

THE PARKOFF LETTER

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A Moped, a Boy, and a Miracle

A Rosh Hashannah Message for Every Day

By Gerald Parkoff

Imagine a boy and his sister walking to Shul one Friday night with their grandfather. The boy is about seven years old and runs ahead of his "Saba." The girl, around four and one half trails behind, dilly dallying over plants and insects along the way. The Shul they are going to is the "Gym Shul", because it was situated in the gym of a local school. There is a soccer/basketball court just outside the Shul (Gym). There is a children's playground adjacent to the Soccer/Basketball court, separated by a metal woven fence. The fence blocks any vision of the playground when you are in the area between the Soccer/Basketball Court and the Shul (Gym).

There is a youth somewhere around the age of 20, give or take three years, who is riding a Moped, a small motorcycle, in the area to visit his friends playing soccer. As the Moped passes by the playground on the way to the soccer field, one can see and hear the vehicle. Then the vehicle disappears from sight but then the sound turns – and one knows the driver of the Moped has made a U-Turn and is now leaving the

Soccer Field area and about to pass the Children's playground. The Driver of the Moped has no visibility of the seven year old child running ahead of his "Saba", anxious to get to Shul. At the split second that the child passes beyond the metal woven fence, the Moped collides with him and sends him five feet into the air.

The Saba desperately holds the child, trying to console him as he cries uncontrollably. At the same time he is thankful that the child is crying. People from the Shul come to help. All wait for fifteen or twenty minutes for the child's father to be informed of the accident and bring his car to take the child to the Terem Emergency Center. The driver of the Moped sits with the Saba and the child, with great regret.

After a two hour ordeal in Terem, the child is dismissed, quite miraculously with only a few bruises – and nothing broken. After the event, many questions come to mind. Why was the Driver of a Moped in a playground area? Why was he there Erev Shabbat? (The teenagers are always playing Soccer Erev Shabbat and he

came to visit them.) Why weren't their Park Rules that Mopeds are not allowed in a Playground and School Area? Who could enforce such regulations? And why aren't young Israeli teenagers and adults more careful about what they are doing? Yes, they have a heart after they have inflicted damage and injury and pain. But why not before?

As an extension of this, there is in Israel today a **Road Culture of Death** – whereby people drive recklessly in order to save three minutes of driving time. This is well known to anyone who lives and drives in Israel.

There is a Sugya in the Torah Literature dealing exactly with the driver of the Moped and with the Israeli Road Culture of Death. The Maharal, in his Sefer The Gur Aryeh, deals with this very question in the course of asking why the Cities of Refuge set up by Moshe Rabbeinu are divided in a disproportionate way – Why, the Maharal asks, are there three Cities of Refuge for nine and one half tribes and three Cities of Refuge for two and one half tribes? Here is his answer:

במדבר פרק לה פסוק יד

אֶת שְׁלֹשׁ הָעָרִים תִּתֵּן מֵעַבְרָ לְיִרְדֵּן וְאֶת שְׁלֹשׁ הָעָרִים תִּתֵּן בְּאֶרֶץ כְּנָעַן עָרֵי מִקְלָט תִּהְיֶינָה:

רש"י במדבר פרק לה פסוק יד

(יד) את שלש הערים וגו' - אף על פי שבארץ כנען תשעה שבטים וכאן אינן אלא שנים וחצי, השהו מנין ערי מקלט שלהם משום **דבגלעד נפיש רוצחים**, דכתיב (הושע ו, ח) גלעד קרית פועלי און עקובה מדם:

