

## **Shoftim: Shiur HaRav Soloveichik ZTL**

- The Rav discussed the difference between Eretz Yisrael and Hutz LaAretz as far as appointment of judges is concerned. He later includes material dealing with before and after Tisha B'Av, discusses the Kedusha Rishona and Shniya of Eretz Yisrael, applying it to today, and also discusses whether Yovel applied during the time of Bayit Sheni.

Shoftim: Shiur HaRav Soloveichik ZTL

(Copyright 1997 by Dr. Israel Rivkin and Josh Rapps, Edison, N.J. Permission to reprint and distribute, with this notice, is hereby granted.)

[This summary covers the first part of the Yarchei Kallah on Parshas Shoftim that the Rav ZT"l presented in Boston in the late 70's. The Yarchei Kallah shiurim were a series with a much greater time frame. The Rav therefore had an opportunity to expand his ideas as in shiur at Yeshiva. This discussion applies to Shoftim, but also to the period before and after Tisha B'Av as well.]

The Torah commands us with a Mitzvas Asay to appoint judges in each city and district. There is a Mitzvah to establish a judiciary branch that interprets the law and an executive branch that enforces the laws. Rashi translates the semantics: Shoftim are judges that render decisions. Shotrim are the executive officers who translate the law into reality. In the modern, 3 part style of government, Shoftim are the judiciary, and probably the legislative branches. Shotrim is the executive branch of government that enforces and implements the laws and decisions.

The word Lishvatecha requires clarification. Rashi says that Lishvatecha lends itself to a double interpretation, your towns and settlements that Hashem granted the tribes. Or you could say that the appointment must be in accordance with the tribes so every Shevet must have its own judiciary. Rashi's opinion is that the latter interpretation is correct.

Is this a Mitzvah that applies only in Eretz Yisrael or does it apply to Chutz LaAretz as well? In times when communities were autonomous would they have to establish such a system? The Ramban said the Mitzvah to appoint judges in cities did not apply in Chutz LaAretz. The Ramban said that the Rambam agrees with this opinion. He then quotes the Gemara in Makos (7a) that says there is a Mitzvah of Minuy Shoftim, to appoint people to render decisions in accordance with Torah Law even in Chutz LaAretz. We can't say that we should wait till the need arises and then appoint judges. Rather we need people in place before the conflict develops between litigants.

The Gemara says that there is a Mitzvah to appoint judges even in Chutz LaAretz. But we don't know how many sets of judges are needed. In Eretz Yisrael there is a requirement to appoint Judges in each city and district. In Chutz LaAretz we appoint judges for the districts but not for the cities. The exclusive aspect of Eretz Yisrael is the number of judges that are appointed and their distribution. The Rav asked if there is a Mitzvas Minuy Dayanim in Chutz LaAretz, then why is there a difference between Eretz Yisrael and Chutz LaAretz in the number of judges and their distribution? And if there is no Mitzvas Minuy Dayanim, then what is the nature of the

compromise between the cities and districts in Chutz LaAretz in requiring a court in either the cities or the districts, but not both?

One could give a simple answer that there is no Mitzvah of Minuy Dayanim in Chutz LaAretz. There simply is a requirement that in order that Chutz LaAretz not become another Sodom VeAmorah, the laws of the Torah must be enforced. So you need some judges in each district that should be on alert, so that in case the need arises they should be ready to judge the people and implement Din Torah. Appointing judges at the district level is not a Mitzvas Minuy, rather it is a good suggestion, in order to be ready to fulfill the Mitzvah of Ve'asisa Hayashar Ve'hatov. In Eretz Yisrael why do I need so many judges in each city and in each district? Apparently, in Eretz Yisrael there is a separate Mitzvah of Minuy Dayanim, and the Torah requires that there be judges appointed in both cities and districts to fulfill the Minuy Dayanim and Ve'asisa Hayashar Vhatov.

The Rambam ( Hilchos Sanhedrin 1:1) says that there is a Mitzvah to appoint judges in cities and districts. In the next Halacha he says that the obligation for appointing judges in each city and district is limited to Eretz Yisrael. However in Chutz LaAretz there is an obligation to appoint judges in each city and not in each district. The Ramban interprets the Rambam as we have above, that there is no Mitzvas Minuy Dayanim to appoint judges in each district rather there is a need to enforce Yashar Ve'tov. Why does the Rambam require judges in the cities while the Gemara requires them in each district? In Chutz LaAretz, we appoint judges in each city and that is sufficient to satisfy Yashar Ve'tov. If someone has a conflict, he needs to be able to get justice immediately. The judges must be accessible. If they were in the districts only that would make them more difficult to get to. There is no special Mitzvas Minuy Dayanim. Perhaps the Rambam had a different text in the Gemara that required judges in the cities and not the districts. Since there was an obligation to make sure that Chutz LaAretz did not become a second Sodom VeAmorah, there is an obligation to appoint judges. But Eretz Yisrael had a double reason for requiring judges: Yashar Ve'tov and the Mitzvas Minuy Dayanim.

