

Zera Shimshon

by Rabbi Shimshon Chaim Nachmani zt"l

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Chapter XXIII: Pekudei (Ex. 38:21–40:38)

Essay 3. Judgment and reward for one balanced between sins and mitzvot

בְּפָרְקוֹ ז' דְּמַצִּיעָא אֲמַרִּינָן "יֵצֵא אָדָם לְפָעֵלוֹ" יֵצֵאוּ צְדִיקִים לְקַבֵּל שְׂכָרָם "וְלַעֲבֹדְתוֹ עֲדֵי-עֶרֶב" בְּמִי שֶׁהִשְׁלִים עֲבֹדָתוֹ עֲדֵי עֶרֶב ע"כ.

In chapter 7 of Bava Metzia (83b), it says: “ ‘Man then goes out to his work . . .’ (Ps. 104:23) [refers to] the righteous go out to receive their reward; [and the end of that verse,] ‘to his labor until the evening,’ [refers to] one who has completed his work by the evening [i.e., before the evening of his life, i.e., his death].”

מִכָּאן נִרְאָה שֶׁהַפֶּלַח תְּלוּי בְּהִשְׁלֵמַת הָעֲבֹדָה, וְקוֹשֶׁה לָמָּה גִּזְרָה כֹּה שִׁיִּקְבֹּל שְׂכָרוֹ מִי שֶׁהִשְׁלִים עֲבֹדָתוֹ עֲדֵי עֶרֶב וְתוֹ לֹא? וְהֵא אַף עַל פִּי שֶׁלֹּא הִשְׁלִים יֵשׁ לוֹ מְחֻצָּה זְכוּיֹת, דְּבְפָרְקוֹ קָמָא דְקִידוּשִׁין ר' שְׁמַעוֹן בְּר' יוֹחָאי אוֹמֵר אֶפִּילוּ צְדִיק גָּמוּר כֹּל יָמָיו וְיִמְרַד בְּאַחֲרֹנָה, אֲבָד אֶת הָרֵאשׁוֹנוֹת, שְׁנֵאֲמַר "צְדָקַת הַצְּדִיק לֹא תִצְלָגוּ בְיוֹם פְּשָׁעוֹ". וּפְרִיָד וְנִהְיִי כְּמְחֻצָּה זְכוּיֹת וּמְחֻצָּה עֲוֹנוֹת, אֲמַר רִישׁ לְקִישׁ בְּתוֹקָא עַל הָרֵאשׁוֹנוֹת, דְּשָׁמַע מִיָּנָה דְּמִי שֶׁאִינוּ תוֹקָא עַל הָרֵאשׁוֹנוֹת הוּא שְׁקוּל מְחֻצָּה זְכוּיֹת וּמְחֻצָּה עֲוֹנוֹת.

From here, it appears that everything depends upon the completion of the work, and it is difficult why it was decreed thus, that the one who has completed his work by the evening will receive his reward. And at no other time? Even if he doesn't complete his work, he should have half merits, as in the first chapter of tractate Kiddushin:

Rabbi Shimon bar Yochai says: Even [if one was] completely righteous all his life, but he rebelled [by sinning] at the end [of his life], he loses [his] early [merit], as it is stated: “The righteousness of the righteous shall not deliver him on the day of his transgression” (Ezek. 33:12). . . . This was disputed, for [an individual who performed mitzvot all of his life and then sins] should be like [one whose acts have been] half sins and half merits. [Why, then, is he pronounced guilty?] Reish Lakish said: [This is not referring to an individual who has merely sinned but rather] he regrets all the initial [mitzvot] [he performed in the past]. [That causes him to lose credit for the mitzvot that he performed.]

- Kiddushin 40b

We hear from this that one who does not regret his initial [mitzvot] is balanced between half merits and half sins.

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וגיש לומר דאמרינו בפרק בתרא דשבת תנא ר' אליעזר אומר נשמתן של צדיקים גנוזות תחת כסא הכבוד שנאמר "והיתה נפש אדני צרויה" וכי, ושל רשעים זוממות והולכות שנאמר "ונאת נפש איביהו קלענה בתוך כף הקלע", אמר ליה רבה לרב נחמן של בינונים מאי? אמר לו הכי אמר שמואל אלו נאלו לדומה נמסרין. הללו, יש להם מנוח. והללו אין להן מנוח. ופרש רש"י, אלו נאלו בינוניים ורשעים עכ"ל.