ספר גור אריה על במדבר - פרק לה פסוק יד

[ג] **דבגלעד נפיש רוצחים**. וקשה, והלא ערי מקלט לא נעשו אלא לשוגגים (מכות ז.), ולא שייך ד'נפיש' שוגגים (קושית הרמב"ן). ותירץ הרמב"ן, כי היו הרבה מזידין, ומדמין עצמן שוגגים, ולכך הרבה היו גולים לשם בשביל שהיו מראים עצמם שוגגים, ולפיכך נתן הכתוב הרבה ערי מקלט בשביל אותן שהיו שוגגים גמורים, מאחר שהרבה נקלטים לשם. ולא יספיק תירוץ זה, שיותר ראוי שלא להוסיף ערי מקלט, שאז לא יהרגו במזיד ויאמר שוגג היה, שלא יהיה לו מקום לגלות לשם:

ואחי מוהר"ר סיני מפראג נטריה רחמנא ופרקיה תירץ, כי בכל מקום יש שוגגים, ואין עדים מעידים בו שיגלה עליו לערי מקלט, ולכך אין הרבה רוצחים גולים. ואף על גב שדרשו חכמים (מכות י ע"ב) כאשר יאמר משל הקדמוני "מרשעים יצא רשע" (ש"א כד, יג), משל לב' בני אדם, אחד הרג שוגג ואחד הרג במזיד כו', מכל מקום אין נמצאים הורגים במזיד כל כך - שיזדמן להם הורגים במזיד שיגלו על ידם, ולכך יש הרבה רוצחים שאינם גולים. אבל בגלעד דנפיש רוצחים, כל שעה יוכל להזמין אל השוגג אחד שהרג במזיד, ויהיה הורג אותו ויגלה על ידו. ולכך היה צריך ערי מקלט יותר בגלעד - לשוגגין - ממוקם אחר, שכל שהרג שוגג צריך לגלות, אף על גב שאין עדים, על ידי שיזמן אותם לפונדק אחד. נמצא שבזה המקום הרבה גולים. ונכון הוא מאד פירוש זה:

אבל נראה לי כי כל שוגג היה לו להיות נזהר שלא יהרוג, ולכך חייב גלות, דאם לא כן, למה יגלה, דמה עשה, **אלא שהיה לו להיות נזהר** שלא יהיה חבירו נהרג על ידו. ובגלעד נפיש רוצחים אותם שהם מזידים, וממילא לא תמצא אף אחד מהם - אף הטובים שבהם - **שהיה נזהר** שלא יהרוג חבירו בשוגג. ולפיכך, כמו שתמצא הרבה מזידין שהורגים במזיד, מכל שכן שהיו יותר הרבה שוגגים, **שאינן נזהרים** שלא יבוא על ידם שפיכות דם. ולפיכך היה צריך להרבה ערי מקלט:

ועוד, דודאי מה שהיו שם הרבה רוצחים, היינו מפני שהמקום גורם, שהיה מגדלת רוצחים לרצוח אנשים, לכך היה מוכן לגדל אנשים הורגי שוגג. כי יש בני אדם מוכנים לדבר מה

יותר, והיה המקום מגדל אנשים שעל ידם יבא שפיכת דם - יש במזיד ויש בשוגג, ופשוט הוא:

Bamidbar 35:14

You will set up three cities on the other side of the Jordan and three cities in the Land of Canaan. They will be cities of refuge.

Rashi: *three cities* – even though in Eretz Canaan there are nine tribes and here (across the Jordan) there only two and one half tribes, the number of cities of refuge on both side of the Jordan is equal because "in Gilead there is an abundance of intentional murderers" as it is written in Hosea (6:8), "*Gilead is a city of them that work iniquity, It is covered with footprints of blood.*"

Gur Aryeh: "*in Gilead there is an abundance of intentional murders*" – This is difficult. The cities of refuge were set up for those who killed unintentionally and are not relevant to those who kill intentionally. And the Ramban answers: "Because there were many intentional murderers who made themselves appear as unintentional murderers and therefore many were exiled there (the cities of refuge) because they took on the appearance of unintentional murderers and therefore the text (of the Chumosh) allocated many cities of refuge for those who were true unintentional murderers since many people would be concentrated there." But this explanation is not sufficient, since it would have been preferable not to add to the cities of refuse because then people would not kill intentionally and then say it was an accident, since there would not be enough room to accept the "excess" exiles.

