

## ”בהמצאו”

### הרב אליהו שטיינהארט

The Ran, in *Maseches Rosh Hashana*, quotes a Pesikta which goes through everything that happened, by the hour, on the day that Adam haRishon was created. It says that in the tenth hour, Adam was *chotei*, in the eleventh hour he was judged, and in the twelfth hour he was found guilty in his *din*, and left Gan Eden with *rachamim*. Then, HaKadosh Boruch Hu told Adam that every year his descendants would also be held in judgement on this day just like he had been.

*B'pashtus*, it would seem that Adam haRishon was held in judgement on that day as a result of his *cheit*. Had he not sinned, he would not have been judged. We would then understand this *Chazal* that Rosh Hashana is Yom haDin as a form of מעשה אבות סימן לבנים. That which happened to Adam haRishon establishes a *hanhaga* of *Din* which carries down to the rest of humanity.

However, in the *tefilos* which we *daven* on Rosh Hashana it seems that *Din* taking place on Rosh Hashana was, and is, not simply a result of *cheit Adam haRishon*. In *Zichronos*, we say that HaKadosh Boruch Hu judges all of creation. We then go on to say:

”מראשית כזאת הודעת, ומלפנים אותה גלית.

זה היום תחילת מעשיך זכרון ליום ראשון. כי חק לישראל הוא משפט לאלקי יעקב”

Rishonim say that we call תשרי א' "techilas ma'asecha", even though creation began אלול כ"ה, because this is the day Adam haRishon was created, who is the *tachlis* of the *Bria*. This phrase seems to indicate that *Din* exists on Rosh Hashana independently of whether Adam sinned or not. The fact that it is "תחילת מעשיך" is the cause of *Din*. How do we understand this?

There is also a *ha'oro* on the Mishna in *Maseches Rosh Hashana*. The Mishna states that there are four times during the year when the world is judged: On Pesach, the world is judged on produce. Shavuot, on *peiros ha'ilan*. Rosh Hashana, all *ba'ei olam* pass before Him [HaKadosh Boruch Hu] like *bonei maron*, and quotes a *posuk* which affirms this. Finally, on Succos the world is judged for water. Three times in the Mishna it is consistent and states what the world is “judged” for in each *tekufa*. By Rosh Hashana, however, it changes its *lashon* to describe what happens and not merely what the subject of the judgement is. By Rosh Hashana, it doesn't even say directly that *ba'ei olam* are *nidon*. The Maharsha makes this *ha'oro*.

There is a Mishna in *Pirkei Avos* at the end of the fourth *perok*: הוא היה אומר, הילודים למות והמתים ליהיו. Those who are alive will be judged. Maharal, in *Derech Chayim*, explains this to mean that the fact that they are alive, causes them to have *Din*. Why? Because life itself by definition means proximity to HaKadosh Boruch Hu. HaKadosh Boruch Hu is the Living G-d and the source of all life. Therefore, all living beings have a close connection to their life source which then requires that they must receive *Din*. Proximity to HaKadosh Boruch Hu results in *Din*. This is the *peshat* as to why HaKadosh Boruch Hu is *medakdek* with *tzadikim*, "כחות השערה". It is not simply that *tzadikim* are held to a higher standard because HaKadosh Boruch Hu is stricter on them. It is precisely because they have worked their way closer to Him that they receive more *Din*. They have a greater degree of *kurva* and *dveykus* to Him, resulting in *Din*.

Maybe we can understand this with a *maschal*. We never met the Brisker Rov, but it would seem that he was a person who lived with tremendous sensitivities and had quite a sharp look at things with a depth of understanding. Imagine two people who went in to talk to the Brisker Rov. The first one went in and the Brisker Rov was very cordial and polite; he didn't comment or criticize anything the person said. However, with the second one, the Brisker Rov commented and informed him of issues with content on most everything the person shared, making sure to be very exact and critical in every detail. Which of the two was truly in the presence of the Brisker Rov? They both physically spoke to him, but the first person barely got a glimpse

because the Brisker Rov shielded and hid his real self. It was the second person, to whom the Brisker Rov opened up and showed his full personality and self. He was truly in the Brisker Rov's presence.