One can say as it says in the last chapter of tractate Shabbat:

We learned in a Baraita, Rabbi Eliezer says that the souls of the righteous are stored beneath the Throne of Glory, for it is said ‘the life of my lord will be bound up in the bundle of life in the care of the L-rd’ (I Sam. 25:29). [The souls] of the wicked are continuously tied up, as it is stated: ‘And the souls of your enemies He shall sling out in the hollow of a sling’ (ibid.).

Rabba said to Rav Nachman: What [happens to the souls] of the intermediate people [who are neither righteous nor wicked]? [Rav Nachman] said to him: Shmuel said as follows: These and those [the souls of the wicked and of the intermediate people]¹ are handed over to Dumah [the angel in charge of the wicked dead]. These [souls of the intermediate people] have rest, but those [souls of the wicked] do not have rest.

- Shabbat 152b

Rashi explained, “These and those” [mean] “[the souls of] the intermediate people and the wicked.”

נמצינו למדים דמי שלא השלים עבודתו עדי ערב הוא פמחצה עונות, ואם הוא בינוני נמסר לדומה, ואם כן אינו יכול לצאת לקבל שכרו.

To summarize what we have learned, one who has not completed his work by evening [i.e., before the evening of his life, i.e., his death] is like [one whose acts have been] half sins, and if he is an intermediate person, he is delivered to the angel Dumah, and if so, he is not able to go out to receive his reward.

והא דלא אמרינו הכא ורב חסד מטה כלפי חסד כדאמרינו בראש השנה?

But doesn't it say, quoting Beit Hillel: “[He Who is] ‘abundant in kindness’ (Ex. 34:6) tilts [the scales] in favor of kindness,” as it says in tractate Rosh Hashana (17a), and Rashi's interpretation there is that intermediate people do not descend to Gehenna? I.e., doesn't this contradict Shabbat 152b, which says that the intermediate person is delivered to the angel Dumah?

¹ As explained by Rashi, quoted below.

יש לומר דאמרין במציעא פקק ז' השוכר את הפועלים ואמר להם להשכים ולהעריב, מקום שנהגו שלא להשכים וישלא להעריב, אינו רשאי לכופן. אמנם אם אמר אגריתו לי כפועל דאורייתא אמר ריש לקיש פועל בכניסתו משלו ביציאתו משל בעל הבית. ופרש רש"י בכניסתו לעיר צריך לנותר משלו אצל בעל הבית ולהחשיף אצלו, וביציאתו למלאכתו בבקר משל בעל הבית אינו צריך להקדים אלא עם הגז החמה. ואם פן מי שאינו משלים עבודתו נקרא משנה, וכל המשנה, ידו על התחונה. ומשום הכי, אלו ואלו לדומה נמסרין ולא אמרינן ביה יצא אדם לפעלו.

One can say, as it says in the Mishnah of Bava Metzia, the seventh chapter (83a), “[With regard to] one who hires laborers and tells them to rise early and to continue [working until] late, for a locale where [laborers] are not accustomed to rising so early or to continuing [to work until so] late, [the employer] is not permitted to compel them [to do so].” Actually, if he says, “you have hired me as a laborer per Biblical law, Reish Lakish said:

A laborer’s entrance [into the city from the field at the end of a day’s work is] **at his own** [expense, i.e., he must work until the very end of the day before returning home, and he is not paid for his travel time]. [In contrast,] **his departure** [to work] **is at his employer’s** [expense, i.e., he may travel after sunrise, which is time that he is paid for].² As it is stated: “The sun rises; they slink away and couch in their dens; man goes forth to his work and to his labor until the evening” (Ps. 104:22–23).

- Bava Metzia 83a-b

Rashi explained that upon [the laborer’s] entrance to the city [from the field], he needs to surrender [his time] to the employer and stay with him until it grows dark. When he left for work in the morning, [he can travel on] the employer’s time. [The laborer] does not need to rise before the dawn.

