



OD YOSEF HAI NEWSLETTER

ROSH YESHIVAH AND COMMUNITY RABBI
DAYAN ABRAHAM DAVID SHLI"TA

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Thoughts on SHOFTIM

by Dayan Abraham David

The Parashat begins with the appointments of Jewish judges and law courts in all our cities. The Torah warns the judges of how careful they must be to achieve true justice; '*lo tate mishpat*' do not turn the judgement towards even a deserving case, i.e. to give an advantage to a poor man who needs the money more than his rich opponent; '*lo takir panim*' do not show favour to one side even when hearing their dispute i.e. smile at one more than the other or have one side sit and the other stand for this can effect the confidence of the person not shown favour. '*Lo tikach shochad*' do not accept a bribe even a gesture of one, even with the intention of judging correctly. The requirement is for judgement not just for law and order as the law courts of the world, for the laws and judgements we follow are the laws of G-d and His ultimate wisdom in this world as revealed to Moshe in the Torah. That is why this command is followed immediately by some laws connected to the Temple and '*Korbanot*' the offerings; '*lotita ashera*' do not plant trees in the Temple; '*lo Takim Matsevah*' do not set up a single stone for an altar; '*lo tizbach, asher yehe bo moom*' do not offer an animal with blemish. In fact, from here we learn a requirement that the highest Court of Judgement, the Sanhedrim HaGadol,

was placed by the Temple in Jerusalem to teach us even our civil and criminal law courts are all part of our spiritual service to G-d. In fact Shlomo Hamelech's throne which depicted judgement had six steps leading to it, each one contained one of the above mentioned pasukim – 3 of the requirements of judgement and 3 of the requirements of the temple offerings. The Seforno explains how these are connected with each other.

The first comparison to an '*Ashera*' a beautiful and attractive tree planted in the courtyard of the '*Avodah Zarah*' drawing people to idolatry, a warning to choose Dayanim with spiritual qualities of righteousness and not only the for hype of physical beauty and personality which are pitfalls for arrogance and pride.

The second, '*lo takim matsevah*' not to sacrifice on a single stone altar, which was quite acceptable in the times of our forefathers, but is not for us. They were giants who could rely on themselves on a single stone of service, but we need a '*mizbeyah*' of many stones together for after having fallen with the sin of the golden calf we need each other, for advise and spiritual input and communal growth. Similarly a Dayan should not judge alone but take into account the opinions of his colleagues to clarify and achieve a true Pasak. The Seforno explains that we prefer to choose a Dayan whose past was completely clean over one who has had

rumours of a bad past even if this was only in his younger years.

The third. *'Moom'*, a blemish in the animal to be offered; even the smallest blemish in a big, beautiful and strong animal of great monetary value would disqualify it from being offered.

Instead a small offering of much less value but without a blemish would bring the offering to its purpose. The indication that we would disqualify even a great personality and clever person of great social standing from being a judge if he had a blemish in his character or lacked qualities of honesty and kindness. We would choose instead someone with good qualities of character *'midot tovot'* even though he would be of a lesser social or material standing with more modest capabilities for the laws of the Torah, are not just a faculty of knowledge but need the help of Heaven to achieve its true understanding.

Here we are given an insight into what we should look for in leadership and example in our service of G-d. We should not be mesmerized by the hype of physical beauty or personality, but seek the qualities of righteousness. We should keep away from those who conduct themselves with arrogance and pride, relying only upon themselves. But seek those who have humility and can listen and take advice. The Talmud tells us that we rely and follow the Halacha more like Hillel than Shamai because Hillel would listen and repeat the words of Shamai before giving his dissenting opinion. We should value good character of honesty and kindness rather than the dazzle of power and success of those lacking them.

GEMS

We are told in the Parasha about three types of killings and how the Torah

deals with them. A person who commits murder intentionally, even if he runs to a city of refuge, is taken from there and judged and given the death penalty. In Jewish Law, the death penalty was only given when the murderer had been warned by the witnesses of the punishment he would receive for his crime and having heard this, goes ahead defiantly and commits the crime. This would apply only if the crime was witnessed by two Jews who come forward to give evidence and not by circumstantial evidence.

Rashi explains the pasuk *'Lo Tachos Enecha Alav'* do not feel pity saying, what is the point of killing another Jew? Is it not enough that one Jew is dead, it won't bring him back to life. We are commanded to destroy the evil among us *'Vu Be Arta Hara me Kirbechah'*. The Torah adds *'Ve Tov Lach'* it will be good for you not only to save us from a murderer, it would be enough to imprison him to achieve that, but to take away the effect of such an evil deed upon us for when we see or hear about an act of sin, we are influenced by it and we begin to accept it and could eventually do it ourselves (as we witness today how people are corrupted by the violence and cruelty projected to them on the screen). And that is why the witnesses themselves have to be the first to physically take part in meting out the punishment *'Ve Yad Haedem tehiya Bareshonah'* for they saw and were impressed by it more than others so through this act, the effect of the sin would be taken away from them and from all those who have heard about it when they see and hear of the terrible punishment.