And my brother, our Teacher, Rav Sinai of Prague, may Hashem watch

over him, answers that in every place there are unintentional murderers and there are no witnesses to testify against them that they should be exiled to the Cities of Refuge and therefore not many intentional murderers are exiled. Notwithstanding that our Chachamim have explained the ancient proverb that "evil emanates from evil-doers", that this could include two men, one an unintentional murder and one an intentional murderer, in any event, you do not find so many intentional murderers that they should appear as unintentional murderers who are exiled, and therefore there are many unintentional murders who are not exiled as well. But in Gilead where people are being killed every hour, it is possible that one who has killed intentionally to appear as an unintentional murder, and therefore Cities of Refuge were required more in Gilead for the unintentional murderers from another place because all that killed unintentionally were required to be exiled, even though witnesses cannot be found who will designate them to be exiled, to one collection center. It turns out that this is the place where many are exiled. And this explanation is quite accurate.

But it appears to me that every unintentional murder should be **very careful** not to kill and therefore he is obligated to go into exile for if this is not the case, why should he be exiled and what did he do? Rather **he had to be careful** that his compatriot is not killed by him. But in Gilead many people are being killed by intentional murderers. Therefore you will not find one, not even the best of them, **who is careful** and does not kill his compatriot unintentionally, and therefore because you find many intentional murders who kill intentionally, so then even more so do you find many unintentional murderers

who are not careful that they a compatriot should not be killed by their hand, and therefore there was a great need for many Cities of Refuge.

Furthermore, since there were many intentional murders, that is to say, because the location (place) caused this, the number of intentional murderers increased. Therefore the number of unintentional murderers increased because there were men disposed to murder. Further the location sprouted men who would cause bloodshed, whether intentional or unintentional, and this is very clear.

GP: If one reads through the Maharal carefully, one will see the idea of **Zehirut** (carefulness) mentioned four times. Indeed, this entire analysis is concerned with the Midah (quality) of **Zehirut** which is dealt with in a more abstract and direct form by the Ramchal in *Mesillat Yesharim*. In Chapter II of the traditional version, the Ramchal writes as follows:

הנה ענין הזהירות הוה שיהיה האדם נזהר במעשיו ובעניניו, כלומר, מתבונן ומפקח על מעשיו ודרכיו, הטובים הם אם לא, לבלתי עזוב נפשו לסקנת האבדון חס וחלילה ולא ילך במהלך הרגלו כעבר באפלה. והנה זה דבר שהשכל יחביהו ודאי.

"The idea of Carefulness is for a man to exercise caution in his actions and his undertakings: that is to deliberate and watch over his actions and his accustomed ways to determine whether or not they are good, so as not to abandon his soul to the danger of destruction, G-d forbid, and to walk according to the promptings of habit as a blind man in pitch darkness. He is obligated by the demands of Reason to do this."

In the 19th century, there was a great argument raging in European Yeshivot concerning the value of learning Musar as a subject in and of itself, separate from Talmudic Study. I have discovered two worthwhile articles describing this controversy. The first link is Wikipedia:

http://en.wikipedia.org/wiki/Musar_movement

The section of this article dealing with the Musar Controversy is reprinted here:

The Musar controversy

In later years some opposition to the Musar movement developed in large segments of the [Orthodox](#) community. Many opposed the new educational system that Yisrael Salanter set up, and others charged that deviations from traditional methods would lead to assimilation no less surely than the path of classic German [Reform Judaism](#).

