

# Torah Tidbits

ISSUE 1432 AUG 14<sup>TH</sup> '21 ו' אלול תשפ"א

פרשת שפטים

PARSHAT SHOFTIM

PIRKEI AVOT 6

ב"ה

Over  
40  
Years  
OU  
ישראל



**Walking  
Wholehearted**  
Rebbetzin Shira Smiles  
Faculty, OU Israel Center  
page 26



**For But One  
Morsel of Bread**  
Menachem Persoff  
Special Projects Consultant,  
OU Israel Center  
page 44



ושפטו את־העם  
משפטי־צדק

דברים ע"ז, פסוק י"ח



THIS WEEK'S TORAH TIDBITS IS DEDICATED IN HONOR OF  
THE MARRIAGE OF BONNIE WEINSTEIN AND NATE WILLIAMS



**YERUSHALAYIM IN/OUT TIMES FOR SHABBAT PARSHAT SHOFTIM**

Candles 6:49PM • Earliest 6:01PM • Havdala 8:03PM • Rabbeinu Tam 8:41PM

# INSPIRATION FOR THE MONTH OF ELUL

התשובה באה משאיפת המציאות כלה להיות יותר טובה ומזככת, יותר חסינה ומעלה ממה שהיא

“Teshuva is inspired by the yearning of all existence to be better, purer, more vigorous and on a higher plane than it is.”

Rav Avraham Yitzchak HaKohen Kook zt"l (Orot HaTeshuva 6:1)

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Asher Manning // Talia Rapps



### KIDDUSH LEVANA:

7 Days After Molad **8 Elul/ Sun. night Aug. 15**

Last Opportunity To Say Kiddush Levana Until.. **15 Elul, Sun. Aug. 22, All night**

# CANDLE LIGHTING AND HAVDALA TIMES



## OTHER Z'MANIM



### JERUSALEM

Ranges 11 days Wed.- Shabbat  
August 11 -21 / 3 - 13 Elul

Earliest Tallit and Tefillin	<b>5:07 - 5:14</b>
Sunrise	<b>6:02 - 6:08</b>
Sof Zman Kriat Shema	<b>9:22 - 9:25</b>
Magen Avraham	<b>8:43 - 8:46</b>
Sof Zman Tefila	<b>10:30</b>
(According to the Gra and Baal HaTanya)	
Chatzot (Halachic Noon)	<b>12:44 - 12:42</b>
Mincha Gedola (Earliest Mincha)	<b>1:18 - 1:15</b>
Plag Mincha	<b>6:03 - 5:54</b>
Sunset (Including Elevation)	<b>7:31 - 7:20</b>

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CANDLES	EARLIEST	SHOFTIM	HAVDALA	KI TEITZE		
				Candles	Earliest	Havdala
<b>6:49</b>	6:01	Yerushalayim / Maale Adumim	<b>8:03</b>	6:41	5:55	7:54
<b>7:06</b>	6:03	Aza area (Netivot, S'derot, Et al)	<b>8:05</b>	6:59	5:57	7:56
<b>7:08</b>	6:02	Beit Shemesh / RBS	<b>8:03</b>	7:00	5:56	7:55
<b>7:04</b>	6:01	Gush Etzion	<b>8:03</b>	6:57	5:55	7:55
<b>7:06</b>	6:03	Raanana/ Tel Mond/ Herzliya/ K. Saba	<b>8:05</b>	6:59	5:57	7:56
<b>7:05</b>	6:02	Modi'in / Chashmona'im	<b>8:04</b>	6:58	5:56	7:55
<b>7:07</b>	6:03	Netanya	<b>8:05</b>	6:59	5:57	7:57
<b>7:05</b>	6:02	Be'er Sheva	<b>8:03</b>	6:58	5:56	7:55
<b>7:06</b>	6:03	Rehovot	<b>8:04</b>	6:59	5:57	7:56
<b>6:49</b>	6:03	Petach Tikva	<b>8:05</b>	6:41	5:57	7:56
<b>7:05</b>	6:02	Ginot Shomron	<b>8:04</b>	6:58	5:56	7:56
<b>6:57</b>	6:03	Haifa / Zichron	<b>8:06</b>	6:49	5:57	7:57
<b>7:04</b>	6:01	Gush Shiloh	<b>8:03</b>	6:57	5:55	7:55
<b>7:06</b>	6:03	Tel Aviv / Giv'at Shmuel	<b>8:05</b>	6:59	5:57	7:57
<b>7:05</b>	6:01	Giv'at Ze'ev	<b>8:03</b>	6:57	5:55	7:55
<b>7:04</b>	6:01	Chevron / Kiryat Arba	<b>8:03</b>	6:57	5:55	7:54
<b>7:07</b>	6:04	Ashkelon	<b>8:05</b>	6:59	5:57	7:57
<b>7:06</b>	6:03	Yad Binyamin	<b>8:04</b>	6:58	5:57	7:56
<b>7:00</b>	6:01	Tzfat / Bik'at HaYarden	<b>8:04</b>	6:52	5:55	7:55
<b>7:04</b>	6:01	Golan	<b>8:03</b>	6:56	5:54	7:54

**Rabbeinu Tam (J'lem) - 8:41 PM • next week - 8:33pm**

Times According to MyZmanim (20 min. before sundown in most cities,  
40 min. in Yerushalayim and Petach Tikva, 30 min. in Tzfat/Haifa)



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# DEAR TORAH TIDBITS FAMILY



**RABBI AVI BERMAN**

Executive Director, OU Israel



One of the many aspects I enjoy and appreciate about my role as Executive Director of OU Israel is going to meet with people all over the country (and globally) to see our programs and companies in action. Whether it be taking Deputy Mayor, Foreign Relations of Jerusalem Fleur Hassan-Nahoum to visit the Pearl & Harold Jacobs Zula Outreach Center last Thursday or last Tuesday's visit to Of Tov, the range of OU impact on Israeli society never ceases to inspire me.

Last week, I received an added dose of inspiration on my way to the Of Tov factory. Along with two of my sons, I drove past Kochav Hashachar and other Yishuvim through the Bikah. This was a breathtaking drive which always makes me think about the beauty of Eretz Yisrael. As we were passing by a Yishuv called Maskiot, my boys and I saw two girls standing at the entrance waiting for a tremp. They were on a road not many people drive by, and we wanted to help them.

They were waiting for someone to stop and give them a ride to Beit Shaan, the nearest city to their Yishuv, and we were happy to help them out. It is amazing how you can learn the essence of someone in

a 30 minute drive. The older girl/young woman is 18 and preparing to start Sheurt Leumi (National Service), and she was with her 5 year old sister. The older sister was taking her younger sister along to run errands in Beit Shaan, where the families living in their Yishuv go for errands, including the bank, post office, and larger grocery store.

Their family, along with most of the 45 families on their Yishuv, were expelled from Gush Katif 16 years ago. She was two years old at the time of the disengagement, and she is one of the most passionate speakers I have ever heard on the topic of settling the Land of Israel. She spent almost the entire half an hour drive trying to convince me to move my family to Maskiot. She kept on pointing out the window and saying "we need more Jews to move here".... "and here."

I asked her about schooling, and she told me that they have a bus take them to school in Yerushalayim. This is a 1.5 hour bus ride each way. When I asked her if that was hard, she replied simply and to the point, "It's a small price to pay for Yishuv Eretz Yisrael." Wow.

Many of us reading Torah Tidbits are Olim who view ourselves as passionate and excited about living in Israel. Yet, there was something that moved me hearing the passion that this young woman had. Despite knowing her family was expelled

Condolences to Goldie Gross  
on the passing of her **SISTER** a"h

ממקום ינחם אתכם בתוך שאר אבל ציון וירושלים

from their home in Gush Katif and despite commuting 3 hours a day to school, she is a Shelicha trying to advocate that people move to her Yishuv. Seeing this passion in the younger generation is exactly what we need. It filled my heart with endless joy since the passion of the younger generation will be the passion of our leadership in the upcoming decades. While I can't say that she convinced me to move my family from Givat Ze'ev, I can definitively say that her passion inspired me.

After this encounter, my sons and I continued on to the Of Tov factory. Maintaining strong relationships with our OU Kosher factories and teams in the field is incredibly important, and I always enjoy visiting our companies. As always, I encourage you to purchase OU Kosher products which not only offer you the highest standard of Kashrut but support OU community programming.

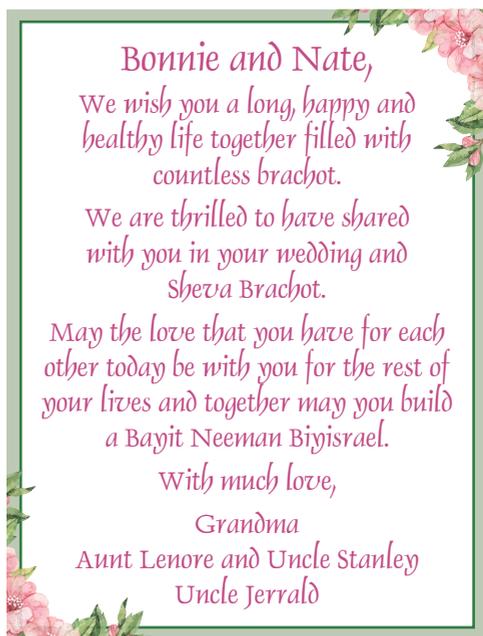
On the topic of Kashrut, I am excited to share with you that we have a new OU Shechita company called Lechumra which you will soon be seeing in grocery stores around the country. Special thank you to Rabbi Yissachar Dov Krakowski (Director of OU Kashrut Israel Division), Rabbi Ezra Friedman (Director of the Gustave & Carol Jacobs Center for Kashrut Education/ OU Rabbinic Field Representative), and the rest of the OU Israel Kosher team for doing such a wonderful job expanding Kosher supervision and Kashrut education in Israel.

