



The Amazing Connection between Parshas Shoftim and the Allusion of the Megaleh Amukos א'וי ל'רשע ו'אוי ל'שכינו אלול

This Shabbas Kodesh that approaches auspiciously we will read parshas Shoftim. In this essay, we will establish a connection between the exalted lesson of this parsha and the vibrant spirit of the month of Elul, the month of teshuvah. Throughout this pivotal month, every Jew yearns to make amends for his past wrongdoings and to renew his devotion and intimate connection with HKB”H. For, it was in the month of Elul that Moshe Rabeinu beseeched HKB”H to forgive Yisrael for the “cheit ha’eigel.” As we know, HKB”H forgave Yisrael and gave him the second luchos to replace the first luchos that were shattered due to the “cheit ha’eigel.” In this spirit, we dedicate ourselves to make amends during Elul.

א'וי ל'רשע ו'אוי ל'שכינו אלול Is an Acronym for

We will begin by introducing an intriguing allusion from the writings of the Megaleh Amukos (Eikev). He writes that the name אלול is an acronym for (Succah 56b): א'וי ל'רשע ו'אוי ל'שכינו—**woe to the rasha and woe to his neighbor.** He explains the significance of this allusion in the Megaleh Amukos on Vaeschanan (107) in the name of the Zohar HaKadosh (Yisro 78b). In short, Yaakov and Eisav divided up the months of the year between them. Yaakov Avinu acquired for the realm of kedushah the first three months of the year—**Nissan, Iyar, and Sivan.** Historically, the miraculous “yetzias Mitzrayim” was in Nissan; then, Yisrael prepared themselves to receive the Torah during the days of the Sefirah of the month of Iyar; in the month of Sivan, they stood at Har Sinai and received the Torah.

In response, Eisav chose to take as his portion the three months of **Tamuz, Av, and Elul.** He was overjoyed by the fact that this would enable him to prevent Yisrael from repenting during the month of Elul and preparing themselves properly for the Days of Judgment. Hence, Yaakov battled Eisav strategically and succeeded in extracting the month of Elul from him. Notwithstanding, the months of Tamuz and Av remained in the possession of Eisav, and it was during those months that the churban occurred—the destructions of both the first and the second Beis HaMikdash. This is the message conveyed by the allusion א'וי ל'רשע ו'אוי ל'שכינו. Yaakov understood the pivotal nature of the month of Elul, the month of teshuvah; so, he fought to take it away from Eisav, since he feared that Eisav would harm Yisrael in keeping with the dictum: א'וי ל'רשע ו'אוי ל'שכינו.

We can enhance the connection between this dictum and the month of Elul by recalling what HKB”H said to Moshe Rabeinu at the time of the “cheit ha’eigel” (Shemos 32, 7): “לך רד כי שיחת עמך אשר העלית מארץ מצרים”—**go, descend; for your nation that you have brought up from Mitzrayim has acted corruptly.** Rashi comments: **It does not say “the nation” acted corruptly, but rather, “your nation,” the “mixed multitude” whom you accepted on your own and converted without consulting with Me. You claimed, “It is good that converts should cling to the Shechinah,” but they acted corruptly and corrupted others.**

It is evident from Rashi that had Yisrael not followed the example of the wicked “Eirev Rav,” they would not have sinned. Instead, they should have followed the example of

the righteous tribe of Levi, who did not participate in the “cheit ha’eigel.” This explains the allusion above very nicely. During the month of Elul, HKB”H forgave Yisrael for following the example of the wicked neighbors in their midst. Hence, it is especially important during this month to wall ourselves off from the corrupt influences of reshaim, so that we do not stray. This is the message conveyed by the name **Elul: Woe to the rasha and woe to his neighbor.**

This explains beautifully another one of the allusions associated with the name **Elul** brought down by the Yitav Lev. He refers to the passuk (ibid. 18, 7): **”ויצא משה לקראת—Moshe went out to greet his father-in-law; he bowed, and he kissed him. They inquired of each other about the other’s well-being; then they entered the tent.** Note that the first letters of the words **וישאלו איש לרעהו לשלום** are an anagram for **אלו”ל**. This allusion emphasizes that in addition to the issues between man and G-d that need to be corrected during the month of Elul, one must also heed to correct the issues between man and his fellow man.

Clearly, these two allusions go hand-in-hand. On the one hand, if we wish make amends and perform true teshuvah, it is crucial that we distance ourselves from reshaim and their negative influence: **א’וי לרשע ו’אוי לשכינו**. We do not wish to make the same mistake as our predecessors, who befriended the Eirev Rav and ended up making the eigel. On the other hand, it behooves us to befriend and learn from the examples of tzaddikim: **וישאלו איש לרעהו לשלום**. This passuk describes the warm welcome Moshe Rabeinu gave Yisro, his father-in-law, after he abandoned the practice of avodah-zarah and converted.

