

345

PARASHAS SHOFTIM







#### Divrei Torah About Amen and Tefillah in the Parashah

Who Are 'Dayanei Devava'?

״שפטים ושטרים תתן לך בכל שעריך אשר ה' אלקיך נתן לך" (טז יח)

In the tefillah of Yekum Purkan (the first one) that begins Tefillas Mussaf of Shabbos, we pray for the leaders and parnassim of the nation, including the 'dayanei devava.' In Aramaic, a בבא is a gate, and this seems to mean that we ask for the judges that are seated at the gate to the city, as the Torah instructs: "shoftim veshotrim titen lecha bechol she'arecha." Likewise, the Rambam rules (Sanhedrin 13): "In each and every city in Yisrael where there are 120 or more people, they establish a Sanhedrin Ketanah, and it sits at the gates to the city, as it says (Amos 5:15): "Vehatzigu besha'ar mishpat, and establish justice at the gate."

But some questioned this explanation, because the *tefillah* of *Yekum Purkan* was composed in the times of the Gaonim, and by this point, it was no longer customary for the judges to sit at the gates of the city. Rather, they sat in the center of the city. Therefore, it is explained that 'dayana devava' are the dayanim who are particularly expert in monetary laws, and they are thus called because these laws are found in *Shas* primarily in the three "Bavos" – the masechtos of Bava Kama, Bava Metzia and Bava Basra.

Knesses Hagedolah 3 [Warsaw 5651] p. 91

The Brachah on a King Is Similar to Parashas Hamelech

"ואמרתם אשימה עלי מלך" (יז יד)

Harav Mordechai Hakohen of Tzefas explained:

There are 138 words in *Parashas Hamelech*, equivalent to הַלֹּק. Therefore, it was established that we make the *brachah* on the sages and kings of Am Yisrael with the word "*chalak*," as it says (*Brachos* 58a): "One who sees the sages of Am Yisrael says '*Baruch Shechalak* michochmaso liyereiav' and when he sees sages of the nations of the world, one

Shoftim Veshotrim in Every Shul

"שפטים ושטרים תתן לך בכל שעריך אשר ה' אלקיך נתן לך" (ט זיח)

Harav Moshe Aryeh Freund, the Gaavad of Yerushalayim, related:

On the day that the *matzeivah* was erected for a Jew who worked all his life to strengthen the understanding of the virtues of amen in shul, I thought of an explanation for the *passuk* "shoftim veshotrim titen lecha":

Chazal say (Shabbos 119b) that "anyone who answers amen with all his strength — the gates to Gan Eden are opened to him." Therefore, the passuk warns us "shoftim veshotrim titen lecha" — appoint in each shul gabbaim whose job it is to supervise and explain to people not to talk during davening. Instead, they should listen to the chazzan and answer amen to every brachah. In this way, the public will merit that when the time comes, they will be able to enter "all the gates that Hashem Elokechah gives you" — in Gan Eden.

Ateres Yehoshua

says 'Baruch shenasan michochmaso lebasar vadam.' One who sees the kings of Israel says, 'Baruch Shechalak mikvodo liyereiav', and for the kings of the world, one says, 'Baruch shenasan mikvodo lebasar vadam.'

Sifsei Kohein

Yehi Ratzon That My Words Should Be Accepted

"ונגש הכהן ודבר אל העם" (כ ב

Harav Moshe Forhand, the Av Bais Din of Makava, explained:

The word "vayigash" in the passuk (Bereishis 18:23): "Vayigash Avraham vayomar ha'af tispeh tzaddik im rasha" is explained (Bereishis Rabbah 49 8) as "an approach for tefillah." Here, too, we can explain that before the Kohein spoke to the nation, "nigash" – he

prayed that his words would be accepted.