By HaKadosh Boruch Hu, *Din* is an integral part of His being in how He reveals Himself to us in this world. The *mishpot* and *yosher* are basic facets in our perception of Hashem. Therefore, when one has a *kurva* and is in the presence of HaKadosh Boruch Hu, he will be subject to His *Din*. Without it, he is not truly in Hashem's presence. The Maharal goes on to say that this is the reason why Rosh Hashana is the Yom HaDin. The day of Rosh Hashana is when HaKadosh Boruch Hu has a closer *kurva* to the world, as *Chazal darshen*—כ"ל ליוה"כ "דרשו ה' בהמצאו" אלו עשרה ימים שבין ר"ה ליוה"כ. *Din* on Rosh Hashana is not simply because HaKadosh Boruch Hu needs to judge the world and this happens to be that day, rather it is a result of His proximity to the creation during this time. *Kurva* by definition needs to result in *Din*. *Chazal* say the *posuk*, כִּי בָא, כִּי בָא, "לפני ה' כי בא, כי בא" refers to Hashem coming on Rosh Hashana and Yom Kippur. When He comes, there is *Din*.

According to this, the Mishna in *Maseches Rosh Hashana* means that on Rosh Hashana we all pass before Him *k'nei maron*. This accurately describes being in the presence of Hashem. When this happens, the result is *Din*. Rosh Hashana is directly about being in HaKadosh Boruch Hu's presence. That is the root of Rosh Hashana *memeila* becoming Yom haDin. Similarly, this is what happened by Adam haRishon as well. Regardless of whether he was *chotei* or not, there would have been *Din* simply because of the proximity at that time. Adam in *Gan Eden* right after Hashem created him was certainly in Hashem's presence in a way that we cannot even fathom. Therefore, there is *Din* built into the *zman* of Rosh Hashana due to it being "תחילת מעשיך", not simply due to the *cheit* of Adam haRishon.

When we prepare for Rosh Hashana, in light of what we are saying, it is about being in His presence and recognizing that He is coming as much as it is about *Din*. We are not simply preparing for the *Din*. If we keep in mind that He is coming closer to us, then that will change and shape all of our *hanhagos*.

There are two places (perhaps there are more) which come to mind regarding this idea that we are in Hashem's presence. In the beginning of Shulchan Aruch, the Rema says that "שויתי ה' לנגדי תמיד" is a major rule in the Torah. For there is no man who is ever completely alone. Rather, every person is always constantly in the presence of HaKadosh Boruch Hu. A person acts differently when he is in the presence of a *melech gadol*. The way he moves, talks, sits, his whole comportment transforms due to his proximity to the king. When one recognizes that he is always in Hashem's presence, there is a *yiras shomayim* which takes effect and changes his whole being.

Another place where this concept is put forth is in *tefila*. When we *daven*, we are standing in front of the *Melech*. The Rambam even says this *hakara* is *me'akev* in *tefila*. The *Mesilas Yesharim*, in פרק יט, says that when a person is *davening*, he has to recognize that he is literally standing in front of Hashem Yisborach. He adds that this is a very difficult thing to imagine because there is nothing we can visualize to see this. However, a *bal seichal nachon* can attain this with a little *hisbonenus* and *simas lev*. Now is the time for us to have that *hisbonenus* and *simas lev* in order to be *zoche* to have the *hakara* of being in close proximity to Hashem and very much in His presence on Rosh Hashana. Besides for the *Din* which takes place, it is a tremendous *zechus* and *simcha* to be in Hashem's close presence.

Let us conclude with a *ma'aseh* which I once heard from R. Chaim Brim z"tl. There were two chassidim who went from Eretz Yisroel to America to be with the Boyaner Rebbe for the Yomim Noraim. When they returned, all of the chassidim crowded around them and wanted to know what they saw by the Rebbe. The first one was a *pashutte yid*, and he said that to hear the Rebbe say, "יודברך אמת וקים לעד" in *Kiddush* was unbelievable. Then, they turned to the second one, who was a *talmid chochom*, and asked him what he saw by the Rebbe. He replied that just to be by the Rebbe to see his "גוט יום טוב" was worth it alone. The *pashutte yid* thinks that the highlight is the *Din* or the specific *tefila*, whereas the *talmid chochom* realizes that the entire *metziyus* is different. We are in the presence of the Borei Olam on Rosh Hashana, and that is something that has to have an effect on us and impact our every move, even the "Gut Yom Tov".

*Kesiva Vachasima Tova and a Gut Yor*