The Incredible Elucidation of Rabbi Akiva

Following this line of reasoning, we will proceed to elaborate on the wonderful connection between parshas Shoftim and the month of Elul that Yaakov Avinu confiscated from Eisav HaRasha. It says in this week’s parsha (Devarim 17, 6): **”על פי שנים עדים או שלשה עדים יומת המת”—by the word of two witnesses or three witnesses shall the condemned person be put to death.**

In a related Mishnah (Makkos 5b), Rabeinu HaKadosh asks an obvious question: **”אם מתקיימת העדות בשנים, למה פרט—הכתוב בשלשה—if the testimony is valid with two, why does the passuk also specify three?** To answer this question, he presents the clarification of Rabbi Akiva: **”רבי עקיבא אומר, לא בא השלישי להקל אלא להחמיר ולעשות דינו כיוצא באלו”—Rabbi Akiva says: The third did not come to be more lenient but rather to be more severe (strict) and make his sentence the same as theirs.** (Rashi: Even though the court would have ruled on the strength of the testimony of the first two witnesses—making the third witness’s testimony superfluous—nevertheless, he shares their punishment, if they are all found “zomemim.”) **So, if this is how the Torah punished a mere accomplice to those who committed an aveirah, treating him like the transgressors themselves; how much more so will He reward an accomplice to those who perform a mitzvah, like those who actually perform the mitzvah.**

Thus, we learn a valuable lesson from Rabbi Akiva concerning the service of Hashem. On the one hand, we should not join those who commit an aveirah—in other words, **”סור מרע”**, stay away from evil—so that we will not be punished like them. Instead, we should follow the examples of those who serve Hashem by studying Torah and performing mitzvos—in other words, **”עשה טוב”**, do positive things—so that we will be rewarded like them.

Let us add another tidbit. Why did the holy Torah choose to teach us this valuable life-lesson (that one who joins those who commit an aveirah is punished in like fashion) specifically with this passuk: **”By the word of two witnesses or three witnesses shall the condemned person be put to death”?** It is because this subject is intimately related to the previous pesukim that discuss the punishment of one who worships avodah-zarah (ibid. 2):

”כי ימצא בקרבך באחד שעריך אשר ה’ אלקיך נותן לך איש או אשה אשר יעשה הרע בעיני ה’ אלקיך לעבור בריתו, וילך ויעבוד אלהים אחרים וישתחו להם... והוצאת את האיש ההוא או את האשה ההיא... וסקלתם באבנים ומתו, על פי שנים עדים או שלשה עדים יומת המת.”

If there will be found among you in one of your cities, which Hashem, your G-d, gives you, a man or a woman who commits what is evil in the eyes of Hashem, your

G-d, by violating His covenant, and he will go and serve the gods of others and prostrate himself to them . . . Then you shall remove that man or that woman . . . and you shall pelt them with stones, so that they will die. By the word of two witnesses or three witnesses shall the condemned person be put to death.

It is difficult to comprehend how a man or woman—descendants of Avraham, Yitzchak, and Yaakov—whose neshamos were present at Har Sinai, could degenerate to such a degree that would worship and bow down to other gods. After all, this is the most serious of aveiros. To explain this phenomenon, the Torah says: **“By the word of two witnesses or three witnesses shall the condemned person be put to death.”** As explained by Rabbi Akiva, this teaches us that the Torah treats someone who joins those who commit an aveirah like those who actually committed the aveirah.

This helps explain how a descendant of the holy Avos could degenerate to such a degree. For, in reality, they did not initially worship avodah-zarah. They merely associated with those who did; they followed their advice and kept their ill-advised company. Since this in itself is an aveirah, and one aveirah leads to another, they also eventually worshipped avodah-zarah.

With this understanding, the juxtaposition of the pesukim that follow makes perfect sense (ibid. 8):

“כי יפלא ממך דבר למשפט בין דם לדם בין דין לדין ובין נגע לנגע דברי ריבות בשעריך, וקמת ועלית אל המקום אשר יבחר ה' אלקיך בו, ובאת אל הכהנים הלויים ואל השופט אשר יהיה בימים ההם ודרשת והגידו לך את דבר המשפט, ועשית על פי הדבר אשר יגידו לך מן המקום ההוא אשר יבחר ה', ושמרת לעשות ככל אשר יורוך.”