Ohel Moshe

In the Merit of Krias Shema Alone

"ואמר אלהם שמע ישראל אתם קרבים היום למלחמה" (כ ג)

The Gemara (Sotah 42a) says on this passuk: "Even if you fulfilled only Krias Shema of Shacharis and Arvis, you are not given over in their hands" (Sotah 42a). The Maharsha explains that because the Torah uses the plural at the beginning and end of the passuk: "V'amar aleihem...atem kreivim hayom", it should have also said "shimu Yisrael" in the same plural term. From the fact that the singular is used — "shema Yisrael" — it is evident that the allusion is that in the merit of Shema Yisrael, Am Yisrael prevails over its enemies.

Based on this, Harav Yitzchak Elchanan Spektor, the Rav of Kovna, explained our request in Tachanun: "Shomer Yisrael shemor she'eris Yisrael, v'al yovad Yisrael ha'omrim Shema Yisrael." Please, protect Am Yisrael from destruction, because even if their understanding in serving You amounts only to reciting Shema Yisrael, this merit is worthy to protect them.

It is interesting to note here the letter that Harav Tzvi Hirsch Farber copied from an English newspaper published at the height of World War One, on 19 Tammuz 5676/1916. The letter was sent by a gentile soldier from the front lines, where he was fighting for the Hungarian army, to his wife: "Please, ask our neighbor Chaim the Jew to explain to you the meaning of the words 'Shema Yisrael' because every time the bullets of war fly over our heads and the soldiers fall like sheaves after the harvest in the field, the Jewish soldiers begin to scream Shema Yisrael and are saved from death. Therefore, as soon as he explains it to you, inform me of the meaning, so that when I am in danger of death, I will be spared in the merit of these words."

Maharsha, Vol. I, Sotah 42a; Kerem Hatzvi; A'irah Shachar ibid

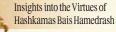
# "על פי התורה אשר יורוך ועל המשפט אשר יאמרו לך תעשה"

After the riots of Tach Vetat, it was revealed to the Tosafos Yom Tov from Above that because Am Yisrael in that generation has transgressed the sin of speaking in shul, the "dibur", איבר, was transformed to דבר, a plague, and they were struck with the decrees of Tach Vetat. (Kuntress Mora Mikdash, printed at the beginning of sefer Rav Yeivi)

Ahead of the yahrtzeit of the Tosafos Yom Tov, beginning this Wednesday, 6 Elul, we will strengthen our adherence to the kavod of the Bais Knesses. Through this, we should be blessed with the brachos in the words of the Mi Shebeirach that he composed for someone who guards his mouth during davening – venomar amen.



# Taaneh Emunim



## Mishnas Eilu Devarim (1)

#### Studying Mikra, Mishnah and Gemara

As part of the learning after Birchas HaTorah, after saying the *pesukim* of *Birchas Kohanim*, the ones who arranged the *tefillah* established that we say the mishnah of Eilu Devarim, which is based on the Mishnah that begins Maseches Peah. It lists the two groups of *mitzyos* with a common denominator. The first are *mitzyos* for which the Torah did not define a specific amount that would render them fulfilled. The second group is the *mitzvos* that earn the person a reward in this world [peiroseihen] in addition to the reward for the mitzvah [keren] that is reserved for the World to Come.

There is a difference between the first mishnah in Peah and the mishnah of Eilu Devarim in the in Fean and the misman of Etal Deviation in the tefillah. In the former, only four mitzvos in the category of "adam ochel peiroseihen b'Olam Hazeh" are listed, while the tefillah includes six additional mitzvos. Four of them are brought down in the words of Rabi Yochanan in Shabbos (127a), and there are two additional mitzvos, hachnassas kallah and levayas hameis.

From the words of the Baalei HaTosafos (Brachos 11b, beginning with 'shekvar') it appears that indeed, only the first part "Eilu devarim she'ein lahem shiur..." are listed in the mishnah in Peah, and the source for the other part - "Eilu devarim she'adam ochel peiroseihem..." are in a Breisa that she'adam ochel peiroseihem..." are in a Breisa that we do not have in our times (Maharsha ibid). But some explain that the Tosafos means to say that the source of the second part is a 'mimra' (a statement) of Rabi Yochanan cited above (Masores HaShas ibid).