Finally, on a more personal note, last Shabbat was a very special Shabbat. We celebrated my in-laws' 50th anniversary. My in-laws got married in Paris, made

Aliyah a few days after their wedding, and have lived in Israel (in Petach Tikvah and Har Nof) ever since. Baruch Hashem they built a beautiful family, and I was lucky enough that they allowed me to marry their third child 24 years ago. Last Shabbat we gathered together - them, their children, grandchildren, and great grandchildren - to celebrate this wonderful blessing from Hashem. While they are both native French speakers, they are also dedicated Torah Tidbits readers. Since I know they read this article, I want to take this opportunity to thank them for all they have done and continue to do for my family and me. Wishing you a big Mazel Tov, Ad Meah V'esrim Shana.



Avi,  
Executive Director, OU Israel  
[aberman@ouisrael.org](mailto:aberman@ouisrael.org)



# SHOFTIM

## ALIYA-BY-ALIYA SEDRA SUMMARY



**Rabbi Reuven Tradburks**  
Director of  
RCA Israel Region

Parshat Shoftim is the 2<sup>nd</sup> of 3 parshiot that have a total of 170 mitzvot. Shoftim has 41 of those. These 3 parshiot are the middle of 3 sections of Sefer Devarim. The first section, Parshiot Devarim, Va'etchanan and Ekev were Moshe's narrative of the lessons of the past. Don't be skeptical about your ability to enter the Land; that was the sin of the spies and you don't want to repeat their fate. He went over the lessons of the pivotal stories of the Torah: Mt. Sinai, the golden calf, the spies, manna as well as others. The last of the 3 sections in Devarim returns to preparation to enter the Land, including 4 very short parshiot. These middle 3 parshiot are nation building; they express the vision of what type of society we want

to build in the Land of Israel. In a word: nation building. Last week we saw the introduction of the first pillar of the Jewish society: the establishment of a monotheistic society, including the centrality of what will be Jerusalem and avoidance of the lure of idol worship. We saw the pillar of chesed and mitzvot legislating care for the needy in Shemita and in Maaser Sheni: in a word, ethical monotheism. Shoftim is the building of national institutions: the judiciary, the executive and the legislature, including courts, the king, prophets and proper conduct of war. While there are many laws introduced, it is all in a natural flow, outlining the crucial aspects of all these branches of government. A theme that animates many of these national institutions is not only their roles, but as importantly their limits; what we call today the checks and balances of institutions.



### 1<sup>st</sup> aliya (Devarim 16:18-17:13)

**Courts:** Establish courts and be vigilant in fairness; do not show

favoritism or accept bribes for they blur good judgment. Do not plant a tree next to the altar, nor establish a stone monument, nor offer blemished sacrifices. If one is found to worship idols, examine the case carefully in court: guilt must be established through the testimony of witnesses. If established to be true, put that person to death and remove evil from your midst. Should a ruling be elusive, refer it to the higher court; its decision is binding. Do not deviate from its ruling.

**Judiciary:** What is stated here is the importance of fair and just courts; however, what it seeks to avoid is more important.



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Honoring the memory of Malka Chana Roth ז"ל 1985-2001, killed in the Sbarro bombing.

No vigilantism. Don't fight the Lord's battles declaring "that person is worshipping idols. I will step into the breach and eliminate them. Who needs courts?". A court system is a check and balance on religious zeal, G-d's warrior. A commitment to justice requires restraint of the people; you can't just do what you think is right. Bow to the wise judges.



**2<sup>nd</sup> aliya (17:14-20) King:** When settled in the Land, appoint a Jewish king. He may not accumulate excessive horses, nor too many wives, nor silver and gold. He shall have his own Torah with him at all times in order to avoid self-aggrandizement and to ensure allegiance to the mitzvot.

avoid self-aggrandizement and to ensure allegiance to the mitzvot.

**Executive Branch:** There are strengths and weaknesses in every system of governance known to man. The weakness of a monarchy occurs when the King no longer serves the people, but serves his own interests. Hence, the checks and balances: a) limit the horses, meaning the power of the military b) limit wives, self indulgence and license and 3) limit gold, the greed of possessions. Rather, read the Torah. The King is to serve G-d and His people. Sounds like a good system: at least when it works.



**3<sup>rd</sup> aliya (18:1-5) Kohen, Levi:** The tribe of Levi, including Kohanim, shall not have a portion in the Land of Israel for the holy service is their lot. The Kohen, who serves

*Mazal Tov to  
Yosie and Noa Rosenzweig  
on your 15<sup>th</sup> wedding anniversary*

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G-d, shall be given portions of animals, produce and shearing.

**Religious servants:** These religious leaders are supported by a type of tax on the people. But with limits. No land. And only these portions. It is not what is given to support the Kohanim and Leviim; it is what is not. Every society supports its religious leaders. The power is in the check on their abuse of position by declaring what they receive: this, and only this. As the zealot must retreat and allow the courts to manage the idol worshipper. And as the king must retreat and limit his power and personal license to lust and wealth. So too, the religious leaders must retreat and serve G-d and the people; being supported but with modesty.



**4<sup>th</sup> aliya (18:6-12)** The Levi is permitted to serve in the Temple whenever he chooses. **Sorcery:**

Avoid the practices of the people in the Land, such as child sacrifice, divination, omens, sorcery, communicating with the dead. Your allegiance is to G-d.

While the previous aliya gave checks and balances to the Kohen in accumulating wealth, when it comes to doing the service itself in the Temple, the Levi is welcomed

May the Torah learned from this issue  
of Torah Tidbits be לעיני my father

משה בן צבי ז"ל

**Moshe Goldstein ז"ל**

on his 29th yahrzeit, 3 Elul

*Harriet Goldstein - Mark*

*Grandsons and Great - Grandchildren*

whenever his heart stirs him. For that is his true task. When the heart stirs for corruption and abuse of position, it needs brakes. When the hearts stirs for Divine service it is welcomed.

**Legislature:** The discussion here of sorcery and divination is an introduction to the legislature, the source of wisdom, direction and the law itself. There is a lot of mystery in our world. There are displays of unusual powers, inexplicable sources of knowledge, a world of unseen forces. But society becomes chaotic when subjected to those speaking in the name of unseen powers. The clairvoyant will demand that their voice be heard for they alone know truth. The Torah requires powerful restraint. That is not our source of truth. As the next aliya outlines, our source of truth is G-d through the prophet.



**5<sup>th</sup> aliya (18:13-19:13) Prophet:**

While the people in the Land seek wisdom through magical techniques, you seek yours through G-d Himself. Although you said at Sinai that you did not want to hear His voice directly, nonetheless you have the Prophet to convey G-d's directives. Heed the words of the prophet, though not of the false prophet. The true prophet's predictions come true: not so for the false prophet. Prepare 3 cities on the east bank of the Jordan and 3 cities in the Land of Israel as refuge for the accidental murderer. He is not subject to the death penalty. Innocent blood ought not be spilled in the Land.

Our parsha has outlined the judiciary, the judges and the executive, the king. The

legislature, the branch that creates the laws, is trickier; the source of our laws is G-d, related through the prophet. But within this little section is an expression of Moshe's humility. Because tradition maintains that the prophets after the time of Moshe are not to be legislators. They do not introduce new laws. All legislation rests in the hands of the rabbinic leaders. We saw that above: should a case be too difficult, refer it to the higher court and then you are bound by its decision. Law, from here on in, is in the hands of the rabbis, not in the hands of the prophet. When Moshe says here to heed the voice of the prophet, he is really speaking of himself. Prophets in the future will encourage, scold, criticize, and direct the people: but not with new ground. Moshe doesn't want to say "listen to me and me alone". Rather, he says "Follow the laws of the true prophet". Which is Moshe.



**6<sup>th</sup> aliya (19:14-20:9)** Do not encroach over the borders of your property. **Testimony:** One witness is insufficient in court. Conniving witnesses who intend harm through their testimony shall themselves receive the harm they intended. **War:** Do not be afraid of the enemy in war, for G-d champions your battles. A special appointed Kohen shall encourage the soldiers. In addition, he shall exempt some of the soldiers: those who have a new home, a new vineyard, a betrothed wife, or are afraid. These shall not demoralize the other soldiers.


  
**To LOML**  
**Happy 25th!**  
*May Hashem give us many more*  
*in good health and happiness -Your LOML*



## Jeff Mor

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Having outlined the judiciary, the executive and the legislature, one of the primary functions of the executive, the King, is to protect his people militarily. Some laws of war are outlined. Morale of the army is paramount. The Kohen's presence reminds the soldiers that they are G-d's army. Nonetheless, morale may be damaged by soldiers preoccupied with their personal worries. The Midrash maintains that a new home or a new vineyard is hardly sufficient reason to receive a draft exemption. These are put there so that the one who is really plain scared can leave the battlefield and not demoralize the others, under the cover that perhaps he has a new vineyard. Thus sparing the pride of the frightened soldier.



7<sup>th</sup> aliya (20:10-21:9) In approaching war, try peace first. But if refused, fight the war to the end,

lest those who survive lead you astray. Do not destroy fruit trees while laying siege to a city. When a body is found dead in the field, the nearest city shall perform a ceremony declaring them not responsible for this death. The Land needs to be cleansed of innocent blood.

After the laws of war, the Torah circles back to one lone body found dead in the field. And the need to cleanse both the leadership and the land of this innocent blood. This too is a kind of check and balance on the military. Oh, don't think we have a low regard for life. Loss of innocent life defiles the Land – and us. Embark on war with sobriety.

## HAFTORAH

### YESHAYAHU 51:12 - 52:12

This week's *haftorah* is the fourth of a series of seven “*Haftarot* of Consolation.” These seven *haftarot* commence on the Shabbat following Tisha b'Av and continue until Rosh Hashanah.

The *haftorahs* of the past two weeks have alluded to the fear of the nation of Israel that perhaps they have been abandoned by God. In response, this week's *haftorah* begins with God's response: “I, indeed I, will comfort you.”

After castigating Israel for forgetting their Creator the prophet describes the suffering and tribulations which Israel has endured. However, the time has come for Israel's

Shabbat afternoon Parsha shiur with  
Rabbi Chanoch Yeres at 5:00pm in the  
back garden of the OU Israel Center

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Tuesday, August 17<sup>th</sup>

7:30pm (Maariv at 7:50pm)

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oppressors to drink the “cup of suffering.”

