

LIVING WITH THE PARSHAH 5779,

PARSHAS SHOFTIM

By HARAV YAAKOV FEITMAN, KEHILLAS BAIS YEHUDAH TZVI

Looking back, we now see that 5779 was not such a wonderful year for Klal Yisrael. There were r"l numerous tragedies which left their families bereft and shattered. What does the Torah tell us to do in such situations? This week's Sedra teaches us the Halacha of the Eglah Arufah which is offered as atonement for the city where someone was murdered. Who brings this unique kaparah? The elders take responsibility. They must say that their hands did not shed this blood etc. The Gemara notes that no one could possibly think that the Sanhedrin is directly responsible for the murder. However, if the leaders of the city did not make sure to escort the visitor from the town and give him food for the road, they are indeed at least partially responsible for the tragedy.

The Maharsha (Sotah 45b) points out that logically, even if the visitor was escorted and fed he could be attacked anyway. However, he concludes that these actions – feeding and escorting – are a segulah for safety. Rav Meir Shapiro, however, offers a rational explanation of this phenomenon. A person who visits a city, for whatever reason, and no one seems interested in his presence, can become depressed and full of anxiety. His ego has been bruised and he leaves with his head hanging down and inferiority in his steps. If someone attacks him, he has no stamina or even interest in saving his miserable life. However, if someone has a successful sojourn, people smile at him and offer him the basic human needs, he leaves feeling important and with a vitality which can actually save his life. Now he will fight back with strength and fortitude because he matters. "I count," he says to himself and so defends his sense of being and importance.

Perhaps we can add that this is why prophetically, Yaakov Avinu learned this Halacha with Yosef before he was sold into slavery in Egypt. Yaakov instinctively knew that Yosef will need self-esteem and personal dignity to survive the difficult years ahead so he taught him Eglah Arufah. A person can fight off enemies from without and within if he feels that his life is worth saving. Yosef was imbued with the spirit of becoming the progenitor of Moshiach ben Yosef and the herald to Moshiach ben Dovid. He was a bechor and so a major leader of his nation. He would produce two shevatim, a promise fulfilled only by his shevet. Knowing all this and more, he would not give in to death or destruction easily. On the other hand, he would be magnanimous in power, recognizing that all comes from Hashem and only He can save and preserve a life.

Parshas Shoftim teaches that there is always divine justice, even if we don't understand the verdict immediately. As long as we remember that Someone is running the universe, we don't need to understand every detail. We can leave that to the Creator, All we need is our emunah and bitachon that everything is for the best. When we see tragedies in our midst, we must strengthen our emunmah and bitachon. But we must also reach out to the victims to rebuild their bruised egos and spiritual status. People can survive almost anything and move on tom productive lives and accomplishments. But hey must feel that they matter and are valued. This can sometimes be accomplished by small but meaningful actions, such as a kind word, empathy expressed in positive ways and, always, davening for them with kavanah and sincerity.

A GUTTEN SHABBOS

HALACHA OF THE WEEK 5779, PARSHAS SHOFTIM
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This week we will continue with questions and answers about Elul and Tishrei

Question: If someone is in the middle of Shemoneh Esray during Elul and the Baal Tokeah begins to blow the shofar what should he do?

Answer: If he thinks that he will not hear Tekias Shofar later he should stop and listen but not speak. If possible, he should finish the bracha which he is in the middle of (Shevet Hakehasi 3:183).

Question: I know that the Shulchan Aruch (581:10) rules that the person who is the chazzan for Selichos should daven Shacharis and Mincha for the amud as well. However, I have never seen this actually put into practice. Why has this Halacha apparently fallen into disuse?

Answer: Your observation is correct. Indeed the Aruch Hashulchan (581:6) mentions that “we” (presumably in his city of Novardok or perhaps in all of Lithuania) do not have this custom. Rav Elyashiv zt”l (Tefilah Kehilchasa 23:8) also notes that in Yerushalayim people are not *makpid* on this Halacha. But why not? The Binyan Shlomo (No. 37) explains that in ancient Talmudic times through the time of the Shulchan Aruch the Sheliach Tzibur fulfilled the obligation of the congregation (i.e. was *motzi* everyone in davening). However, these days when everyone davens for themselves, it is not necessary for the same person to daven Selichos and the rest of the day’s tefilos for the amud. Another reason suggested (She’arim Hametzuyananim Bahalacha (128:6) is that in ancient times the Selichos Chazan fasted all day. Therefore it was desirable that he continue to be the Sheliach Tzibur for Shacharis and Mincha. However since today, because of our weakened condition, we do not insist on the Selichos Chazan fasting, he need not daven Shacharis and Mincha either.

Question: If someone forgot to say Hamelech Hamishput during the Aseres Yemei Teshuvah, must he repeat Shemoneh Esray?

Answer : Ashkenazim do not (Rama 582:1) but Sephardim do (see Yabia Omer 2:10 and 7:51). The disagreement seems to center around the fact that even if someone forgot to say Hamelech Hamisput he at least surely said Melech Ohaiv Tzedakah Umishpat. The Rama seems to hold that it is sufficient during the Aseres Yemei Teshuvah to mention that Hashem is the King, whereas the Mechaber holds that we must mention that Hashem is the King Who Judges.

Question: Why do we repeat *L’eila l’eila* in the Kadish said during the Aseres Yemei Teshuvah?

Answer: The reason is that since we are all being judged during these days, Hashem is being praised and extolled twice as much as during the rest of the year (Machatzis Hashekel end of Shulchan Aruch 104).

Question: In the Yehi Ratzon which we recite when eating the “simanim” on Rosh Hashanah night, do we say Hashem’s name or not?

Answer: The Mishnah Berurah (483:1) seems to say yes. However, many acharonim (Rav’s Shulchan Aruch, Kitzur (129:9 and many others) rule not to mention Hashem’s name. Either way is fine.

Question: Must one eat the simanim in order to make the Yehi Ratzon?

Answer: No. However, in this case one should certainly not say Hashem’s name (Kaf Hachaim 583:6)

Question: Which comes first, the apple in honey or the dates and rimonim which are Seven Species?

Answer: Some Poskim (Rav Yosef Chaim Sonnenfeld and Rav Shlomlo Zalman Auerbach) hold that the Seven Species fruits go first but others (Siddur HaAri, Maharil) hold that the apple and honey come first. Both are good.