The Ramban says that in Chutz LaAretz we appoint judges to fulfil Ve'asisa Hayashar Ve'hatov. One could interpret that in Chutz LaAretz there is no special Mitzvas Minuy Dayanim, rather we need that the judges be available when the need arises. The Ramban interprets that there is a Mitzvas Minuy Dayanim in Chutz LaAretz, as well as Eretz Yisrael, based on the Gemara in Makos. If so, why distinguish between Eretz Yisrael and Chutz LaAretz?

While listening to Krias Hatorah [the Rav took this opportunity to enforce the idea that Krias HaTorah should not be a mechanical reading, rather one must think and understand what is being read] for Parshas Devarim the following occurred to the Rav [he found the proof he had long sought to corroborate the following ideas that he had formulated before]. In the first chapter of Devarim the Torah relates how Bnay Yisrael spent almost 2 years in the proximity of Mount Sinai. Hashem now invited the people to enter and take over the land, without war or armed struggle. Next the Torah, puzzlingly, changes the topic and the continuity and tells us about a conversation that took place 38 years before between Moshe and Bnay Yisrael. Moshe told them the story of how he asked for recommendations as to who would be suitable to serve as a judge in the community. After all Moshe did not know everyone in the community, and requested their input to find the most suitable candidates. Moshe relates the instructions he gave to the judges as

to how they were to act and serve as judges and how they had to be acceptable to the community. Then he relates the directions he gave the people themselves that they should behave in accordance with the Torah when they enter the land. Moshe then relates that after the instructions had been given, they started the march. Hashem told Bnay Yisrael that the time has come for them to enter the land. They had come to the border of Har Emori. All that was left to do was to climb up the mountain and take over the land in much the same way that one inherits property, Alay Reish. It was a small journey from Kadesh Barnea to Eretz Yisrael.

However, suddenly something happened that changed Jewish History. Moshe proceeds to relate the tragic story of how the people approached Moshe and wanted to send spies to explore the land. This incident changed the course of Jewish History and the destiny of the people. Moshe is telling them "How close you were to entering the land", Hashem urged you to enter the land and take it over voluntarily. All you had to do was walk into the land and take it over. Because of the episode of the spies, Jewish History was re-written. It is interesting to note that we read Parshas Devarim and the story of the spies on the Shabbos prior to Tisha Bav. Moshe tells them how close they, and he, were to entering the land. Had Moshe entered Eretz Yisrael and divided the land there never would have been an exile and the Beis Hamikdash would never have been destroyed. We had it right in our grasp, in our pockets. But some crazy idea, to send spies, destroyed our destiny, and replaced it with a destiny of suffering and martyrdom.

Why did Moshe introduce the story of how he set up the system of judges in the middle of the story of their impending entry to the land and the subsequent tragedy that befell them? The continuity of the story of their impending entry and ultimate tragedy and disappointment is beautiful. Why interrupt it with the story of the judges? The Rav found in the Ramban a short answer that he expanded as follows. The Rav said that in order for them to be prepared to enter Eretz Yisrael, they had to have a complete system of justice in place. There was no need to prepare for battle for there would be no war, but there was a requirement that a system of justice be in place as a pre-requisite to taking over the land. When Moshe told the people that he could not carry the weight of judging the people on his own, he accepted Yisro's suggestion (which was obviously the will of Hashem). The Ramban says that the appointment of the judiciary is part of the preparation of the people to entering the land after they received the Torah. The judges that Moshe appointed were not limited to the role of judge. They were also the teachers and leaders of the people, like Devorah: she was not only a judge, but she was a leader as well.

The content of the Haftorah for Devarim, Chazon Yeshayahu, is the violation of the concepts of Tzedakah and Mishpat. The conclusion of the Haftorah is that Tzion will be rebuilt through Mishpat and its exiles through Tzedakah. In the time of Yeshayahu the judges had violated their trust and were corrupt. This was inconsistent with their role as leaders and violated the requirement of establishing a strong system of justice so the people may inherit the land. The prophet says that in his time the people violated the requirements for judges that Moshe gave them as retold in Parshas Devarim.