Yeshayahu announces the good tidings of Redemption. “Burst out in song, sing together, O ruins of Jerusalem, for the Lord has consoled His people; He has redeemed Jerusalem.”

The *haftorah* concludes by spotlighting the difference between the Egyptian Exodus, when the Israelites quickly hurried out of their exile, and the future Redemption: “For not with haste shall you go forth and not in a flurry of flight shall you go, for the Lord goes before you, and your rear guard is the God of Israel.” ■

## STATS

48th of the 54 sedras;  
5th of 11 in Devarim,  
Written on 191.6 lines (rank: 27)  
18 Parshiyot; 3 open, 15 closed,  
97 pesukim - rank: 36 - 7th in Devarim (tied with Tzav,  
but larger)  
1523 words - rank: 28 - 7th in Devarim  
5590 letters - rank: 31 - 7th in D'varim

## MITZVOT

41 mitzvot - 14 positive, 27 prohibitions; ranks 6th among the sedras, in mitzvot. The top 6 mitzva-sedras - contain 55% of the Torah's mitzvot (31 other sedras have the other 45%; 17 have none).

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THE PERSON

BY RABBI DR. TZVI HERSH WEINREB  
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IN THE PARSHA

# Darwin and the Mussar Movement

Ethics is a subject about which we all have many questions. What makes an ethical personality? How do we make ethical decisions in complicated circumstances?

Personally, there are two specific questions that have always been of concern to me. One is, “How does one get started upon the process of becoming a more ethical person?” This question is especially relevant at this time of year when many of us begin to think about the upcoming High Holidays and the requirement that we embark upon a process of introspection, of repentance, of *teshuvah*.

There is a second type of question that I pose to myself: “Where do we look to for guidance in ethical matters?” Are we restricted only to sacred sources? Or do secular sources also hold wisdom with regard to ethical behavior and to self-improvement in the ethical sphere?

In my personal reflections on the subject of universal ethics, I have long been guided by a passage in the writings of Rabbi Abraham Isaac HaCohen Kook, the first chief Rabbi of the land of Israel. He speaks of

two sources for ethical guidance. The first is *yir’at shamayim*, fear of heaven, which is a religious source. The second is *hamussar hativ’i*, natural ethics, by which he means the knowledge of right and wrong, which is available to all mankind, no matter what their religion is, if any. Rav Kook asserts that these two sources go hand-in-hand and must be consistent with one another.

More recently, I have been reading a book by the psychiatrist Maurice Levine, entitled *Psychiatry and Ethics*. Levine begins the first chapter his work with a quotation from Charles Darwin’s autobiography:

“I had... followed a golden rule, namely that whenever a published fact, a new observation or thought came across me, which was opposed to my general results, to make a memorandum of it without fail and at once; for I had found by experience that such facts and thoughts were far more apt to escape from the memory than favorable areas. Owing to this habit, very few objections were raised against my views, which I had not at least noticed and attempted to answer.”

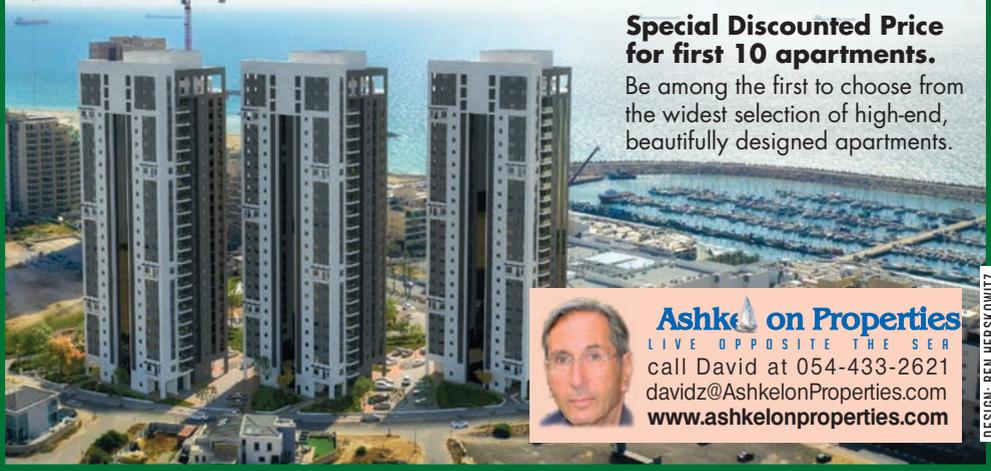
Levine uses this interesting habit of the father of the theory of evolution to illustrate what he considers to be a fundamental process in the development a truly ethical person. He calls this the process of “self-scrutiny”. He writes, “A good part of a man’s ethics consists of the ways in which

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he copes with his temptations.” Darwin was aware of his own temptation to only recognize evidence that supported his theories and to conveniently ignore or forget facts that would undermine them. And he acted to control that temptation.

Darwin was certainly not unique in this weakness, although the manner in which he dealt with it was exemplary. We all have ideas about our projects, or about ourselves, and we all tend to pay careful attention to everything that would confirm our opinions. And we all excel at ignoring, suppressing, forgetting, or discounting all information that might force us to reevaluate our theories or, heaven forbid, re-examine our opinions about ourselves.

As Levine puts it, one of the fundamentals of sound ethical character is “the need

to know oneself, the need to be as honest with oneself as possible, the need to avoid self-kidding.”

This week’s Torah portion, *Parshat Shofetim*, we encounter a *mitzvah* which seems to be given only to judges: “You shall not judge unfairly... you shall not take bribes, for bribes blind the eyes of the discerning and upset the plea of the just.” (*Deuteronomy* 16:19)

In the mid-19<sup>th</sup> century, a rabbi named Israel Salanter began a movement designed to educate people about the importance of ethics in the Jewish tradition. That movement was known as the



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“Mussar Movement,” *“mussar”* being the Hebrew word for ethics. This movement had many leaders over the generations and continues to have a significant contemporary influence.

One of the greatest representatives of the Mussar Movement was a man named Rabbi Abraham Grodzinski, who was murdered by the Nazis in the ghetto of Kovno during the Holocaust.

Rabbi Grodzinski had a problem with the text of the above verse in this week’s Torah portion. He wondered what those of us who are not judges can learn from the injunction against taking bribes. What lesson is there for every man in the observation that “bribery blinds the eyes of the discerning?”

The martyred Rabbi had an answer that is strikingly similar to the observation about ethics that Dr. Levine was able to learn from Darwin’s autobiographical note. “We all have personal interests,” writes Rabbi Grodzinski, “personal inclinations that result in misperceptions, misjudgments, and tragic moral errors. These personal prejudices are the equivalent of bribery. Our own self-interest often blinds us and distorts our judgment as to what is right and what is wrong.”

The great ethical teachers in our tradition consistently point out that in a sense, we are all “judges,” and we are constantly acting as judges in all of the decisions that we make throughout even the most mundane day. And we are always subject to “bribes;” that is, to the temptations to ignore information that is uncomfortable to us, that threatens our pre-existing assumptions, or that forces us to re-examine the

question of who we really are.

Charles Darwin and Rabbi Israel Salanter, who were almost exact contemporaries of each other, had very different worldviews. Had they had the opportunity, they would have debated fiercely about the origins of the universe and of the nature of humanity. But on this one point, they would have thoroughly agreed: we are all subject to the temptation of distorting reality to fit our own selfish interests. And we all need to be vigilant against such temptation.

This brief excursion into the posthumously published writings of a saintly Holocaust victim, *Torat Avraham Grodzinski*, and the collection of a Jewish American psychiatrist's lectures, *Psychiatry and Ethics*, helped me answer both of my questions.

Firstly, are we restricted only to sacred writings in our search for ethical guidance? No, we can even find such guidance in the autobiography of a man whose writings were considered to be the greatest threat to traditional religion.

And secondly, what is the first step for those of us who wish to initiate a process of *teshuvah*, of ethical self-improvement. It may very well be what our ancient scholars referred to as "*cheshbon hanefesh*," and what a contemporary thinker has aptly termed "self-scrutiny." ■

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Thoughts on the Weekly Parsha from  
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## Learning and Leadership

The parsha of *Shoftim* is the classic source of the three types of leadership in Judaism, called by the Sages the “three crowns”: of priesthood, kingship and Torah.<sup>1</sup> This is the first statement in history of the principle, set out in the eighteenth century by Montesquieu in *L'Esprit des Lois* (*The Spirit of Laws*), and later made fundamental to the American constitution, of “the separation of powers.”<sup>2</sup>

1 Mishnah Avot 4:13. Maimonides, *Mishneh Torah*, *Hilchot Talmud Torah*, 3:1.

2 Montesquieu's division, followed in most Western democracies, is between legislature, executive and judiciary. In Judaism, primary legislation comes from God. Kings and the Sages had the power to introduce only secondary legislation, to secure order

Power, in the human arena, is to be divided and distributed, not concentrated in a single person or office. In biblical Israel, there were Kings, Priests and Prophets. Kings had secular or governmental power. Priests were the leaders in the religious domain, presiding over the service in the Temple and other rites, and giving rulings on matters to do with holiness and purity. Prophets were mandated by God to be critical of the corruptions of power and to recall the people to their religious vocation whenever they drifted from it.

Our parsha deals with all three roles. Undoubtedly, though, the most attention-catching is the section on kings, for many reasons. First, this is the only command in the Torah to carry with it the explanation that this is what other people do: “When you enter the land the Lord

---

and “make a fence around the law.” Hence in Judaism the King was the executive; the priesthood in biblical times was the judiciary. The “crown of Torah” worn by the Prophets was a unique institution: a Divinely sanctioned form of social criticism – a task assumed in the modern age, not always successfully, by public intellectuals. There is today a shortage of Prophets. Perhaps there always was.

your God is giving you and have taken possession of it and settled in it, and you say, 'Let us set a king over us like all the nations around us...'" (Deut. 17:14). Normally, in the Torah, the Israelites are commanded to be different. The fact that this command is an exception was enough to signal to commentators throughout the ages that there is a certain ambivalence about the idea of monarchy altogether.