Even one who has sinned accidentally *'Be Shogeg'* needs an atonement, someone killing another by accident, needs to be sent to a city of refuge all his life or until the Cohen Gadol dies. The city of refuge *'Ir Miklat'* were cities

where the Levites lived, not a prison but a place where the teachers of Torah lived, so that person who was not too careful, should learn the value of life. For accidents do not happen to people who are careful, G-d protects those who try their best, and generally only those who feel apathetic or lax in a mitzvah, fail it accidentally. In the city of refuge, he would learn his lesson in good company through those who teach Torah.

The Torah then teaches us about a person found slain and the killer is unknown. The elders of the nearest city have to come forward, and take a heifer to virgin land, not sown or planted before, and cut its neck from the back with an axe, then wash their hands in a stream and say "our hands did not spill this blood and our eyes did not see". The pasuk goes on '*Chaper le Amcha Yisrael asher Paditah*' atone for the people Yisrael you have redeemed from Egypt. The Yalkut explains this to mean not only to atone for the living now but also for the dead who were redeemed in the Exodus. Why do those who have died so long ago need atonement for something happening now? Why is the need for atonement only mentioned here when there is a doubt about how and who had slain the person and not in the case of the known murderer? The Yalkut tells us that murder is so alien to the Jewish soul that to have a murderer among us is even against our redemption for when we were redeemed, it was with an undertaking that we should never be capable of murder. When there is a known murderer, we do the utmost to cleanse and atone for it through the death penalty and exile in the case of a '*Shogeg*'. But when we do not know the identity of the murderer or we may excuse ourselves that it was done by a wild animal, or a non-Jew, we are left with a murderer amongst us which we

might just shrug off, and no atonement or cleansing is made for it. This effects even those who accepted at the redemption that this should be alien to us. That is why the elders have to come forward in such a great ceremony, absolving themselves of any responsibility, breaking the neck of this young heifer in an unworked field, to impress upon us the seriousness of the loss of a Jewish Life taken by another. '*Lo Kakol Hagoyim Amcha Yisrael*'. We are different to all the nations.

STORIES OF TZADDIKIM

On a recent visit to Har HaZeitim to the Kever of the Holy Rabbi Silman Eliyahu z"l, the father of Rabbi Mordecai Eliyahu z"l, a chip on the solid marble slab of the Tsiyun was pointed out to me with the following story: In 1948 when the Jordan Legion took over the old city and the Jewish Cemetery they began to desecrate the marble slabs from the Jewish graves for their own mundane use.

They came to the gravestone of Rabbi Silman, here the stone was a big solid block and difficult to move. One of their big giborim came forward with a large hammer to break it up, he swung the hammer down on the stone with all his might; a piece of the stone chipped off and hit him in the eye killing him on the spot; and so no-one dared after that to tamper with the grave which remained otherwise intact. The story was told over to the Rabbi Silman's children later on in 1967 by Arabs who had been present at the time in 1948.

Shabbat Shalom

HALACHOT

5. Rebe Elazer in the Zohar explains the Pasuk '*Vayadata hayom ve*

hashebota il lebabecha ki Hashem hu Ha Elokim. 'Vayadata' refers to the study of Torah. Study Torah to appreciate Hashem and this will bring you to Teshubah. The study of Torah will bring you to repentance as we say in the Amida, '*Hashibenu Abinu le toratecha*' and then '*Vehachzerenu betshubah Shelemah*;' first return us to your Torah and then return us to complete repentance.

6. Even though the custom of our Askenazi brethren is to blow the Shofar for the month of Ellul after Shacharit, we Sephardim do not have such a Minhag, we say Selichot. But in Selichot there are some who blow the Shofar for every '*yud gimmel midot*' and some blow only in the Kaddish before '*Teanu veteatru berachamin min Hashmayin*' said by the Sheliach Tzibbur at the end of Selichot. Some have the Minhag not to blow at all.

7. The purpose of blowing the Shofar here is to instil fear in a person for the sound of the Shofar by its nature puts fear into us. Another reason given is that on Rosh Chodesh Ellul Moshe went up to bring the second set of '*Luchot Habrit*'. The Shofar was blown to announce clearly his going up and when he would be expected back, so they should not make any mistake in this, as they did with the first set of '*Luchot*,' and made the '*egal*'. This blowing announced their commitment to the service of G-d. '*Ala Elokim Bitruah*'. If we say Selichot at night it should only be said after midnight.

SHABBAT TIMES

Shabbat commences	7:54 pm
<u>We should not light candles before 6:41 pm</u>	
Shabbat terminates	9:03 pm
Mincha Erev Shabbat	7:15 pm
Followed by Kabbalat Shabbat	
Shacharit	8:30 am
Shabbat :Latest Shema	
Magen Avraham	8:31 am
Shabbat Latest Shema Gra	9:29 am
Shiur by Dayan David	6:15 pm
Mincha Shabbat	7:15 pm
Arvit	9:10 pm

WEEKDAY TIMES

Shacharit	7:00 am
Sundays	8.00 am
Mincha	7:30 pm
followed by Arbit	

SELICHOT

Sundays	7.15 am
Weekdays	6:15 am

We have now opened the ladies section from this Shabbat onwards

PLEASE FOLLOW ALL THE GUIDELINES AND WARNINGS CONCERNING COVID-19

PANDEMIC

**VUSHMARTEM MEOD
LE'NAFSHOTEHEM**

VEHAVTA L'REACHA KAMOCHA