If a matter of judgment will be hidden from you, between blood and blood, between verdict and verdict, or between affliction and affliction, matters of dispute in your cities—you shall rise and ascend to the place that Hashem, your G-d, shall choose. You shall come to the kohanim, the leviim, and to the judge who will be in those days; you shall inquire, and they will inform you of the letter of the law. You shall act in accordance with the word they will tell you, from that place that Hashem

will choose, and you shall be careful to do exactly as that they instruct you. Once again, we are being taught the importance of following the example and guidance of Torah-scholars; in this manner, we will be rewarded for performing a mitzvah.

“The testimony of Hashem is trustworthy, making the simple one wise”

It is with great pleasure that we will now delight in the sacred words of the Arugos HaBosem (Lech Lecha) interpreting the statement of David HaMelech (Tehillim 19, 8): **“עדות ה' נאמנה מהכימת בתי”**—**the testimony of Hashem is trustworthy, making the simple one wise.** Here is a loose translation of what he writes:

Occasionally, a person has not yet reached a level where he can study Torah and perform mitzvos optimally. As a consequence, he neglects to do them and may even stop performing mitzvos and good deeds altogether. In these situations, it is advisable to fulfill the words of the Mishnah (Avos 1, 4): “Cover yourself with the dust of their feet,” referring to “talmidei-chachamim,” and associate with those who perform mitzvos regularly. And if he cannot actually do so, he should at least include himself in potential, in mind, an in heart among the tzaddikim of Yisrael.

Then, he cites the Mishnah in Makkos presented above and Rabbi Akiva’s clarification: If the Torah punishes someone who associates with sinners accordingly, all the more so that it rewards someone who associates with those who perform mitzvos accordingly. **Thus, we learn from the law of testimony in the Torah that one who associates with those who perform a mitzvah is likened to those who perform a mitzvah.**

This is the meaning of the passuk: **“The testimony of Hashem is trustworthy.”** In other words, the mitzvah of giving testimony written in Hashem’s Torah **“makes the simple person wise.”** Someone who still acts like a simpleton and does not possess the common sense to engage in Torah-study and good deeds as he should, should learn a vital lesson from the mitzvah of testimony commanded by the Blessed One in the holy

Torah. From it we learn that one who associates with those who perform a mitzvah is rewarded like those who perform a mitzvah.

This accords fantastically with how the Arugos HaBosem (Nitzavim) interprets the passuk in parshas Vaeschanan (Devarim 4, 27): **והפיץ ה' אתכם בעמים... ועבדתם שם אלהים מעשה: ידי אדם עץ ואבן... ובקשתם משם את ה' אלקיך ומצאת כי תדרשנו בכל לבבך. Hashem will scatter you among the nations . . . There you will worship gods, the handiwork of man, of wood and stone . . . From there you will seek Hashem, your G-d, and you will find Him, if you search for Him with all your heart and all your soul.** Rashi comments: **This is to be understood as rendered by the Targum. Since you serve those who worship false gods, it is as if you worship them.**

Now, we have a fundamental principle (Yoma 76a): **“מרובה: מדה טובה ממדת פורעניות—Hashem’s measure of beneficence (reward) significantly exceeds his measure of retribution (punishment). Thus, we have a “kal va’chomer”: If someone who serves those who worship avodah-zarah is viewed as if he, too, worships avodah-zarah; then, all the more so, someone who associates with tzaddikim, who serve Hashem totally and properly, that he, too, is viewed as if he serves Hashem totally and properly. This is consistent with the elucidation of Rabbi Akiva (Pesachim 22b) regarding the passuk (ibid. 6, 13): **“את ה' אלקיך תירא, לרבות: Hashem, your G-d, you shall revere,”** the **“את”** in this passuk **comes to include Torah scholars** (they, too, must be revered). By being subservient and respectful of **“talmidei-chachamim,”** it is viewed as if you serve and worship Hashem as they do.**

This then is the interpretation of the passuk: **“Hashem will scatter you among the nations . . . There you will worship gods, the handiwork of man.”** As Rashi explained, by serving those who worship other gods and associating with them, it is viewed as if you yourself worship other gods. Then, the passuk goes on to explain the crucial lesson to be learned from this: **“ובקשתם משם את ה' אלקיך”—from there, you will learn to seek and fulfill the elucidation of the passuk **את ה' אלקיך—to revere “talmidei-chachamim.”** For, in the merit of associating with and befriending **“talmidei-chachamim,”** **“you will find Him, if you search for Him with all your****

heart and all your soul.” In other words, it will be viewed as if you, too, serve Hashem with all of your heart and all of your soul. This concludes his sacred remarks.