Second, the passage is strikingly negative. It tells us what a King must not do, rather than what he should do. He should not "acquire great numbers of horses," or "take many wives" or "accumulate large amounts of silver and gold" (Deut. 17:16-17). These are the temptations of power, and as we know from the rest of Tanach, even the greatest – King Solomon himself – was vulnerable to them.

Third, consistent with the fundamental Judaic idea that leadership is service, not dominion or power or status or superiority, the King is commanded to be humble: he must constantly read the Torah "so that he may learn to revere the Lord his God ... and not consider himself better than his fellow Israelites" (Deut. 17:19-20). It is not easy to be humble when everyone is bowing down before you and when you have the power of life and death over your subjects.

Hence the extreme variation among the commentators as to whether monarchy is a good institution or a dangerous one. Maimonides holds that the appointment of a king is an obligation, Ibn Ezra that it is a permission, Abarbanel that it is a concession, and Rabbenu Bachya that it is a punishment – an interpretation known, as it happens, to John Milton at one of the most volatile



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(and anti-monarchical) periods of English history.<sup>3</sup>

There is, though, one positive and exceptionally important dimension of royalty. The King is commanded to study constantly:

“...and *he is to read it all the days of his life* so that he may learn to revere the Lord his God and follow carefully all the words of this law and these decrees and not consider himself better than his fellow Israelites and turn from the law to the right or to the left. Then he and his descendants will reign a long time over his kingdom in Israel. (Deut. 17:19-20)

Later, in the book that bears his name, Moses' successor Joshua is commanded in very similar terms: Keep this Book of the Law always on your lips; meditate on it day and night, so that you may be careful to do everything written in it. Then you will be prosperous and successful. (Josh. 1:8)

*Leaders learn.* That is the principle at stake here. Yes, they have advisors, elders, counsellors, an inner court of Sages and literati. And yes, biblical Kings had Prophets – Samuel to Saul, Nathan to David, Isaiah to Hezekiah and so on – to bring them the

---

3 See Eric Nelson, *The Hebrew Republic*, Harvard University Press, 2010, 41-42.

word of the Lord. But those on whom the destiny of the nation turns may not delegate away the task of thinking, reading, studying and remembering. They are not entitled to say: I have affairs of state to worry about, so I have no time for books. Leaders must be scholars, *Bnei Torah*, “Children of the Book,” if they are to direct and lead the people of the Book.

The great statesmen of modern times understood this, at least in secular terms. William Gladstone, four times Prime Minister of Britain, had a library of 32,000 books. We know – because he made a note in his diary every time he finished reading a book – that he read 22,000 of them. Assuming he did so over the course of eighty years (he lived to be 88), this meant that he read on average 275 books a year, or more than five each week for a lifetime. He also wrote many books on a wide variety of topics from politics to religion to Greek literature, and his scholarship was often impressive. For example he was, according to Guy Deutscher in *Through the Language Glass*,<sup>4</sup> the first person

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4 *Through the Language Glass: Why the World Looks Different in Other Languages* (New York: Metropolitan Books/Henry Holt and Co., 2010).

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to realise that the ancient Greeks did not have a sense of colour and that Homer's famous phrase, "the wine-dark sea" referred to texture rather than colour.

Visit David Ben Gurion's house in Tel Aviv and you will see that, while the ground floor is spartan to the point of austerity, the first floor is a single vast library of papers, periodicals and 20,000 books. He had another 4,000 or so in Sde Boker. Like Gladstone, Ben Gurion was a voracious reader as well as a prolific author. Benjamin Disraeli was a best-selling novelist before he entered politics. Winston Churchill wrote almost 50 books and won the Nobel Prize for Literature. Reading and writing are what separate the statesman from the mere politician.

The two greatest Kings of early Israel, David and Solomon, were both authors, David of Psalms, Solomon (according to tradition) of The Song of Songs, Proverbs and Kohelet/Ecclesiastes. The key biblical word associated with kings is *chochmah*, "wisdom." Solomon in particular was known for his wisdom:

When all Israel heard the verdict the King had given, they held the King in awe, because they saw that he had wisdom from

God to administer justice. (1 Kings 3:12)

Solomon's wisdom was greater than the wisdom of all the people of the East, and greater than all the wisdom of Egypt ... From all nations people came to listen to Solomon's wisdom, sent by all the Kings of the world, who had heard of his wisdom. (1 Kings 5:10-14) When the Queen of Sheba saw all the wisdom of Solomon... she was overwhelmed. She said to the king, "The report I heard in my own country about your achievements and your wisdom is true. But I did not believe these things until I came and saw with my own eyes. Indeed, not even half was told to me; in wisdom and wealth you have far exceeded the report I heard..." The whole world sought audience with Solomon to hear the wisdom God had put in his heart. (1 Kings 10:4-24)

We should note that *chochmah*, wisdom, means something slightly different from Torah, which is more commonly associated with Priests and Prophets than Kings. *Chochmah* includes worldly wisdom, which is a human universal rather a special heritage of Jews and Judaism. A Midrash states "If someone says to you, 'There is wisdom among the nations of the world,' believe it. If

## A SHORT VORT

BY RABBI CHANOCH YERES

Rav, Beit Knesset Beit Yisrael, Yemin Moshe

"Shoftim V'Shotrim Titein Lecha" (16:18) "Judges and officers shall you appoint"

Why is the word "lecha" needed? Literally the Pasuk tells us "Judges and officers shall you give yourself". "Giving" can refer to appointing a public official but why "to you" on a singular level? Perhaps "to them" would have been more appropriate? Moshe is, in a sense, appointing judges and policemen for the entire people and not just to certain people.

Rabbi Moshe Feinstein explains decisively that the Pasuk's use of the word "lecha" teaches us that these officials are really gifts to each person as models how to serve Hashem with integrity and character. Also, the prohibition against perverting justice and showing favoritism, applies to each one of us. What a beautiful thought that such a public official is a personal gift, in one way or another to everyone personally.

Shabbat Shalom ■

they say, ‘There is Torah among the nations of the world,’ do not believe it.”<sup>5</sup> Broadly speaking, in contemporary terms *chochmah* refers to the sciences and humanities – to whatever allows us to see the universe as the work of God and the human person as the image of God. Torah is the specific moral and spiritual heritage of Israel.

The case of Solomon is particularly poignant because, for all his wisdom, he was not able to avoid the three temptations set out in our parsha: he did acquire great numbers of horses, he did take many wives and he did accumulate great wealth. Wisdom without Torah is not enough to save a leader from the corruptions of power. Though few of us are destined to be Kings, Presidents or Prime Ministers, there is a general principle at stake. Leaders learn. They read. They study. They take time to familiarise themselves with the world of ideas. Only thus do they gain the perspective to be able to see further and clearer than others. To be a Jewish leader means spending time to study both Torah and *chochmah*: *chochmah* to understand the world as it is, Torah to understand the world as it ought to be.

**Leaders should never stop learning. That is how they grow and teach others to grow with them. ■**

5 *Eichah Rabbati 2:13.*

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Is there a difference between “belief” and “faith” or, as we would say in Hebrew, between “emunah” and “bitachon”? Generally, we use these two terms interchangeably. However, I believe (no pun intended) that there is a subtle difference in the connotations of these words, a difference better understood through the use of the Hebrew terms rather than the English ones. We “believe” that something could happen while we have “faith” that it will. “Emunah” is best translated as “belief in” while “bitachon” is born of the root b,t,h, certainty, “faith that.”

The baseball fan who follows his favorite team regularly might sit nervously in the bottom of the ninth inning as he watches the team, behind by three runs, load the bases. He would then close his eyes and pray that their best hitter will send the next pitch into the stands, and trot around the bases with the winning run. Because, you see, he believes in the batter’s ability. The rabid fanatic, on the other hand, will watch with a calm smile on his face and wager with his friend that the slugger WILL hit the “walk-off” home run. Because he is sure - with complete faith - that the hitter will succeed.

The opening words of this week’s selection, words addressed to the grieving nation, “Anochi, Anochi Hu Menachemchem”, “It is I, only I, who comforts you”, are often misunderstood. They are not, as most believe, the opening words of a prophecy but, rather, a response to a question posed by the people

and a question repeated by suffering millions over the centuries. “Why must we suffer?” they asked. “Why do You not perform miracles for us as You did years ago in Egypt?” they cried. G-d responds to these questions with the powerful exclamation “Anochi, Anochi...”- “I, and only I, can comfort you!” It is only through My guarantee of a wonderful future that awaits you, that you will be comforted.

This divine statement reveals an important theme that runs through our haftarah, that is, Hashem would bring the comfort to the suffering nation and, if you would but have faith in Him, you would be comforted by His promise of a glorious future. And yet, I would imagine that, indeed, many believed in Hashem and in His ability to keep His promises. What they lacked was a faith, powerful enough, to be comforted by that promise. What they lacked was the confidence, the surety that the guaranteed future WOULD happen. And when you believe – but only with a question mark, when you close your eyes and hope “if only”, if you believe in G-d, but only with a “perhaps” – then you lack the faith that is prerequisite to being comforted.

“Anochi, Anochi Hu Menachemchem”, “It is I, only I, who comforts you,” and “ONLY I” means no one else and nothing else. And that is what we call complete faith, not belief IN but faith THAT. That is what we call “BITACHON.” ■



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# RABBI SHALOM

## ROSNER

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# Sustainability in the Torah

”כי תצור אל-עיר ימים רבים להלחם עליה לתפשה לא תשחית את עצה לנדח עליו גרזן כי ממנו תאכל ואתו לא תכרת כי האדם עץ השדה לבא מפניך במצור.” (דברים כ:ט)

“When you besiege a city for many days to wage war against it to capture it, you shall not destroy its trees by wielding an ax against them, for you may eat from them, but you shall not cut them down. Is the tree of the field a man, to go into the siege before you?” (*Devarim* 20:19)

In recent years, there has been a renewed focus on the environment, and in particular on recycling of plastics and waste. The *pasuk* cited above is the source for the prohibition of *bal tashchit* – unnecessary destruction of resources or objects. Rambam (*Melachim* 6:10) includes in the prohibition any kind of destructive

behavior. “Not only trees alone, but anyone who destroys vessels, tears clothing, breaks a structure, closes a water source, or destroys food, violates the prohibition”. What is the reasoning underlying this Biblical prohibition? There seems to be a fascinating debate whether the focus is on the person or on the object, as we would call in lomdish terms, the “cheftza” or the “gavra”.