The Rav noted that the prerequisite of a system of justice prior to returning to the land is reiterated daily within our prayers. If we look at the middle 13 blessings of Shemoneh Esray we see that they are divided between the needs of the individual and the Tzibbur, specifically the latter half of the blessings discusses the theme of Geulas Yisrael, redemption of Israel. [The

Rambam in Pairush Hamishnayos already noticed the following as well.] The order of the blessings is the ingathering of the exiles, which implies conquest of the land. The next blessing should have been the petition to restore the Beis Hamikdash and the city of Jerusalem. However one cannot petition for that without first putting in place the strong system of justice, described in the blessing of Hashiva Shoftaynu. The very moment you speak about Kibbutz Galios you talk about Kibbush Haaretz and Kedushas Haaretz and Yerushalayim. You can't do that without first petitioning for the return of a fair system of justice.

Yerusha and Yeshiva is that Eretz Yisrael should be under our control. Yerusha Vyeshiva should not be considered only in terms of physical conquest of the land, but in terms of the establishment of a system of limud Torah and spiritual leadership. Without these things, the best trained soldiers do not matter. Bo'u Ureshu means that it is incumbent on you to take over the land, Moshe tells them that Yersusha Vyeshiva is not only in terms of warfare but also in terms of Mishpat Utzedakah. After Moshe appointed the judges he reissued the call to them. Now that the judges are appointed you are prepared from the physical and spiritual viewpoints to take over the land. You have the physical and spiritual leadership to take over the land. Minuy Dayanim in Eretz Yisrael has a double aspect. We cannot permit corruption, so we must enforce Yashar Vtov. There also is an aspect of Yerusha Vyeshiva as well. The need to provide scholars and leaders is a part of Yerusha Vyeshiva.

Now we see why Eretz Yisrael differs from Chutz LaAretz as far as Minuy Dayanim is concerned, even though it applies to both. Every city in Eretz Yisrael must have a Beis Din. A city in Eretz Yisrael has special halachic status which does not apply to cities in Chutz LaAretz, no matter how large the city might be. In Chutz LaAretz there is no Halachic entity of a city. It is viewed as a group of individuals, but there are no DeOraysa obligations that derive because of its status as a city. In Eretz Yisrael there are laws that pertain to a city, for example the laws that relate to Egla Arufa, Ir Hanidachas, Metzora that must be sent outside the city, Ayaros Mukafos Chomah, Arei Miklat. These are all Chovas Ir. The Kedushas Ir in every city in Eretz Yisrael requires the appointment of judges, and this a Kiyum in the Mitzvah of Yerusha V'Yeshiva. The Kedushas Ir is incomplete without the appointment of some form of Beis Din.

This is why Moshe integrated the mitzvah of Minuy Dayanim in the recounting of the story of the peoples march into Eretz Yisrael and the tragic change in Jewish Destiny that grew out of the Meraglim episode. The reason for requiring judges in cities and districts is that there should be the realization of the two aspects: 1) Tzedek Umishpat and 2) the realization of Yerusha V'Yeshiva.

There are 2 Kedushos in the Halacha. The first is Kedushas Eretz Yisrael that was achieved in the time of Joshua via conquest and in the time of Ezra through Chazaka, colonization. The second is Kedushas Hamikdash which has separate unique process of Kiddush. The Rambam says that the Mikdash has a separate Kedusha that is based on the presence of the Shechina, The Rambam is of the opinion that the Churban eliminated the Kedushas Eretz Yisrael, but it did not eliminate the Kedushas Hamikdash. The reason is that since the original takeover of the land in the time of Joshua was through conquest, after Nebuchadnezzar invaded and showed that he was stronger this nullified the original Kedusha. Ezra reestablished the Kedusha through colonization. However the Kedushas Hamikdash continues intact from the time of Shlomo

Hamelech, because it is based on Shechina, and Kedushas Shechina cannot be nullified. The Kedushas Eretz Yisrael nowadays dates back to the time of Ezra. Yersusha Vyeshiva reaches its culmination through the appointment of judges and institutions that pursue Tzedek Umishpat.

