



THE PERSON IN THE PARSHA

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“The Merits of a Guilty Conscience”

Earlier this week, I looked at my calendar. This calendar is sent to me every year. I cherish its colorful illustrations. They make me aware of the significance of the upcoming month. This time, I was taken aback. Wonder of wonders, Elul is here.

For as long as I can remember, the arrival of Elul has unsettled me. I sense the days of judgment drawing near. I turn inward and ask whether I am ready to “face the music.”

Over the years, I’ve learned much more about how to spiritually prepare for the *Yemei HaDin*, the Days of Awe. I’ve studied the process of *teshuva*, return and repentance. I eventually discovered that there is a wide range of approaches to the sacred process of *teshuva*.

Permit me to provide just a sample of

those who wrote extensively about *teshuva*. For starters, there is Maimonides, *Rambam*, whose comprehensive treatment of *Hilchos Teshuva* is unmatched to this very day. Also valuable are the works of other medieval sages, continuing through the generations to the Chassidic masters, to the proponents of the Mussar movement, to Rav Kook and his contemporaries, and to many in our own time.

Let’s begin with the disciples of Rabbi Yisroel Salanter, the nineteenth century founder of the Mussar movement. They each stressed different aspects of *teshuva*. One would have us appreciate our great human potential—Slobodka. Another preached impeccable ethical behavior—Kelm.

Personally, I’m fascinated with the most extreme and most demanding of these varied approaches, Nevardek. Here goes:

In this week’s Torah reading, *Shoftim* (*Bamidbar* 16:18-21-9), we learn about the *arei miklat*, the cities of refuge, where individuals who unintentionally killed another person may flee to avoid those who might wish to avenge the blood of the victim. The “murderer” could flee to one of the places of refuge, where he would remain safe. The key verse reads:

“This is the case [literally, ‘this is the word’] of the manslayer/*rotzeach* who may flee there and live...” (*Bamidbar* 19:4).

Rabbi Chaim Zeitchik, of blessed memory, a Holocaust survivor who lived to disseminate the teachings of the *Alter m’Navardek* (the “old man” or dean of the Nevardek school), cites the following Talmudic comment on this verse:

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“If a manslayer/*rotzeach* escapes to a city of refuge and is greeted by its inhabitants who wish to bestow honor upon him, he must protest and proclaim: ‘I am a manslayer!’ If they respond, ‘Nevertheless, we wish to honor you!’ then he must accept [‘this is the word’].” (*Talmud Bavli Makkot* 12b).

Rabbi Zeitchik then quotes another Talmudic passage:

“The citizens of Jerusalem wished to appoint Yehuda ben Tabai [in original text, Sabai] as the *Nasi*, the chieftain, of Jerusalem. He avoided this appointment by fleeing to Alexandria. They wrote: ‘From great Jerusalem to tiny Alexandria, how long will our bridegroom dwell with you while we sit here bereft of his presence?’” (*Talmud Yerushalmi Chagiga* chapter 3, paragraph 2).

Rabbi Zeitchik continues: “The people of Jerusalem offered him glorious honor, as if on a golden platter, yet he refused it. Why? Because he knew he could not withstand the temptations of glory and power.”

“What motivated such extreme piety?”, asks Rabbi Zeitchik. In response to his own question, the Rabbi encourages us to gain insight into Yehuda ben Tabai’s tortured soul by perusing a Talmudic passage which I will translate loosely in the interests of brevity:

Rabbi Yehuda ben Tabai proudly announced that, in his capacity as a qualified judge, he had ordered the execution of an *eid zomeim* (a witness who falsely accused another of murder but who was then discovered to have been nowhere near the murder he claimed to have witnessed) and that his order was carried out... To which Shimon ben Shetach retorted accusingly: “If so, you have spilled the blood of an innocent man!” Yielding to Shimon ben Shetach’s greater authority, Rabbi Yehuda ben Tabai agreed to never

again rule on any judicial procedure without first consulting Shimon ben Shetach. For the rest of his life, Rabbi Yehuda ben Tabai would frequently visit the grave of the man whose death he caused and beg aloud for forgiveness. (*Talmud Bavli Makkot* 5b).

In the above passage, Rabbi Zeitchik finds good reason for Yehuda ben Tabai’s resistance to public acclaim. He was forever burdened by feelings of guilt that he could not suppress. He suffered unrelenting remorse. He remained perennially haunted by his irrevocable judicial decision.

Consistent with the approach of his Nevardek mentors, Rabbi Zeitchik identifies with Rabbi Yehuda ben Tabai. Rather than try to overcome feelings of guilt, a technique which other approaches to *teshuva* would highly recommend, he strived to retain his guilty conscience for its own sake.

Rabbi Zeitchik promotes a *teshuva* framework consistent with his Nevardek background. He writes, “Rabbi Yehuda ben Tabai felt that he could not accept a public position of leadership because it would diminish his remembrance of the error in judgment that led to the wrongful death of another human being. A position of power would erase from his heart and from his conscience the ability to self-criticize. Public exposure would



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interfere with his ability to preserve his broken heart. A position of power would minimize and silence the inner voice that he wished to keep forever.

Should he accept the title of *Nasi* and achieve a lofty position with its material rewards, his conscience would weaken and ultimately vanish. He chose to reject glory lest it cool his goal of spiritual perfection and diminish his capacity to make demands of himself. Better to follow the Torah's insistence that the newly initiated inhabitant of the city of refuge must decline the honor offered to him and proclaim to all, "I am a manslayer, I am a *rotzeach*."

This may not be the appropriate model for everyone. But those who follow the path of Nevardek will benefit by adapting to a heavy dose of sincere introspection, discovering the powers of restraint that accompany a guilty conscience, and opening themselves up to painfully honest self-criticism. There is much to be said for this agenda for those who find it personally meaningful.

Let us all contemplate Rabbi Zeitchik's message. We are grateful to him for introducing to us one of the many paths to spiritual growth as we get closer to the Days of Awe. ■



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