*Netziv*

The *Netziv* posits that one is prohibited from destroying any object from which he may derive benefit. Everything that HaKadosh Barukh Hu provides for us has a purpose. If we destroy it, we are not utilizing it to its full potential. The *pasuk* states the reason for not destroying the trees: “for you may eat from them.” There is a benefit to be derived from the fruit tree, so we must not destroy it.

*Hazal* (*Chullin* 91A) tell us that Yaakov was left alone because he went back to retrieve *pahim ketanim* (small jugs) that he

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had left behind. Rav Yosef of Salant questions this seemingly trivial behavior. Who would be concerned with small jugs?! He explains that righteous people always value every item, large or small, that comes into their possession, as they recognize it is *hashgaha pratit* – provided by the Almighty. In essence, Yaakov returned to retrieve the small jugs to avoid violating *bal tashchit*.

*Sefer HaChinuch*

Sefer HaChinuch (\$529) has a totally different focus in explaining this mitzva. He deemphasizes the subject and focuses on the person himself. A person is to refrain from acts of destruction. Being involved in destructive activities will breed in a person a destructive nature, which is against the Torah outlook on life. The Sefer HaChinuch consistently applies this principle that “*aharei hape’ulot nimshahot halevavot*” – “The heart follows actions.” Engaging in destructive acts will desensitize us and turn us into destructive people. In contrast, if we are sensitive to the destruction of any object, we will become more sensitive human beings. It is said that Rav Kook zt”l wouldn’t, and couldn’t, even kill an annoying gnat or fly. Destructive activity was simply not in his purview of activities.

When we recognize that all that we have is from Hashem, including the beautiful world around us, it behooves us to take care of our surroundings as well as our possessions. Environmentalism is not a new phenomenon. It is something that originated in the Torah. ■

Mazal Tov to  
**Chaya & Rabbi Reuven Grodner**  
*and family on the marriage of a grandson*



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# REBBETZIN SHIRA

## SMILES

Faculty, OU Israel Center

# Walking Wholehearted

Wholehearted, complete. The Torah demands of every person, “**Tamim** tihyeh im Hashem Elokecha” (*Devarim 18;13*). Rashi (*ibid.*) explains that one should not inquire about the future, rather accept all that happens with equanimity. In ancient times divinations, witchcraft and omens were common methods of foretelling the future. Yet the concept is just as relevant today. Let us see how this mitzvah is applicable and significant.

Rav Egbi in *Chochmat Hamatzpun* notes that this injunction addresses basic human nature. People are naturally anxious and worried about the future. We all want to know what will be tomorrow, next month or next year. We are concerned with the future

and how we will be affected. But there is another part of us that is untroubled, care-free and carries on without thought. The challenge is to use each of these polar opposites in attitude at the right time. People tend to be placid, complacent and without worry when it comes to *chodesh Elul* and the upcoming *Yom Hadin*. However, this is the appropriate time for our worry and uneasiness to dominate. Now is the fitting time to become proactive in self-improvement, knowing that our destiny is hanging in the balance and dependent on our resolutions. One’s ability to ‘walk wholeheartedly’ with Hashem reflects an advanced level of *bitachon*, notes the *Maharal* in *Netivot Olam*. It is the realization that we have only that which Hashem generously grants us. The *Ba’al Haturim* finds this exalted level hinted at in the large letter *taf* in the word **tamim**, symbolizing that living with this authentic perspective is akin to keeping the entire Torah from *alef* to *taf*.

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Rav Gamliel Rabinowitz in *Tiv Hatorah* exhorts us to turn to Hashem, asking Him for success in all our endeavors. Although we are obligated to invest personal effort (one should get medical advice from a professional, business advice from a financial expert) we must realize that the ultimate outcome of everything that happens is up to Hashem. All our efforts are simply the medium by which we open ourselves to receive blessings from Above. Every morning when saying the *brachah* “*hamechin mitzadei gaver*”, notes *Laboker Rina*, we should be mindful that Hashem is the One who orchestrates the events of our day and leads us with direct Divine intervention. Internalizing this message enables us to live with *temimut*.

Another aspect of this mitzvah is our overview of mitzvah performance, explains the *Netivot Shalom*. The way we do a mitzvah should reflect our desire to fulfill the Divine *ratzon* without involving any personal agendas or design. The ultimate service of G-d embodies this simplicity of spirit and ought to permeate all our actions. ■

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## What Is Our Question?

As a child, Rav Yitzchok Tuvia Weiss, shlit'a, the *Gaavad* (*Gaon Av Beis Din*) or head of the Edah HaChareidis in Yerushalayim, grew up in a small city near Pressburg. In advance of the German invasion of Slovakia, community leaders were at a loss how to respond, whether to attempt an escape, or acquiesce with the demands of the occupying Germans. The head of the Jewish community charged the twelve year old Tuvia as a messenger to communicate with the rabbanim of Pressburg to determine a course of action.

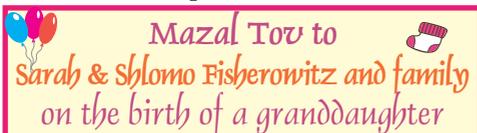
Upon arriving in Pressburg, Tuvia found the rosh ha-kahal to be in broken spirits. The updates were discouraging, there were no good options for the Jewish communities of Czechoslovakia. The rosh ha-kahal had, however, received a certain amount of train passes from the UK-based

International Aid Committee for Children to relocate Jewish children to safety in Britain. "I don't know who to save, and who has precedence over whom, but since you've come here, take a ticket and save yourself."

Tuvia escaped Slovakia on a kindertransport shortly before his bar mitzvah in the spring of 1939, leaving his parents and family behind. He was enrolled in "Schneider's", Yeshiva Toras Emes, in Stamford Hill, London.

Shortly thereafter, a ceremony was organized in the presence of the King of England to recognize the country's efforts to save and care for the Jewish children. Dressed in the new clothes provided by the government, one thousand children lined up on both sides of the road to honor the arrival of King George's motorcade.

As the King passed through, smiling and waving toward the cheering crowd, Tuvia saw one of the children suddenly break the line and jump at the limousine. The security personnel moved quickly to pull the boy away, but he had caught the attention of King George, who asked that the child be allowed to approach. The courageous (and brazen) child thanked the king for his kindness in saving his life. He then began to cry, "My parents, sisters and brother are all still in danger! I am all alone here... Please, your highness, find room in your heart to have compassion on my family and help them as you have saved me!"



That child's emotional outburst jolted the king and those present. Two weeks later, through royal intervention, the child's parents and siblings arrived in England. Reunited, they all survived together.

.....

The Alter Rebbe, Reb Shneur Zalman of Liadi, metaphorically describes the ways by which we can reach *HaKadosh Baruch Hu* throughout different times of the year.

While the King sits upon his proverbial throne, ensconced in the palace in the capital city, He is nearly inaccessible, surrounded by guards. However, in Elul, Hashem reveals Himself to all and is approachable, like a king who is traveling in the countryside: *המלך בשדה*, "The King is in the field."

The Alter Rebbe thus frames the auspicious days of Elul when we are focused on the process and *avodah* of *teshuvah* through prism of the words of the prophet:

שובו אלי ואשובה אליכם אמר ה'

"Return to Me, and I will return to you—  
said Hashem... (*Malachi*, 3:7)

When approaching the *Melech* in the field, we are living the words *שובו אלי*, "Return to Me." *Teshuvah* sets the process in motion to reach the level of *אשובה אליכם*, "And I will return to you," God's returning to us, so to speak. This is the level we live out during the *Ne'ilah* service, the culmination of the intensive days of *Teshuvah*: "The day has passed, the sun has set, let us enter Your gates." In Elul we traverse the field together with the King, and enter the "gates" of His palace.

During this month, as the King has emerged from His concealed and 'distant' abode, our awareness of what is important



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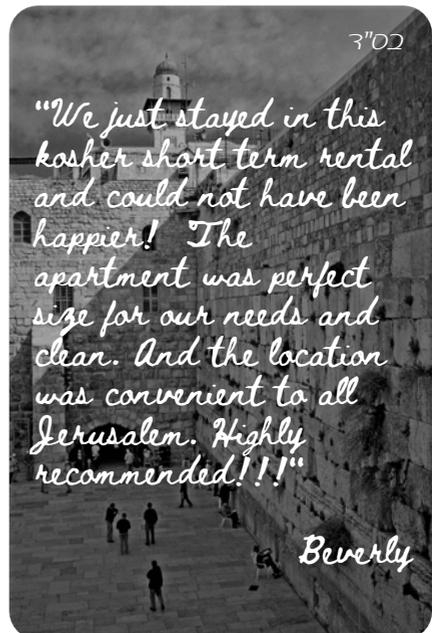
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in life comes into focus. We feel what is essential and primary is sharpened. This is why throughout Elul and the Yamim Noraim we add *Kapitel Chaf Zayin* (Psalm 27) to our daily tefillah:

אַחַת שְׁאַלְתִּי מֵאֵת ה' אֹתָהּ אֲבַקֵּשׁ

“One thing I ask of Hashem, this I will request:

שְׁבֹתִי בְּבֵית ה' כְּלַיְמִי חַיֵּי לַחַזוֹת בְּנַעַם ה' וּלְבַקֵּר  
בְּהִקְלוֹ:

to dwell in the house of God all the days of my life.

In considering our lives and priorities, adding these words of David haMelech orient us toward inner reflection. ‘How real is my desire to cultivate a sense of closeness in my relationship with Hashem? During these days of Elul, am I thinking about how to strengthen my connection

to the *Ribbono shel Olam*? If I could only choose one request, when the opportunity to approach the King comes, what would that request be?’