In 1897, [Eliezer Gordon](#) of the [Telshe yeshiva](#) hired a new Musar supervisor, Rabbi Leib Chasman, who instituted a very strict Musar regime in the yeshiva. Many of the students opposed this approach, which caused dissent among the student body. At the same time, dissent against Musar also broke out at the Slobodka Yeshiva. A group of Lithuanian rabbis then published a declaration in the Hebrew newspaper Ha-Melitz in opposition to the study of Musar. According to the [YIVO Encyclopedia](#), they argued that while the study of moral texts was a

venerable if distinctly limited element of Torah study, the sainted Salanter himself surely had had no intention of overturning traditional priorities and certainly not of creating a new sect that was itself contributing to that collapse of traditional Jewish life which it claimed to combat. This set in motion a wave of similar declarations, counter declarations, and polemics for and against Musar in the Hebrew press which reverberated throughout traditional circles. Eventually a sort of equilibrium emerged, with Musar remaining a feature of many yeshivas and its most heartfelt advocates and opponents finding for themselves distinct but congenial venues.^[3]

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The second link by Rabbi Micha Berger writing for AISH is here and is a very complete and thoughtful article.

<http://www.aishdas.org/asp/2011/07/mussar-dispute.shtml>

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Another description of the Rabbinic opposition to Musar:

"What lay in back of the rabbinic opposition to the Musarism of Rabbi Israel (Salanter)? It was not so much the theory; this they could have endorsed, as it did not differ much from their own view of Judaism and did not introduce any departures from orthodox Judaism, nor were they opposed to having fixed hours for the study of Musar. They were rallied against the abuses of education, as they regarded them, and as indulged in the Shtibel. They opposed individual training and meditation, too great a display of G-d-fearing spirit, too outspoken pessimism, too frequent

repentance and penance doing, the overdoing of piety and somberness."ⁱ

GP 1: Musar can be seen as a Sugya in Torah Study. When we want to learn the Laws of Damages or Hilchot Shchita or Hilchot Tefillin, we go to Halachic compendiums such as the *Mishneh Torah* of the Rambam and the *Shulchan Aruch* of the Tur and of Rav Yosef Karo – and study these areas of Torah topically. The same, I believe, is the case with Musar. It is a specialized body of knowledge that has to be systematized – put in order – organized – and presented. This has been done to a significant extent, not only by the Chafetz Chaim in his famous Sefer of the same name, but by many others, including Rabbi Dovid Yosef Epstein of the Mir Yeshiva (in Shanghai) – who wrote *Mitzvat HaShalom*, *Mitzvat HaMusar*, *Mitzvat HaBayit*, *Mitzvat HaEtza* and other works. Rabbi Dovid Yosef Epstein has continued the work of the Chafetz Chaim work, extending the area of Musar study to other areas of Human Conduct.

GP 2: Musar Study does not end with the classroom. Learning Torah in the classroom is of paramount importance so that we can absorb from the text the parameters and limits of proper behavior. It is only after an event, some major happening in our lives, that we can then return to the classroom and to the text to fully appreciate the depths of Chazal's wisdom.

GP 3: The child was miraculously given back to his parents and grandparents – as a gift. But no less, we should all look at our loved one's and friends everyday as a gift – that we have one more day to enjoy their

company, to extend our Chesed, to receive their Hesed, and even one more day to be annoyed by their idiosyncrasies. Who would not reach for the return of a loved one or departed friend – and willingly suffer with their idiosyncrasies one again?

Addendum to the Musar – Torah Only Controversy:

1. **Systematic Expositions:** Systematic expositions increase our knowledge and understanding in specific areas of Halacha. They give us a sense of structure and limits and relevant applications.

2. **Musar Sefarim** can be viewed in many cases as ethical expositions of specialized areas in Halacha. In parallel form, the ***Tur Shulchan Aruch*** in ***Choshen Mishpat*** is a specialized systematic exposition in the Halacha in the areas of governmental regulations (the Halachot of the Sanhedrin) and business law (Hilchot Shechenim) and a host of other related topics. Someone steeped in the entire Talmud may still not have focused on a systematic study of ***Mitzvat HaEtzah***, (the requirement to give proper advice and its limitations), for instance.