Does this apply only to Eretz Yisrael or Kedushas Hamikdash as well? The Rambam says that Kedushas Mikdash cannot be terminated. The present Kedushas Habayis dates to Shlomo while Kedushas Haaretz dates to Ezra. There is a physical aspect to Yersusha Vyeshiva as well as Asiyas Yashar Vtov. Alay Reish follows the appointment of judges. There is no need for the Jews to invade and conquer the land if they will behave like the Cnaanim. There is a need for Minuy Dayanim that goes beyond the need for social justice in order to complete Kedushas Haaretz and supplement the act of Yersusha Vyeshiva. What about the Kedushas Habayis? Beis Hamikdash has 1 purpose: Hakravas Korbanos. One could say that the reestablishment of Tzedek Umishpat only applies to Kedushas Eretz Yisrael. However one could also say that it applies to Kedushas Mikdash as well, after all Yeshayahu was speaking about the Kedushas Hamikdash and its defilement when he said Tzion Bmishpat Tipadeh. According to the Ramban that there are two aspects to the appointment of judges: to do Hayashar Vehatov as well as the political aspect of being a part of Yersusha Vyeshiva. In the times of Yeshayahu, Eretz Yisrael had already been attacked by Sancheriv. All that was left was Yehuda and Binyamin. The prophet talks about the sacrifices that were turned into an abomination by the Kohanim and the people. We copied the concept of Tzion Bmishpat Tipadeh in Shemoneh Esray that says that we have to restore the system of justice, before we request the rebuilding of the Temple. The principle of a restored system of justice is required for Kedushas Hamikdash as well.

We require the placement of the Sanhedrin next to the Beis Hamikdash. Not only does the Beis Din Hagadol depend on the Mekom Hamikdash but the Kedushas Hamikdash is completed by the presence of the Sanhedrin Gedolah near it. Therefore even Kedushas Hamikdash depends on the reestablishment of the system of justice as described by Yeshayahu. The Rav noted that basically Tzion in Tanach refers to Yerushalayim and Mikdash. So when the Navi talks about Lamah Li Rov Zivchaychem he is talking about Yerushalayim and the Kedushas Mikdash. Tzion Bmishpat Tipadeh, is referring to the city and the Beis Hamikdash. Yerushalayim according to the Halacha is not viewed as a city but as an extension of the Beis Hamikdash. Therefore both the city and the Kedushas Hamikdash require Minuy Dayanim. When the torah says Vkamta Valisa El Hamakom, the Torah refers to the Mekom Hamikdash. So Minuy Dayanim is indispensable for Kedushas Eretz Yisrael and Kedushas Mikdash as well. There are 3 camps: Machne Shechinah, Leviya and Yisrael. This dates back to the Mishkan in the desert. The Rambam says that this setup is to be perpetuated with Yerushalayim forever. Jerusalem is not a mundane city; rather it is a part of the Beis Hamikdash. Since the city will be rebuilt only through Mishpat Utzedakah, it is clear that the Kedushas Beis Hamikdash depends on Minuy Dayanim as well.

This why Eretz Yisrael requires an additional tier of Batei Din, beyond that required for the cities. Without the additional tier I would think that the cities in Eretz Yisrael, like their counterparts in Chutz LaAretz, require justice only for the reason of Yashar Vetov. The additional tier shows that there is a special Mitzvah of Yersusha Vyeshiva. If the judges that are appointed are corrupt then the Kedushas Haaretz is incomplete as well. Therefore this parsha is read before Tisha Bav to tell us that we can attain Geula only if the system of justice is restored.