.....

Rav Tuvia Weiss once revisited the dramatic episode as a bar mitzvah boy long ago in England: “The king was right before our eyes. While 999 of us stood at the side, waving and clapping, only one child realized the opportunity and summoned the courage to cry out before the king. I let the chance slip away, but his entire family was saved.”

This Chodesh Elul, may we consider and clarify what we are asking for. And may we be blessed to break the line and throw ourselves before the King with our request. ■

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SUN, AUG 15

**9:00 AM**  
**Rabbi David Walk**  
Resumes in the fall

**10:15 AM**  
**Rabbi Ahron Adler** Rambam's  
Commentary to Pirkei Avot

**11:30 AM**  
**Rabbi Yitzchak Breitowitz**  
Shir haShirim (L'Ayla)

**2:00 PM**  
**Rabbi Jeffrey Bienenfeld** Men's  
Gemara Chabura S,T,TH  
<https://zoom.us/j/887981820>

**4:30 PM**  
**Rabbi Hillel Ruvell**  
Men's Gemara B'Iyun S,M,W,Th  
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events/hebrewhike](http://www.ouisrael.org/events/hebrewhike)

**8:00PM**  
**Rabbi Zev Leff**  
The Three Prongs of Elul  
[https://zoom.  
us/j/82981895922](https://zoom.us/j/82981895922)



MON, AUG 16

**9:15 AM**  
**Mrs. Pearl Borow**  
Divrei Hayamim

**10:30 AM**  
**Rabbi Avi Herzog**  
Parshat HaShavua

**11:45 AM**  
**Rabbi Shmuel Herschler**  
Ethics, family and society  
in the writings of Rav  
Hirsch, Rav Kook and Rav  
Soloveitchik

**4:30PM**  
**Rabbi Hillel Ruvell**

**7:00 PM**  
**Rabbi Baruch Taub**  
Parshat HaShavua  
Zoom only

**9:00 PM**  
**Rabbi Sam Shor**  
Resumes in the fall

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TUE, AUG 17

**9:00 AM**  
**Rabbi Yitzchak  
Breitowitz**  
Minchat Chinuch

**9:15 AM**  
**Mrs. Shira Smiles**  
Torah Tapestries  
(L'Ayla)

**10:30 AM**  
**Rabbi Yossi Goldin**  
Parshat HaShavua

**2:00 PM**  
**Rabbi Jeffrey  
Bienenfeld**

**5:00 PM**  
**Mrs. Sylvie Schatz**  
Chazal: Insights Into Our  
Times (L'Ayla)  
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**9:00 AM**  
**Rabbi Shimshon Nadel**  
Halacha and Medina

**10:15 AM**  
**Rabbi Anthony Manning**  
Contemporary Issues in  
Halacha and Hashkafa

**11:30 AM**  
**Rabbi Alan Kimche**  
Great Jewish Thinkers

**4:30PM**  
**Rabbi Hillel Ruvell**

**7:00 PM**  
**Rabbi Baruch Taub**  
Halacha Zoom only

**8:30 PM**  
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(Hebrew)  
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THURS, AUG 19

**10:15 AM**  
**Rabbi Baruch Taub**  
Parshat HaShavua

**11:30 AM**  
**Rabbi Shai Finkelstein**  
Unlocking the Messages of  
Chazal

**2:00 PM**  
**Rabbi Jeffrey**  
**Bienenfeld**

**4:30PM**  
**Rabbi Hillel Ruvell**

**8:00 PM**  
**Rabbi Ari Kahn** Parshat  
HaShavua [https://zoom.  
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Meeting ID: 876 5535 7538, Passcode: 926035

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Topics to be addressed

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## Geulas Yisrael Shoftim: A Jewish Army

After a 2000-year absence we have returned to our Homeland. During this long absence we lacked a Jewish State and the various institutions of statehood. Amazingly, we survived and we thrived, despite the fact that we lacked any national infrastructure. Torah, tefilla, faith and community were all durable enough and resilient enough to sustain rich Jewish experience even without a Land, a government and national institutions. Now that a Jewish state has been reestablished we are also restoring our many lost traditions.

One of the most symbolic institutions to be revived is a Jewish army. Jews, including our foremost Torah scholars, were always soldiers. Settling the Land of Israel necessitated war, and most of the able-bodied male population participated in these legendary campaigns- referred to as “milchemet mitzvah”- or wars ordained by the Torah. After the crushing defeat of the Bar Kochba rebellion in 130, the tradition of Jewish soldiers faded from history. Rebbe Akiva’s students were the final soldier/scholars to defend our country. After their defeat it would be two millennia until this tradition was resuscitated.

With our miraculous return to Israel

many Torah students have resumed this great tradition. The opportunity to defend our country and participate in the rebuilding of our Land is a mitzvah which previous generations could only dream about. Sadly, the world has yet to accept our full return to our ancient Homeland. It is likely that full international acceptance will only be attained when history ends. Until that point, as we dream and pray for peace, we still must be ready for war and prepared to defend our country. Unquestionably, our continued survival in the face of such relentless and violent opposition, is a Divine miracle. Under constant threat of terror and facing endless rocket barrages, we are lovingly protected from above, as Hashem is clearly shining his miracles upon our State and upon our people. Jewish soldiers are partnering with Hashem in this historical struggle to resettle Israel and reestablish His overt presence in our world. Dovid was perhaps our greatest warrior King and supervised impressive military triumphs. A fascinating midrash cites Hashem assuring Dovid Hamelech “we will share the victory-sheli v’shelcha hi hanitzachon.” Hashem wants human partners in this military process and He is eager for humans to take their fair share of credit.

Additionally, serving in the Israeli army is a deeply iconic experience. For the past 2000 years Jews lived at the complete mercy and whim of Gentile soldiers. The arrival of

soldiers to Jewish towns and villages elicited dread and horror. Jews lived at the complete mercy of soldiers who could kill, maim, rape and plunder them with impunity. No one would protect the “punching bag “ of history. Many illustrated Haggadot portray the evil son or the “rasha” with a drawing of a soldier: a Roman sentry, an Arab marauder, a French Crusader, a Polish Cossack or a Russian soldier. For thousands of years a Gentile soldier epitomized evil.

We are no longer unprotected. Standing in the presence of any Israeli soldier who protects us rather than persecuting Jews is a spiritually and historically affirming moment. To stand in the presence of a religious soldier, and especially one who combines Torah study with the mitzvah of army service is almost Messianic.

Beyond the practical need to serve in the Israeli army and beyond the historical resonance associated with Jewish soldiers, this great mission provides important social opportunities. Religious Jews serving in the army showcase religion to the broader secular public in a non-threatening and non-patronizing manner. Sadly, the religious/secular divide in our country continues to expand. Religion has been badly politicized and even sincere efforts to inspire or educate often comes across as condescending or sanctimonious. The army is a great equalizer: religious and secular Jews are tossed together into the same experience and together they face the stresses of army life. Everyone is equal in the eyes of the army and this inherent parity fosters healthier and less threatening interactions. In this more leveled atmosphere religion can be quietly modeled rather than



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aggressively preached. For many secular Israelis army service is the best, and maybe the only opportunity to encounter healthy religious role models.

Finally, religious Jews serving in the army assists in transforming Israeli society at large. The army as one of Israel’s essential and most valued institutions often catapults its successful officers into careers of leadership and influence. By serving in the army religious soldiers better position themselves for future impact of society at large. If we hope to inspire the broader country with a religious tone, we must participate in this seminal national enterprise. Army service isn’t just an enormous mitzvah and an opportunity for Kiddush Hashem. It is also a vehicle for ensuring that we continue to imbue religious ideals within broader Israeli society and culture. ■



# SIMCHAT SHMUEL

BY RABBI SAM SHOR

Program Director, OU Israel Center

**S**hoftim V'Shotrim Titein Lecha B'Chol Shaarecha- Judges and officers shall you place at all your gateways..."

Our sedra opens with a clear directive to establish a system of law and order, both officers to ensure the security of our community, and judges to oversee that justice is indeed enforced. However, the Chasidic Masters see great symbolism in this opening verse.

Rabbi Tzvi Elimelech of Dinov, the *Bnai Yissascher zy'a*, suggests that the words *bchol shaarecha*- all your gateways is alluding to the seven openings in a person's face - two eyes, two ears, two nostrils and our mouths. It is through these openings that most of our senses are manifest and activated. Our verse, explains the *Bnai Yissascher*, teaches us the importance of safeguarding and protecting how we use each of our senses - what images we might look at, what type of speech we

might choose to listen to, what foods we choose to smell and taste, and how we use our capacity to speak. Each of these senses can be used for great good, or can be misused for harm.

The *Netivot Shalom, the Slonimer Rebbe zy'a*, points out that *Parshat Shoftim* is always read during the month of Elul. Elul is the time of year when we make every effort to elevate our spiritual awareness and conduct, and therefore our *pasuk* is reminding us that we must utilize all our senses and capabilities to accomplish the goal of growth and self improvement.

The *Chidushei HaRim*, the first *Gerrer Rebbe zy'a*, adds that the *pasuk* continues *Shoftim V'Shotrim Titein Lecha B'Chol Shaarecha-asher Hashem Elokecha Notein Lecha* - if one would only realize that all our capabilities and strength, all *bracha* that comes into our lives, is indeed a gift from *Hakadosh Baruch Hu*, then of course we will use those gifts to elevate ourselves, and to elevate our surroundings.

May each of us be blessed to embody these beautiful ideas, and reach great heights in our *Avodat Hashem*. ■

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## DIVREI MENACHEM

BY MENACHEM PERSOFF

Special Projects Consultant, OU Israel Center  
mpersoff@ou.org

### For But One Morsel of Bread

One of the most obscure commands of the Torah appears in our Parsha – and yet it is one of the most profound in its message. We are told that if a slain body is found strewn on the ground and it is not known who struck the victim, the elders and the judges of the nearest towns should figure out the probability that the murderer emerged from their area of authority.

