

The Assembly shall rescue the killer from the hand of the avenger of the blood. (35:25)

The *bais din* is enjoined to seek every possible way to circumvent the death penalty. We always give the accused every possible benefit of the doubt. Likewise, if the court judges that the death was caused by a truly unavoidable accident, it must rule that the killer does not require exile. Consequently, the *goel ha'dam*, relative who is the avenger of the blood, must desist. He has no right whatsoever to harm the killer. It was an accident which Hashem made happen – end of story.

The *Talmud Sanhedrin* 17a teaches an interesting *halachah*, which at first glance seems perplexing. *Sanhedrin she'rau kulan l'chovah – potrin*, "If all the judges of a *Sanhedrin* saw fit to convict a defendant – he is acquitted." The *Talmud* states the reasoning for this mystifying *halachah*. We have learned that when the vote (by majority ruling) is to convict, the decision is not immediately rendered; rather, an overnight delay of the court proceedings is required in order to give the judges an opportunity to find a basis upon which to acquit the defendant. These judges, however, who all voted to convict obviously will no longer consider any reason for acquittal. A delay of judgment is required only because more thought may lead one to vote for acquittal. Since this is not the case, and acquittal is apparently not an option for these judges, the entire judgment is aborted.

This *halachah* must be rationalized. Why should the accused murderer be exonerated simply because all of the judges voted to find him guilty? Should it not be the other way around, that the one who is unanimously declared guilty is condemned, not released?

Horav Shlomo Kluger, zl, explains that, when Hashem created the world, He created the concepts of *emes*, truth, and *sheker*, falsehood. A never-ending battle exists between these two entities. Whenever *emes* seems to express itself, *sheker* immediately contravenes and does not permit it to triumph. *Sheker* cannot seem to tolerate the truth. Therefore, when either the judges who vote to acquit or those who confer guilt upon the defendant are a majority – we concur with their decision because the Torah says, *Acharei rabim l'hagos*, "One follows the majority." We believe that all of the judges who vote to spare the defendant do so because they are *mechavein*, their thought processes coincide with the truth. The majority, however, who disagrees, is expressing *sheker*, taking the *sheker* position, since there has to be *sheker* disputing the truth. Whenever the judges vote unanimously to find the defendant guilty, with not a single judge dissenting, it is clear that this vote expresses not *emes*, but pure unadulterated falsehood. Indeed, if there had been *emes* in what they said, then *sheker* would have put up an argument to condemn the defendant. If *sheker* kept quiet, it is proof that indeed the very ruling which found the defendant guilty is untrue.

Rav Shlomo Kluger's exegesis illuminates a question that has bothered me. The forces of secularism and modernity are obsessed with raising their banner of insolence and strutting forward

proudly with their nefarious agenda. Whenever they take it upon themselves to observe or maintain a practice which, according to their perverted sense of *halachah* is proper and even commendable, they do so with an “in your face” attitude to provoke our negative response. While most observant Jews ignore them because they have the common sense and forbearance to see through their ruse, there will always be those hot-heads who view every opportunity to act zealously as their G-d-given mandate to create a *chillul Hashem*, desecration of Hashem’s Name. Why do they perform rituals which are meaningless to them just for the purpose of making a political statement or agitating the tempers of those who really care? Why do they mock us – and Hashem? Can something be gained by such premeditated incendiary behavior?

The answer is that they have nothing to gain but sensationalism. They call attention to themselves – not their mission – because their mission and agenda are a joke. So, why do they do it? *Sheker* cannot tolerate *emes*. When they observe the success and acceptance garnered by the Torah camp they begin to realize the spiritual void in their own lives. Rather than alter their lifestyle, they would rather destroy the competition. This is how *sheker* works. If it cannot overwhelm *emes*, it attempts to discredit it. We must remember that, at the end of the day, *sheker ein lo raglayim*, “Falsehood has no legs to stand on.”