The Rambam eliminates the word Lishvatecha from his citation of the Halacha. Why did the Rambam omit this? [The Rambam quotes the verse but it concludes with the word (Vachulu) "etc.". It is not clear if the Rambam put in the shorthand or the printer did.]. The Gemara (Sanhedrin 16b) says that Rabbi Shimon Ben Gamliel learns from Lishvatecha that there is a mitzvah on each Shevet to judge its own Shevet's disputes. The Rambam omitted this Halacha. The Rav explained that the Halacha of Shevet has nothing to do with the aspect of Minuy Dayanim that relates to the requirement of enforcing Mishpat Utzedakah. After all, if 2 litigants from one tribe come before a judge from another, the judge has the same responsibility and duty to judge the case fairly according to the Halacha. Lishvatecha is exclusively associated with the second aspect of Shoftim, Minuy Dayanim, as a part of Yerusha Vyeshiva. Minuy Dayanim is a Mekadesh. That is why Moshe appointed the judges before they started out on the march. A conquest is considered Kibbush Rabbim as long as it is done in accordance with the Beis Din Hagadol. All the Mitzvos Hateluyos Baaretz took effect after the 14 years of conquest and partition, which was the Mekadesh (except for Challah). Chiluk, partition, in addition to Kibbush, was a part of Kedushas Haaretz in the time of Joshua. If Minuy Dayanim was a part of Yerusha Vyeshiva, and the first Yerusha Vyeshiva consisted of Kibbush Vchiluk, then each Shevet must appoint judges and be represented in the overall judiciary system. In order for the Kibbush Vchiluk to be complete, all the Shevatim must be represented. After all, for simply judging a case between two litigants one would expect that all judges, no matter what tribe they came from, would be unbiased. Rather each Shevet was required to be represented from the aspect of Chiluk V kibbush and Kedushas Haaretz. Minuy Dayanim must be a part of Kibbush and Chilluk as they are the acts of Kiddush Haaretz, and each Shevet must be represented. The Passuk bears this out beautifully: Shoftim Vshotrim Titen Lcha Bchal Shearecha Asher Hashem Elokecha Nosen Lecha. You must appoint judges from all the tribes to judge their own tribe in order that you should fulfill the Mitzvah of Yerusha Vyeshiva. Otherwise you will not acquire the cities that Hashem has promised to give you. And in towns that were partitioned between two tribes, according to Tosfos (Sanhedrin) the town required two Batei Din.

According to the Rambam (Beis Habechira 6:16) the Kibbush Yehoshua was suspended and later restored by Ezra. The Kibbush by Joshua was based on physical conquest, because of the might of Joshua. This Kedusha was nullified by a stronger power, that of Nebuchadnezzar. However the Kedushas Yerushalayim is intact forever because its Kedusha was based on Kedushas Shechina in the Beis Hamikdash, This type of Kedusha could not be nullified. However the Kedushas Ezra was via Chazakah, as the Jewish Nation was poor and dependent on the kindness of Koresh. There was a special limud from the verse Vhaytivcha Vhirbecha Mayovesacha that allowed the Kedusha of Eretz Yisrael in the time of Ezra to return. The Chazakah and resettlement of the land brought about the Kedusha. The Rav asked: what about Chlaukas Haaretz in the time of Ezra and even nowadays? Is the original Chalukah still in place? Or do we say that since the Kibbush was eliminated, the partition was also eliminated? Or do we say that the Kibbush was eliminated but the Chiluk continues from the time of Joshua? The Rav said that it would appear that the Chiluk should not continue since the original Kibbush was nullified. Chiluk and Kibbush were part of the same Mekadesh. If one aspect is nullified so is the other. Chiluk must lean on Kibbush. If Kibbush is nullified then so is the Chilluk. During the second temple, with the exclusion of a short period under the Hashmonaim, the Jews were vassals of foreign powers. The Mekadesh was Chazakah. Kibbush and Chiluk combine to make a single

unit as far as granting the ability to divide the land, however Chazakah and Chiluk do not. Chazakah is not strong enough for Chiluk to rely on. Perhaps the Chiluk is dependent on Kibbush and in the second Beis Hamikdash there was no Kibbush, only Chazakah, so the Chiluk was suspended as well.

In Sefer Ezra it says that the people returned to the area of Jerusalem. According to Rabbeinu Tam, a minority from each tribe returned with Ezra. They settled in the towns around Jerusalem because they were under threat of attack and had to remain in proximity to Jerusalem. The land they settled belonged to Judah and Benjamin. We do not find that anyone was precluded from settling in the land that belonged to Yehuda and Binyamin. After all, if the original Chalukah were still in effect the land would not belong to the new settlers. We find that the people brought Bikurim and Maaser Shayni up to Yerushalayim and would read the appropriate Parshios, which they could not do unless they had ownership of the land.

So one could say that the original Chalukah remained intact and each tribe retained ownership of its land. Even though the Chalukah was suspended, it will be reasserted by the Melech Hamoshiach, as said in Sefer Yechezkel as the Chalukah in messianic days will be 13 portions. On the other hand, one could say that since there was no Chalukah, and Nebuchadnezzar eliminated the original Kibbush and Chiluk, the land belongs to Knesses Yisrael, as one entity. Every Jew had a right to settle in any part of Eretz Yisrael since the land no longer belonged to the individual. If Lishvatecha would be a provision in the Mitzvas Minuy Dayanim, then according to the Rambam it should also exist today. If Lishvatecha were in force today, then there would be an obligation on litigants to seek out a Beis Din from their own Shevet. However if Lishvatecha is a provision in Chalukas Haaretz and continues to be a part in the complete realization of Kedushas Haaretz, then the only need for Lishvatecha is to redo the Chalukah. If the original Chalukah was nullified and never reasserted in the time of Ezra, then there is no reason for Lishvatecha. If it was a provision in Tzedek Tzedek Tirdof, then it should always apply in perpetuity. But if Lishvatecha is a provision in the division of the land and Kedushas Haaretz, the Chalukas Haaretz measures Lishvatecha, and if there is no Chalukas Haaretz, there is no Lishvatecha. That is why the Rambam omitted mentioning Lishvatecha.