Following that process, the appropriate elders take a heifer that never worked to a primitive, rugged valley which has never been and will not be worked or sown and there cut the heifer's throat. Now the Kohanim enter the picture and oversee the elders proclaiming that their hands had not shed this blood and that their "eyes had not seen him" (Devarim 21:7).

Who is the object of that last statement – the victim or the murderer? And what does the slaughter of the heifer teach us? There is a debate between the Babylonian Talmud and the Yerushalmi as to whom the

elders' refer; however, most opinions seem to agree that the reference is to the victim.

Rashi comments, however, that would anyone suspect the elders of being involved in a murder. The answer, of course, is negative. But, nevertheless, if one delves deeper, the local authorities were guilty of negligence: They let a starving traveler pass through without providing him with provisions for the way. Thus, in desperation, perhaps, that individual killed someone for food.

The victim, in turn, was denied the opportunity to make a living and fulfill his life's mission. So, the elders cut the heifer's throat in a hard place, not as a sacrifice but as a symbol of lost living potential.

In the words of S.R. Hirsch: "The life of every man, uninjured and undisturbed by his fellow-man, is one of the highest goals of the whole of God's plan for Israel. And a murdered body thrown down on the soil of His Torah-land is the greatest mocking defiance of that Torah."

So, as Rosh Hashanah approaches, let us take that extra bit of care to ensure that that needy person out there has what to eat. ■

Shabbat Shalom! *Menachem Persoff*

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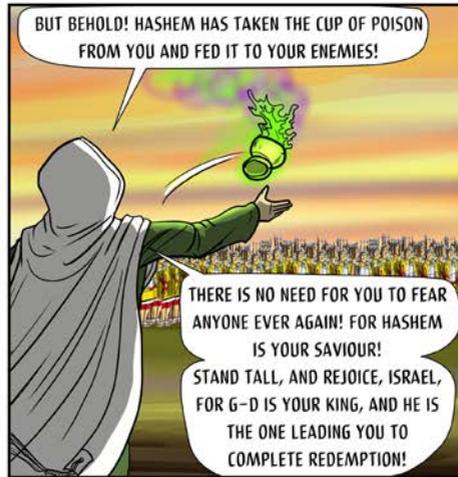
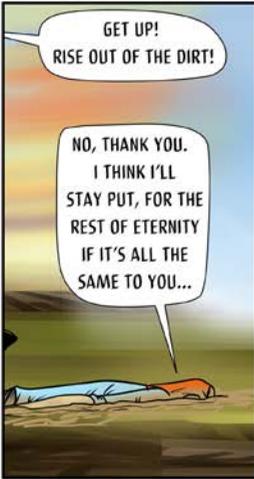
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**RABBI AARON**

Editor, Torah Tidbits

**GOLDSCHIEDER**

## The Sun and the Moon

Invariably, every year *Parashat Shoftim* is read as the Jewish world usher in the days of *teshuvah*. Rabbi Joseph B. Soloveitchik zt”l unearthed a beautiful gem from the parsha that offers a unique perspective regarding repentance and renewal.

“By the mouth of two witnesses, or three witnesses, shall the one liable to death be put to death...” (*Devarim* 17:6)

The Rav cited an obscure passage in the Zohar which utilizes this verse in a unique manner:

“When Satan came to persecute Israel on Rosh Hashanah, the Holy One Blessed be He said to him, “Bring me two witnesses,” as the verse states: “By the mouth of two witnesses...shall the one liable be put to death.” (*Devarim* 17:6). [Satan] brought the sun and sought to bring the moon. However, the moon is hidden on Rosh Hashanah, as the

verse states: “blow the Shofar on the holiday when the moon is hidden” (*Tehillim* 81:4). When [Satan] came and only brought the moon to testify, the Holy One Blessed be He said, “One does not bring judgment through testimony of a single witness, as the verse states: “He shall not be put to death by the mouth of one witness” (*Devarim* 17:6).

The Rav brilliantly elucidated the meaning of this midrash. The sun represents that which is observable and apparent. In the midrash’s allegory the sun is summoned to offer testimony regarding those deeds and actions of a Jew that are revealed. Outwardly there are many instances of sinful behavior by which a Jew is to be found guilty. Therefore it can testify regarding a Jew’s external sins.

In contrast, the moon represents concealment; the moon waxes and wanes. The moon is often barely noticeable. In our midrash the moon represents the hidden or concealed layer embedded in every Jew; below the outer surface there exists another layer which is obscured to the perception of man.

Moreover, this inner, concealed layer in a Jew represents his sincere intentions and true personality. The moon, which represents the hidden essence, is therefore depicted by the midrash as changing from a prosecuting witness to a defense witness.<sup>1</sup>

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1 *Rebbe Nosson of Nemirov, the prized student*

The Sages in this passage are evincing a notion that there exists within every Jew an entirely pure soul which longs for the Creator. This idea is actually one of Chassidut's most cherished teachings; what is popularly referred to as the *pintele yid*, the inner spark of Jew that never extinguishes, and even more so, longs for the Creator.<sup>2</sup>

Expanding on this theme the Rav addressed a perplexing issue related to the Jewish calendar. The Talmud raises the question regarding the date on the Jewish calendar that marks the new year. Paradoxically there are two "new years": The first of

---

*of Rebbe Nachman of Breslov, offers virtually the same explanation (Likutei Halachot, Choshen Mishpat, Hilchot Matana 1:7).*

<sup>2</sup> See *Sefer Tanya, Chapter 19* where the founding Rebbe of Chabad employs the metaphor that the soul is like a candle that gravitates heavenward and longs for holiness. It is well documented that Rabbi Soloveitchik was deeply impacted by the philosophy of the Tanya dating back to his education as a youngster.

*Tishrei* and the first of *Nisan* (Rosh Hashanah 10b-11a).

The Rav suggested that from a conceptual perspective the two dates represent two modalities. The month of Tishrei which commences with the holiday of Rosh Hashanah marks the creation of the universe and the formation of man, events shrouded in mystery. These are symbolic of concealment and the obscured aspects in this world. In contrast, the new year of *Nisan* marks the Exodus from Egypt, an event that was public and packed with miracles for all mankind to witness, denoting that which is public and revealed to all.

This bifurcation, according to the Rav, is referred to in the language of Kabbalistic masters as *alma de'itkasya* (an unseen world) and *alma de'itgalya* (a revealed world). There is a world we readily perceive; we can touch it, describe it, and grasp it intellectually. Yet, there is another dimension which is mysterious, hidden and inexplicable. ■

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## Moving a *Tzedaka* Box on Shabbat

**Question:** I, a *gabbai*, found on Shabbat morning that the *tzedaka* box was on the *bima*, where it would get in the way and/or get knocked off during *laining*. Is it permitted to move the *tzedaka* box in that situation?

**Answer:** Review the basic rules of *tiltul min hatzad* (indirect moving of *muktzeh*) will allow us to come to solutions.

The *gemara*, in three places (Shabbat 43b, 123a, 141a) raises the question whether *tiltul min hatzad*, i.e., by moving a non-*muktzeh* object one also causes a *muktzeh* item to move without touching it, is considered forbidden moving of *muktzeh*. Examples include moving a corpse by tilting the bed it is in so that it slides to a different bed, and grabbing a (picked) vegetable that is partially buried in earth, which causes the surrounding earth to move. The *gemara* identifies this question as a *machloket* among *Tannaim*

and *Amoraim*. In discussion about the halachic conclusions on this matter, *Rishonim* compare this matter to the *mishna* (ibid. 141a) that one may not arrange the straw (usually *muktzeh*) that is sitting on top of a bed with his hand but may arrange it using his body (ostensibly, *min hatzad*).

Tosafot (Shabbat 44a) distinguishes between *tiltul min hatzad* for the purpose of protecting or using the *muktzeh* item, which is forbidden, and *tiltul min hatzad* to remove the *muktzeh* because it is a disturbance, which is permitted. The Rosh (Shabbat 3:21) posits that whereas *tiltul min hatzad* is forbidden for the purpose of the *muktzeh* item, moving the *muktzeh* with a part of the body that is not usually used for such things (*tiltul b'gufo*) is not considered halachic moving and is permitted even for the purpose of the *muktzeh*. The Shulchan Aruch (Orach Chayim 311:8) accepts the leniencies of both distinctions. *Tiltul min hatzad* is permitted when it is for the purpose of the non-*muktzeh*, and *tiltul b'gufo* is permitted for all purposes. Therefore, the Mishna Berura 308:13 allows kicking *muktzeh* even to protect it. The Chazon Ish (OC 47:12-13) understands the Rosh as permitting only moving with the body in a subtle way, like lying on the bed in such a way that moves the straw, but not in doing something direct and obvious with an unusual part of the body, like kicking *muktzeh*. The *minhag* is to be lenient, like the Mishna Berura

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(308:13), against the stringency of the Chazon Ish (Shemirat Shabbat K'hilchata 22:34).

Based on the above, we suggest the following possibilities: 1) If the *tzedaka* box is situated in a place that makes it hard to *lain*, one may push or lift it with a non-*muktzeh* object to a place where it will not be in the way. This is a classic example of *tiltul min hatzad* for a reason other than the purposes of the *muktzeh*.

2) Similarly, if the *bima* is not fully useable because of the *tzedaka* box, you can carry the *bima* cover to deposit the *tzedaka* box somewhere, without moving it directly, and then return the cover to its place (see Shulchan Aruch. OC 309:3, based on Shabbat 142a). While vis a vis the cover, it suffices to keep it where it is and shake off the *tzedaka* box, we are not required to use the system of shaking off if it will cause: damage to the *tzedaka* box, some of the money to get lost, or an unsightly situation of coins on the floor (see Mishna Berura 277:18; Shemirat Shabbat K'hilchata 20:47; see *ibid.* (167) that

some might disagree if not shaking it out in its place is only to not damage the *muktzeh*.) Using this system assumes that the *bima* cover is not a *basis l'davar ha'asur* (a base for something *muktzeh*), which is quite clear since no one would purposely leave a *tzedaka* box on a *bima* for Shabbat (see Shulchan Aruch, OC 309:4).