If so, one who does not complete his work is called one who changes the terms agreed upon, and one who changes the agreed-upon terms is at a disadvantage. Because of this, they are both delivered to Dumah, and it is not said about him, “man then goes out to his work,” i.e., he is not one of the righteous who goes out to receive his reward.

I.e., the Jewish people accepted the yoke of Heaven upon themselves and upon their descendants. If a Jew reaches the end of his life as only an intermediate status with regard to his fulfillment of the mitzvot, it is like a worker who agreed to terms but then violated the agreement. This puts him at a disadvantage, and similarly, the Jew who only has an intermediate status is also at a disadvantage, which is why he is delivered to Dumah.

If so, then how do we understand Rosh Hashana 17a, that G-d tilts the scales in the favor of the intermediate person?

² As explained by Rashi, quoted below.

והתם בראש השנה לפי פירוש מהרש"א מיירי ביום הדין של ראש השנה, דבבינוניים נמי אמרינן ורב חסד משה כלפי חסד. שאף על פי שלא הקדים עצמו להיות צדיק או רובו זכויות בשנים שעברו, אפשר שישתדל לשנים הבאות, ודמא להיהא דריש לקיש פועל ביציאתו בבקר למלאכתו, שצריך בעל הבית לנותר משלו.

There, in tractate Rosh Hashana (17a), according to the explanation of the Maharsha³, it is speaking about the Day of Judgment of Rosh Hashana, that regarding the intermediate people, it also says: “[He Who is] “abundant in kindness” (Ex. 34:6) tilts [the scales] in favor of kindness [so that intermediate people should not have to pass through Gehenna.” Thus, it’s talking about an annual judgment, not a judgment executed at the end of a person’s life.

For even though he didn’t advance himself to be a righteous man or to have a majority of merits in the past years, it’s possible that he’ll endeavor to improve in the coming years, and be similar to the [position] of Reish Lakish that a worker upon his departure in the morning to his work, that the employer must surrender the time and expense. That is, a Jew who has reached the end of his life while only achieving intermediate status will be punished. But one who has not reached the end of his life, who is only being judged on Rosh Hashana, is equated to a laborer who can travel to work on the time and expense of the employer. Thus, he can continue his “work” of fulfilling the commandments at the time and expense of the Holy One, Blessed be He. The Jew’s life is not cut short just because on Rosh Hashana he is only at an intermediate position.

ואף לפירוש רש"י ותוספות שם דמיירי ליום הדין של תחיית המתים, לא קשה לפי שאז צריך לשלם לאדם אף מה שעשה בתחלת ימיו. ועיין עוד בסוף קהלת תירוצ אחר על זה.

Even according to the explanation of Rashi, who as noted above, did consider this to be talking about the end of someone’s life, and interpreted that intermediate people do not descend to Gehenna, and [even according to] the Tosafot there⁴, who speak of the Day of Judgment of the resurrection of the dead, it is not difficult to understand. For now it is necessary to pay the man only what he did at the beginning of his days, i.e., the intermediate person will descend to Gehenna for twelve months, but then he will exit, and he should receive a reward for the mitzvot that he fulfilled before he went astray. See also at the end of the essays on Kohelet for another explanation of this.

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³ Rabbi Shmuel Eliezer Eidels (1555–1631), Polish rabbi famous for his Talmud commentaries, Chiddushei Halachot and Chiddushei Agadot.

⁴ Rosh Hashana 17a: “Beit Hillel say: [He Who is] ‘abundant in kindness’ (Ex. 34:6) tilts [the scales] in favor of kindness. And about them, David said: ‘I love the L-rd, Who hears my voice [and my supplications]’ (Ps. 116:1). And about them, David said the entire passage: ‘I was brought low [*daloti*] and He saved me’ (Ps. 116:6).”

Tosafot’s comment: “The term ‘brought low [*daloti*]’ in the verse from Psalms means drawing water from a deep well. Then it says, ‘Return to your rest, O my soul’ (Ps. 116:7), and then it says, ‘I shall walk before the L-rd in the lands of the living’ (Ps. 116:9).”