There is a Machlokes if there was Yovel in Bayis Shayni. Josephus says that there was Tekias Shofar on Yom Kippur Shel Yovel in Bayis Sheini [the Rav said that his trustworthiness was open to debate]. The Rambam says there was no Yovel, Doraysa or Rabbanan, Rabbeinu Tam says there was Yovel Dorayasa, according to the Ran and Ramban Midoraysa no, Drabannan yes. The Gemara says that you need Kol Yoshveha Aleha, and during Bayis Sheini the majority of Bnay Yisrael lived in the diaspora, so how did they have Yovel? So Rabbeinu Tam says that there were representatives of each Shevet around and that was equivalent to Kol Yoshveha Aleha. So the Ran asks how can you claim that representatives are sufficient to take the place of Kol Yoshveha? Also, for Yovel to apply there is a requirement that the people live Ksidran, on their assigned plots. If all the inhabitants dwell in the land but they do not settle in their assigned plots, they are not Ksidran, then there is no Yovel. If each Shevet lived on each others land then how could there be ownership that would allow Yovel? After all, they have to resettle their original plots; they could not be intermixed (Mevulbalim).

The answer is that since the original Chalukah was nullified and the Klal Yisrael resettled the

land, and not the individual tribes, then this resettlement was sufficient to create ownership for Yovel. The concept of Mevulbalim only applies where the Chalukah continues intact, but the members of the tribes settle in the wrong parts, for example Yehuda in Binyamin and Binyamin in Yehuda. However in the time of Bayis Shayni, the Chalukah was nullified so there was no way to identify that someone was dwelling on land that was not part of his Shevet. Indeed the land belonged to Knesses Yisrael, so wherever they settled was considered Ksidran. They have the rights of ownership at that point equivalent to what they had in Bayis Rishon [which would explain how they could bring Maaser Sheini and Bikkurim and have Yovel during Bayis Sheini according to Rabbeinu Tam.]. This is the special Mitzvas Chazakah. Indeed the Gemara in Kedushin (26a) derives Kinyan Chazakah in Karkaos from Vvirisstem Osa Vvishavtem Bah (Devarim 11:31) which is related to Bayis Shayni, Al Pi Midrash.

The Gemara in Shabbos (139a) says: All evil in this world stems from corrupt judges in Israel (the Gemara quotes Micah 3:12). Hashem does not cause His countenance to shine on Israel only after the corrupt judges are removed. Yerushalayim will not be rebuilt only through Tzedakah. This fits well with what we previously said regarding the importance of a system of justice in order that Bnay Yisrael can return to their land and the double aspect to Minuy Dayanim in Eretz Yisrael. Minuy Dayanim represents 3 Mitzvos: 1) Assiyas Hayashar Vhatov (applies to Chutz LaAretz and Eretz Yisrael) 2) Kiddush Haaretz based on Vvirisstem Osa Vvishavtem Bah and 3) Sanctification of Jerusalem based on Lshichno Tidrishu Uvasa Shama, there is a Mitzvah that Jerusalem be hallowed by an act of Bechira. We classify Vlamalshinim and Al Hatzadikim under the category of returning the system of justice to Israel to sanctify Eretz Yisrael and to sanctify Jerusalem. After all, it will be the appointed judges that will contrast with and destroy the Malchus Risha, the wicked system of justice and government. The blessings we recite are that the scholarship and leadership of Torah and Torah scholars be protected and reasserted to root out the wicked elements of corruption. Only after this occurs can we achieve sanctification of Eretz Yisrael and then the sanctification of Jerusalem. Spiritual leadership and survival is identical with Hashiva Shoftaynu Kvarishona.

---

This summary is Copyright 1997 by Dr. Israel Rivkin and Josh Rapps, Edison, N.J. Permission to reprint and distribute, with this notice, is hereby granted.

\*\*\*\*\*

(Submitted by Nisson Shulman)