Thus, the two elucidations complement each other magnificently. Regarding the passuk in our parsha: **“By the word of two witnesses or three witnesses shall the condemned person be put to death”—**he expounded that one who associates with sinners is viewed like a sinner himself; whereas one who associates with those who perform a mitzvah is viewed like someone who performs a mitzvah. Regarding the passuk: **“Hashem, your G-d, you shall revere,”** he expounded that we must also revere **“talmidei-chachamim.”** In the merit of associating with and revering **“talmidei-chachamim,”** we are rewarded as if we are one of them.

Yaakov Extracted the Neshamah of Rabbi Akiva from Eisav’s Heel

I would now like to share with our esteemed audience the wonders of the Torah. We can apply what we have been discussing to the events surrounding the fascinating birth of Yaakov Avinu, which set the stage for events involving his descendants. It is written (Bereishis 25, 21):

“ויעתר יצחק לה' לנוכח אשתו כי עקרה היא ויעתר לו ה' ותהר רבקה אשתו, ויתרוצצו הבנים בקרבה—”

Yitzchak entreated Hashem in the presence of his wife, because she was barren. Hashem allowed Himself to be entreated by him, and his wife Rivkah conceived. And the boys clashed within her. Rashi comments: When she would pass by doorways of places of Torah-study of Shem and Eiver, Yaakov would run and kick, trying to exit (the womb); when she would pass by doorways of places of idol-worship, Eisav would kick, trying to exit.

“ותאמר אם כן למה זה אנכי, ותלך לדרוש את ה', ויאמר ה' לה שני גוים בבטןך ושני לאומים ממעיך יפרדו ולאום מלאום יאמץ ורב יעבוד צעיר... ויצא הראשון אדמוני כולו כאדרת שער ויקראו שמו עשו, ואחרי כן יצא אחיו וידו אוחת בעקב עשו, ויקרא שמו יעקב.”

This causes her to exclaim: **If so, why me?** She is bewildered that this is happening to her. She wants to know why HKB”H is giving her a son who will be the head

of all future idolaters. **So, she went to inquire of Hashem. And Hashem informed her: “Two nations are in your womb; and two regimes from your insides will be separated; and one regime will become strong from the other regime; and the elder will serve the younger.” . . . The first one emerged red, all of him was like a hairy mantle; so, they called his name Eisav. After that, his brother emerged with his hand grasping onto the heel of Eisav; and he called his name Yaakov.** Rashi comments that the wording of the passuk implies that HKB”H Himself named the child Yaakov.

This scenario is indeed curious. Usually, tzaddikim avoid contact with reshaim as much as possible. So, what prevailed upon Yaakov Avinu, the epitome of a tzaddik, to grab onto the heel of his wicked twin, Eisav HaRasha? Additionally, this act must be extremely significant, seeing as HKB”H named him Yaakov on account of it.

It appears that we can provide an explanation based on what the great Gaon Chida, ztz”l, brings down in Dvash L’Fee from the Arizal’s Sefer HaGilgulim: **רבי עקיבא היה בעקב עשו, כי ירד בתוך עומק הקליפה, ויעקב העלה אותו משם בידו, וזה שכתוב וידו אוחזת בעקב עשו.** He asserts that the neshamah of Rabbi Akiva was located in Eisav’s heel; it had sunk down to the depths of the klipah. Yaakov elevated it out of there with his hand. This is the implication of the passuk: **“And his hand was grasping onto Eisav’s heel.”** In summary, Yaakov Avinu removed the neshamah of Rabbi Akiva from Eisav’s heel.

רבי עקיבא Is an Anagram for אבי ר יעקב

Let us elaborate further based on what we learn from the Arizal in Likutei Torah (Vayechi). He asserts that Rabbi Akiva was a “nitzotz”—a spark from the neshamah—of Yaakov Avinu. This is alluded to in the passuk (ibid. 49, 24): **“מידי אביר יעקב—from the hands of the Protector of Yaakov.** The words **אביר יעקב** are an anagram of **רבי עקיבא**, i.e., both sets of words contain the same letters rearranged in a different order. This is why the moment Yaakov was born, he strove to grab onto Eisav’s heel; he was extracting the neshamah of Rabbi Akiva concealed therein. This accords with the words of Rashbi (Kiddushin 2b): **“משל לאדם שאבדה לו אבידה מי בעל אבידה מחזור על אבידתו”**—**it is analogous to a man who lost an item. Who searches for whom? Clearly, the**

owner of the lost item searches for his item. Similarly, in this situation, Yaakov sought to return his lost nitzotz, the neshamah of Rabbi Akiva, to the body of kedushah.