We learn a reason for the difference from the words of Rabbeinu Yona (Brachos 5b, Midapei HaRif). He writes that the three Birchos HaTorah that we recite each morning [La'asok bedivrei Torah; Hamelamed Torah l'amo Yisrael; Nosein Toran; Hamelamed Toran I amo Yisraet; Nosein haTorah] correspond to Mishnah, Mikra and Gemara. Therefore, it was established to learn after them Mikra – the parashah of Birchas Kohanim; Mishnah – Eilu devarim she'ein lahem shiur, and Gemara – Eilu devarim she adam ochel peiroseihem... (Siddur Tzelosah D'Avraham p. 14)

## The Reason We Learn Specifically Eilu Devarim

Why was Eilu Devarim chosen from all the Mishnayos?

- . The sefer Seder Hayom (Seder Brachos Shel Shacharis) explains: This mishnah lists the mitzvos that Am Yisrael, who are rachmanim, compassionate, and who do chessed, are especially careful about. Therefore, learning it in the morning before davening evokes a merit for Am Yisrael. Reciting it serves as a *tefillah* of sorts that they should be redeemed from their troubles in the merit of fulfilling these *mitzvos*.
- 2. Siddur Avodas Yisrael explains that this mishnah was chosen because "they are halachos pesukos, and these are mitzvos that are practiced at all times, and with every person.
- 3. Siddur Tzelosa D'Avraham (p. 15) explains: This mishnah teaches us that talmud Torah has no amount, and a person is commanded to learn as much as he can. Therefore, it was established to learn this *mishnah* so that we should not mistakenly think we have fulfilled our obligation of learning Torah by this short learning after *Birchas HaTorah*.

#### The Mitzvos of the Field That Have No Amount

There are *mitzvos* for which the Torah set a specific amount. Some are a minimum, and the *mitzvah* cannot be fulfilled with less than that amount, such as eating matzah on Pesach night – which is not fulfilled with less than a *kezayis*. On the other hand, there are *mitzvos* where the Torah limited the amount, and it cannot be exceeded, such as the mitzvah of separating terumah, where a person is not allowed to separate all his crops for terumah (Yerushalmi Peah 1 1).

This mishnah lists five mitzvos where the Torah did not set an amount – neither a minimum nor a maximum. As such, they can be fulfilled with even the smallest measure, and a person can add to them

The first two *mitzyos* are those that are practiced

in the field: "peah and bikkurim". The definition of the mitzvah of "peah" is that one who harvests from his field should not cut down all his crops, should leave a part in the corner of the field for the poor. As the passuk says (Vayikra 19:9-10): "Lo sichleh pe'as sadecha...l'ani velager ta'azov osam, you should not completely reap a corner of your field...for the poor and for the convert you shall leave them." According to the Torah, there is no amount that one must leave in the field as peah, and a person can fulfill the obligation if he leaves just one stalk of wheat from the whole filed. Conversely, he can cut down just one stalk of wheat and leave the rest as *peah*. But *Chazal* established a minimum amount for this mitzvah – one sixtieth of the crop, and one should not fulfill it with less (Rosh Peah 1 1).

In the mitzvah of Bikkurim, we were commanded to bring the first fruits of the crops that ripened to the Bais Hamikdash in Yerushalahim, Each person should then carry out the order described in the Torah in *Parashas Ki Savo (Devarim* 26). This *mitzvah* is practiced exclusively with the fruits of *Shivas Haminim*. According to the Torah, there is no measure for the mitzvah of *Bikkurim* – a person can fulfill the obligation by giving just one fruit, on the other hand, he can make all of his fruits Bikkurim (Rosh ibid). Some hold that Chazal also set a minimum for this mitzvah, of one sixtieth of his crop (Rambam Bikkurim 2 17, and see Tosafos Yom Tov Bikkurim 2 3).