If the *tzedaka* box is in a place on the *bima* in which it does not take away from using the *bima* effectively and respectfully but one is only concerned that the *tzedaka* box might accidentally get knocked off, neither of the above systems suffices. #3 does.

3) If one is nimble enough to use an unusual part of the body (e.g., elbows, teeth) to remove the *tzedaka* box from the *bima*, this is permitted based on the leniency of *tiltul b'gufo*. ■

*Eretz Hemdah has begun a participatory Zoom class - "Behind the Scenes with the Vebbe Rebbe" - an analytical look at the sources, methodology, and considerations behind our rulings, with Rav Daniel Mann. Contact info@eretzhemdah.org to join.*

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**Machon Puah for Fertility and  
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## Who is the Father?

Last time we explored the discussion about whether fertilized eggs cryo-preserved in the clinic can be considered a legal entity, and can be owned by one of the parents. Are they the property of both parents, or of either of them separately? Can one of them sell the eggs to someone else, even without the agreement, or even the knowledge, of the other spouse?

Rabbi Shaul Yisraeli, the late Rosh Yeshiva of Merkaz Harav and founder of the halachic institute Eretz Chemda, raised another question regarding the relationship between the parents and the fertilized eggs.

While the mother can be considered the woman who gave the egg and carried the pregnancy, can the father who supplied the sperm be considered the father? Generally, the father of any child is considered the husband of the woman who gave birth. This is a fair and intuitive assumption since she probably got pregnant from him, and, therefore, unless there is clear evidence to the contrary, the husband is the father of the child.

However, when eggs are fertilized in the laboratory, the connection with the husband is severed and there are many poskim who question whether, in such a case, the husband is still halachically considered the father. This is connected to another question: does a man fulfill his halachic obligation to be fruitful and multiply, to procreate, through fertility treatment? Since this is an unusual method of procreation, and the assumption that he is the father is not clear, many claim that a man does not fulfill his halachic obligation to have children through in-vitro fertilization.

If the man is not considered the halachic father and does not fulfill the obligation to procreate through fertility treatment, then he has no claim over the fertilized eggs. He is not the father, and the eggs do not belong to him, even if we can claim that fertilized eggs are a legal entity.

If this is true, then the only owner of the fertilized eggs would be the mother, and she alone could decide what to do with them. She could sell them, destroy them or take any other action without his permission.

But it is far from clear that the husband is not the halachic father of a child conceived through in-vitro fertilization. In fact, there seems to be a strong source to suggest that he is definitely considered the father.

More on this next time. ■

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## Deadlines For Planting Trees And Plants Before Shemita

Some of the *halachot* here were discussed by Rabbi Ezra Friedman in his articles in TT. Here we will state our conclusions only. For the full article with sources and further explanations, see our website.

The *Mishnah* states that trees should not be planted in the sixth year unless they take root prior to *Rosh Hashanah*. The *Gemara* adds an additional 30-day requirement. According to the Rambam this is because of *maryit ayin* – so it will not appear that the tree was planted during *shemita*. The additional 30 days count as an entire *orlah* year; otherwise, the tree's first *orlah* year would be during *shemita*. This means that we need to plant 44 days before *Rosh Hashanah* (30 days for the *orlah* count plus 14 days to take root).

### In practice:

#### **Fruit trees**

Bare-rooted fruit trees – **15 Av**.

Fruit trees encased in a clod of earth, whose *orlah* count will restart upon transplant (e.g. sat on a surface detaching it from the ground) – **29 Av**.

Fruit trees encased in a clod of earth, whose *orlah* count will continue (e.g. buying a tree from a supervised nursery or moving a tree in our garden from one side to the other) – **29 Elul**.

#### **Non-fruit trees**

Bare-rooted trees – **15 Elul**.

Non-fruit trees encased in a clod of earth – **29 Elul**.

#### **Vegetables**

Sowing – should be completed by **15 Elul**; otherwise they may be *sefichin* and forbidden to eat.

#### **Planting**

Bare-rooted vegetables should be planted by **26 Elul** (3 days to take root).

Vegetables that come in small planters

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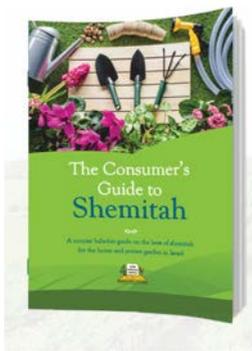
with soil can be planted by **29 Elul**.

**Ornamental plants** – **26 Elul** (3 days to take root).

**Bulbs** – Can be buried in the ground until **29 Elul**.

**Grass** – Lay turf **several weeks before shemitha** to allow it to take root and to make it possible to mow the lawn once before the onset of *shemitha*.

We highly recommend: Don't wait until the last minute! ■



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### Social Injustice

#### Warriors

King John is most well-known for his portrayal as the bad guy in Robin Hood.

What is less well known is his vital role in the development of Western civilization.

On the 15th of June in the year 1215 King John was compelled to sign a document that would change the course of history- the Magna Carta.

In clause 39 of this groundbreaking legal paper, it states:

“No free man shall be seized or imprisoned, or stripped of his rights or possessions, or outlawed or exiled, or deprived of his standing in any other way except by the lawful judgement of his equals or by the law of the land.”

Thus was codified into English common law the idea of ‘due process’ - everyone has the right to a fair trial before they are convicted of any crime.

Nearly 2500 years before the Magna Carta, Moshe Rabbeinu set forth the exact same concepts in our very Parasha.

Scattered throughout Parashat Shoftim are laid out the foundations of a complex and advanced legal system, designed to ensure the correct application of justice

across the board.

(See for example: Devarim 16:18-20; 17:6, 8-13; 19:1-6, 11-13, 15-21; 21:1-10).

B”H today’s legal systems are, on the whole, very good.

Unfortunately, the court of public opinion is less accommodating. In today’s cultural and political climate people can be tried, judged, and penalized online by an angry mob on social media.

A mere accusation is often taken as proof of guilt and people’s lives can be ruined without any evidence of wrongdoing being shown.

Cancel culture knows no fair trial and on twitter all justice is social and in name only.

Both our secular and religious traditions have taught us to be slow and careful before we pass judgement on others, and always strive for a fair and honest trial.

“Tzedek Tzedek Tirdof” it says in our Parasha - if we don’t work hard and pursue it - justice can easily be cast aside.

Let us be wary of jumping to conclusions and judging others unfairly, lest we fall into the trap of old bad king John.



**Talia Rapps**  
12th Grade, Efrat

### Communal Responsibility

There is much to discuss in this week’s

parsha but I would like to focus on the topic of *Eglah Arufah* (a calf whose neck is broken).

The mitzvah of *Eglah Arufah* is performed when a murdered body is found in an open field and no one knows who is responsible. The elders and judges must measure the distance between the body and the nearest city. Then the elders of that city perform a very strange ritual which has no explanation. This is known as a *chok* - a law commanded by God without an explanation for why it's done. They must take a young calf that has not yet been used for work and is without blemish, and break its neck over a *nachal eitan* (a dry riverbed). Afterwards, they must wash their hands and declare that they did not kill this person or witness the murder.

Rashi asks a question: why must the elders deny their involvement? After all, no one thinks they had anything to do with it. Rashi explains that they are taking responsibility for what happened by confirming that they did all that they could in order to prevent it from happening.

I think we can learn a very important message from this mitzvah, and from the role of the elders in particular. In life, each and every one of us holds a responsibility for ourselves as well as the people around us. We all have the ability to become better people and influence those around us to become better. While you may think this mitzvah should only be required for the individual who actually performed

the killing, this is not the case. The entire community, including the leaders, must partake in this mitzvah and take responsibility for what happened. This shows the importance of communal responsibility as well as individual responsibility. This mitzvah emphasizes the immense power we have as a community beyond our own individual responsibility. ■

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## Giving A Bit More Time

### EMT performs successful CPR on unconscious patient and gives the man's wife and family time to say goodbye

Carmiel - On Wednesday night, at 9:45 p.m., United Hatzalah volunteer EMT Eric Barel was in his home in Carmiel when he was alerted to a nearby emergency. A few houses down from Eric's house, a 60-year-old man lost consciousness in his home. Eric immediately jumped on his ambucycle and rushed over to his neighbor's house.

As he swerved through the street aboard his ambucycle, Eric could not locate the address from the main road. As he turned into an alleyway, Eric noticed a small entrance to a building and informed United Hatzalah's Dispatch and Command Center that he had arrived.

Upon arrival, Eric found a woman attempting chest compressions on her unconscious husband. The pulseless 60-year-old was leaning on a pile of pillows, making her compressions ineffective. Eric identified himself to the woman, informing her that he was an EMT and he was going to take over. The relieved wife stepped away and allowed Eric to check the man's vital signs, just as an additional EMT walked in.

After assessing that the man was in cardiac arrest after suffering a heart attack, the two EMTs began CPR. The second EMT began compressions as Eric attached his defibrillator. The defibrillator did not advise a shock, and so Eric positioned himself next to the patient's head and began assisted ventilations.

After a few minutes of CPR, Eric's defibrillator detected a heart rhythm and advised a shock. Just as the shock was administered, a mobile intensive care ambulance arrived at the scene. The paramedic from the ambulance assessed the man's pulse and informed Eric and the EMT that they had successfully returned the man's pulse.

After a quick briefing, the paramedic administered medicines and prepped the patient for transport. The crew attached the patient to oxygen and continued supplying oxygen en route to the hospital.

"I had a chance to visit the family on Thursday afternoon, unfortunately the wife informed me that the patient had passed," said Eric. "I spoke to the wife for a while and she explained to me how the medical staff was able to stabilize his condition and that he was improving. When she got in the car to visit him she was informed that his situation had worsened. Keeping in touch with the family of a patient can sometimes mean a great deal toward the family's acceptance of the situation. The wife thanked me for arriving when I did and giving her husband the best chance at life that he could have had. By returning the man's pulse I had given her a few more moments to say goodbye."

(A UH first volunteer responding to a medical emergency at night – illustration)



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