3. **Menorat HaMaor:** The ***Menorat HaMaor*** by the Rishon, Rabbenu Yitzchak Abohav, systematizes areas of Halacha pertaining to behaviour and feeling, and in many ways is an extension of Hilchot Deot of the Rambam.

Likewise, the Sefer, ***Chafetz Chaim***, is a systematic exposition of those Halachot pertaining to slander and irresponsible speech. It is Halachic and meant to show us the depth and details

of our obligations as observant Jews in the area of proper speech. He appeals more to our Reason than to our Emotions. If you want to observe the Halacha, and not violate a positive or negative mitzvah, this is what you have to do. Still, the Halachic exposition was meant to change behaviour to the degree that the reader was committed to Halacha.

Rabbi Epstein observes in his introduction to **Mitzvat HaBayit** that the requirements of good conduct and ethics as elucidated by Chazal are more demanding and more exacting than the ethics extant in the non-Jewish world. It is true that all men are bound by the Seven Noachide Laws. All men are required to show good conduct and good will towards their neighbors and friends. But it is only via the Torah and the wisdom of Chazal that we, Jews, are able to see in clear detail and understand with extreme precision the parameters and requirements for human conduct in the light of the Torah.

Here is what he writes:

שכלו של אדם הוא עדיין המלאך בין האלוקים והאדם. מה שהוא סברא קרא לא בעי – אולם נתמזגה תורת הכרתו של אדם עם תורת השמים, צורה חדשה קבלה. שכלו נעשה שכל תורה ועל ידה נפתח מבווע. דמות חייו היא דמות התורה, ואל תוך מסגרתה הוא צריך לכוון את כל שרטוטיו המחודשים – אחרי קבלת התורה, הכל צריך להתכוין לתאי המצוה והלכה. הדרך ארץ נעשה להלכות דרך ארץ.ⁱⁱ

Translation: The intelligence of Man is the agency between G-d and Man. That which can be understood logically needs no *pasuk* (to corroborate it).

However, when Man's awareness combines with the Heavenly Torah, a new creation is achieved. His intelligence becomes the intelligence

of the Torah and by means of it, inner fountains of creativity open up. The framework of his life is the framework of the Torah, and within its structure he must direct all of his creative energies. After the receiving of the Torah, all must be mindful of the obligations of the Mitzvah and the Halacha. Proper manners become the Halacha of proper manners.

אור ההלכה גוון מבהיק מיוחד יש מה שאינו באור שכלו של האדם – אור זה אך בתורה הוא. המושגים המוסריים של האדם – אך זה בתורה הוא. המושגים המוסריים של אדם כלליים הם, כי הפרטים לפרטיהם הכי דקים ועדינים לאלקים המה ולא לאדם.ⁱⁱⁱ

Translation: the light of the Halacha has a distinct glowing hue which is not reflected in the light of human intelligence. This light is from the Torah. The ethical topics dealing with human relations – even these are part of the Torah. The ethical categories governing human relationships are general rules. Their elucidation in their manifold details are extremely subtle and refined. They are derivative from G-d and not from men.

4. A note about the Gur Aryeh:

As is well known, the Maharal in the **Gur Aryeh** is giving an explanatory commentary on Rashi's commentary on the Torah. In the case cited above, the Gur Aryeh cites Rashi's explanation : **דבגלעד נפישו רוצחים**

"Because in Gilead, there are many intentional murderers." Quoting Hosea.

The Maharal's problem with Rashi is that the Cities of Refuge were set up for unintentional murderers. Rashi seems to have cited Hosea to show that there were a plethora of intentional murderers in Gilead. The Maharal then proceeds to solve the paradox and

briefness of Rashi's answer. It takes the Maharal one full page to explain this. This entire explanation resides in Rashi's brief answer. Hence we learn the depth of Rashi's commentary and at the same time the indispensability of the Gur Aryeh in understanding Rashi. In turn, Rashi explains the depth of the Torah, which is not always apparent at first sight.

