, the
quintessential point of our heart and our
Jewishness is aroused. This is the plain,
unbreakable faith present in every Jew. It is the
fact that we believe in G-d and are prepared to
sacrifice our lives for Him if necessary.



Even if someone seems broken, their true self remains. Change often comes when we approach with warmth, not judgment, and guide them in the right direction.

KEY POINTS

1. The purpose of judicial punishment in Judaism is to expiate the sin and cleanse the soul.
2. When the sin is so pervasive that the courts can't find a single reason to acquit, the sin will not be expiated by punishment. In this case, there is no point in punishing the defendant.
3. Thus, the courts announce that they were unable to find a single spark of goodness in this defendant, though they know it is there, and they let the defendant go.
4. Words have power. By saying that the defendant has a hidden spark that they were unable to find, the spark is strengthened, and it emerges.
5. The lesson is that if we hear negative rumors about a fellow Jew, we must remember that their inner truth is holy. We must judge them by this inner truth, rather than their outer actions.