Now, as we have learned, Rivkah Imeinu realized that she was carrying in her womb a tzaddik and a rasha. The former got excited when she passed by study-halls of Torah, while the latter got excited when she passed by places of avodah-zarah. Therefore, she was perplexed and inquired: **“Why is this happening to me?”** In other words, she wondered why HKB”H arranged for a rasha like Eisav to be born from her. Ultimately, however, via her “ruach hakodesh,” she perceived the incredible truth: The holy neshamah of Rabbi Akiva was concealed in Eisav’s heel. Therefore, HKB”H arranged for Eisav HaRasha to emerge first instead of Yaakov, the wholesome tzaddik. This enabled Yaakov to grab onto Eisav’s heel and extract the neshamah of Rabbi Akiva. This would not have been possible, if Yaakov had emerged first.

We can now appreciate the deeper significance of these pesukim: **«ותאמר אם כן למה זה אנכי»**—why did HKB”H arrange for Eisav HaRasha to be born from me? **«ותלך לדרוש את ה»**—she perceived via “ruach hakodesh” that the neshamah of Rabbi Akiva was concealed in Eisav’s heel—he is the one who expounded on the passuk: **«את ה אלקיך תירא»**—**you shall revere Hashem, your G-d**—the **את** in this passuk teaches us that Torah scholars must also be revered; and she perceived that Yaakov would extract it from Eisav’s heel, as indicated by the words: **«וידו אוחזת בעקב עשו»**. This is why HKB”H arranged for Eisav to be born first; so that Yaakov could follow him and grab onto his heel.

Then HKB”H elaborated: **«שני גוים בבטןך ושני לאומים ממעריך יפרדו ורב יעבוד צעיר»**—you are carrying the heads of two nations; Eisav, the firstborn, will have to be subservient to Yaakov, the younger one. Because: **את ה אלקיך תירא**—Torah scholars are to be revered like G-d. Therefore: **«ואחרי כן יצא אחיו וידו אוחזת בעקב עשו»**—Yaakov will be born after Eisav, so that he can extract the neshamah of Rabbi Akiva from Eisav’s heel, the sage who teaches us this vital principle. To emphasize the significance of this act: **«ויקרא שמו יעקב»**—HKB”H Himself named him Yaakov.

We can now explain the deeper significance of these events and of Yaakov Avinu's intent. He realized even in their mother's womb that Eisav was a rasha. After all, Eisav struggled to get out of his mother's womb to worship avodah-zarah. Hence, he understood that it was his sacred duty to extract the neshamah of Rabbi Akiva from Eisav's heel, so that it would not be connected with a rasha. This was especially true of Rabbi Akiva who expounded: «את ה'» «אלקיך תירא לרבות תלמידי חכמים»—Torah scholars are to be revered like G-d, and it is vitally important to associate with those who serve Hashem and to stay away from those who commit aveiros. Therefore, Yaakov grabbed onto Eisav's heel removing the neshamah of Rabbi Akiva, so that it would not remain associated with a wicked sinner.

Furthermore, this coincides magnificently with the fact that Yaakov Avinu confiscated the month of Elul from the hands of Eisav HaRasha—thereby preventing him from ruining the month of teshuvah for Yisrael. As mentioned above, this is alluded to by the acronym of **Elul: אאוי לאשכינו**. So, just like he removed the neshamah of Rabbi Akiva from Eisav's heel to prevent it from being

corrupted, so, too, Yaakov removed the month of Elul from Eisav's possession, so that he would not corrupt the children of Yisrael.

Therefore, it is fitting that the holy Tanna, Rabbi Akiva, a nitzotz of Yaakov Avinu, was the one to expound that the Torah punishes someone who associates with those who commit aveiros like one who actually commits an aveirah. Then he adds the "kal va'chomer": **All the more so, it will reward someone who associates with those who perform mitzvos like someone who actually performs a mitzvah.** Clearly, this is all part of the tikun related to the month of Elul. It is imperative to distance ourselves from reshaim and to draw nearer to tzaddikim. By doing so, we make amends for the underlying cause of the "cheit ha'eigel," where Yisrael associated with and befriended the Eirev Rav instead of drawing nearer to the tzaddikim of Shevet Levi, who did not participate in the "cheit ha'eigel." In the merit of attaching ourselves to tzaddikim, we will successfully make amends completely for everything that requires making amends. Thus, we will merit a happy, blessed, good year both materially and spiritually.



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