5. **Observation:** How great is our Torah! How great are our Chachamim! If one learns just one Rashi and one Maharal on Rashi, one can then grasp the depth and power of all of Torah Study. The Torah and its commentators must be learned before action and after action. As Ben Bag Bag said (**Avot**, Chapter 5:26),^{iv} the Torah must be turned over and turned over. But if one does not have the education, if one does not know the contents of this great Handbook for Life, he cannot refer to it to turn it over and turn it over.

6. **The Novi Hosea**^v whom Rashi quotes describing the great amount of violence in Gilead came many years after Bnai Yisroel's entrance into Israel. Hosea was describing either current events or historical events. Here, in giving the requirement for three cities of refuge on this side of the Jordan and on that side of the Jordan, Hashem is anticipating the concentrated violence to occur on "East Bank" of the Jordan.

It has been suggested that, since in the order of the text, the tribes of Reuven and Gad and the Half Tribe of Menashe had requested to stay in the East Bank of the Jordan, the area called Gilead, so then Hashem already saw that these tribes would be geographically distant from the spiritual center of the Nation of the Israel, Jerusalem. Hence more

violence would be present in their society and they would require an equivalent number of Cities of Refuge.

It may also be that living in Eretz Yisroel proper and not *Ma-ever HaYarden* has an influence of the lives of its inhabitants.

ⁱ *Rabbi Israel Salanter* by Menahem Glenn, Yashar Books 2005, p. 46.

ⁱⁱ מצוות הבית, דף 22.

ⁱⁱⁱ מצוות הבית, דף 43.

^{iv} משנה מסכת אבות פרק ה

משנה כב

יט] בן בג בג אומר הפוך בה והפוך בה דכולה בה ובה [תחזי וסיב ובלה בה ומינה לא תזוע שאין לך מדה טובה
הימנה:

משנה כג

בן הא הא אומר לפום צערא אגרא: נשלמה מסכת אבות

Chapters of the Fathers, Chapter 5, 25 & 26 as numbered in Artscroll Siddur)

Ben Bag Bag says: Delve in to it (the Torah) and continue to delve in to it (the Torah) for everything is in it; look deeply into it; grow old and gray over it, and do not stir from it, for you can have a better portion than it.

Ben Hei Hei says: The reward is in proportion to the exertion.

^v **Hosea** (/ˈhoʊˈziːə/ or /hoʊˈzeɪə/; **Hebrew**: הוֹשֵׁעַ, **Modern Hoshea** **Tiberian Hôšēā'**; "Salvation", **Greek** Ὡσηέ = **Ōsēé**) was the son of **Beeri**, a prophet in Israel in the 8th century BC and author of the book of prophecies bearing his name. He is one of the **Twelve Prophets** of the Jewish **Hebrew Bible**, also known as the **Minor Prophets** of the Christian **Old Testament**. Hosea is often seen as a "prophet of doom", but underneath his message of destruction is a promise of restoration. The **Talmud** (*Pesachim* 87a) claims that he was the greatest prophet of his generation. The period of Hosea's ministry extended to some sixty years and he was the only prophet of Israel who left any written prophecy.^[1]

Name

The name "Hosea", probably meaning "salvation", or "He saves", or "He helps", seems to have been not uncommon, being derived from the auspicious verb from which

we have the frequently recurring word "salvation". It may be a contraction of a larger form of which the Divine name or its abbreviation formed a part, so as to signify "God is help", or "He helps". according to [Numbers 13:8](#), [13:16](#) that was the original name of Joshua son of Nun, until Moses gave him the longer name (compounded with the name of Ado-nai) which he continued to bear (yehoshua`), "Ado-nai is salvation".^[1]

(from Wikipedia)