#### Re'ayon Without a Measure

During the times of the Bais Hamikdash, every Jew had to be seen in the Azarah at each of the Three Regalim as it says (Devarim 16:16): "Shalosh pe'amim bashanah yera'eh kol zechurcha es Pnei Hashem Elokecha, three times a year are all your males to be seen in the presence of Hashem." One of the conditions of this mitzvah is that one must be seen in the Azarah by bringing a Korban Olas Re'iyah (Rambam Chagigah 1 1). This mitzvah also does not have a measure - because if one stood in the Azarah for only one moment, he fulfilled the obligation. On the other hand, if he stood in the *Azarah* for all the days of the Regel, he fulfilled the mitzvah each and every moment. (*Rosh* ibid; Shenos Elivahu, ibid)

By listing "re'ayon" as one of the mitzvos without a measure, the mishnah included the mitzvos of being seen in the Azarah and the obligation of bringing a Korban Olas Re'iyah, which is a condition for this mitzvah. It does not have a measure, because according to Torah, a person can fulfill his obligation by bring an Olas Re'iyah of any value. (Rav Ovadiah MiBartenura ibid)

#### Gemilus Chassadim and Talmud Torah

The mitzvah of gemilus chassadim can be fulfilled - such as by bringing joy to a both with body chassan and kallah or visiting the sick – and with money, such as by giving tzedakah or redeeming prisoners. Gemilas chassadim with one's body has no measure, even d'Rabbanan. But although the Torah did not determine a measure of gemilus chessed with money, Chazal established (Kesubos 50a) that one must not distribute more than one fifth of his assets to tzedakah (Peirush Hamishnayos L'Rambam ibid).

The mitzvah of talmud Torah, which we fulfill by learning this mitzvah each morning, has no measure. A person is commanded to learn as per his ability, as the passuk says (Yehoshua 1:8): "Vehagisa bo yoman valaylah, you shall meditate therein day and night," (Peirush HaRosh ibid). Someone who is very busy with his needs, or is engaged in another mitzvah, can fulfill the obligation of this mitzvah even by learning one word a day. On the other hand, the more a person engages in Torah learning, the more *mitzvos* he accrues.

From this we can understand how precious the mitzvah of Torah learning is, because if by learning one word, the mitzvah is fulfilled, how many more merits can someone accrue if he learns for many hours a day. On the other hand, when one who can learn and does not - he loses out on many tens of thousands of mitzvos each day! (Shenos Eliyahu

# **Maaseh Emunim**

Pearls and Insights on Birchas Hamazon

## From a Fender Bender to the Trash Heap

This is a "simple" story, the likes of which you read about often, but "So, how can I compensate you" still, its simplicity is what makes it so special. Because the simple truth that we merit to experience so many times is better than any bombastic story – and that is that *tefillah* works! If you need a yeshuah - small or big - just daven from the depths of your heart, and the yeshuah will come.

The person this story happened to

As part of my job, I need to travel to different cities in Israel each day. Fortunately, my employer provides me with a car for this purpose. After a few years of using an old car, the boss told me he had decided to buy me a new

A few days later, I was surprised to receive a new car - really new, straight from the dealer. I was thrilled to be driving the late model vehicle, and played around with its various bells and whistles. That day, I needed to travel into the center of Yerushalayim, where it's very hard to find parking. It took me a few minutes of driving around until I was able to find a decent parking spot.

When I returned to my car after half an hour, I was surprised to discover that a few cars had parked right around me, very close together. I would have to maneuver very skillfully to extricate myself from this parking spot. "It's a good time to test those reverse sensors," I thought to myself with a smile. I climbed in, put the car in reverse, and gently pressed on the gas pedal. was expecting a beeping sound to warn me when I had to ease up on the gas, but instead, I heard a loud thump.

It was a bit late to discover that the reverse sensors did not work and that I had collided into the car that was parked behind me old, rather banged up Mitsubishi.

I got out of my car to assess the damage. My car was minimally affected, but the old Mitsubishi did sustain quite a dent plus a couple of broken lights.

I cannot explain the feeling that washed over me when I assessed the result of my actions, but it didn't enter my mind to try and evade responsibility. I took a piece of paper and pen out and wrote to the owner of the car:

"I'm sorry, I hit your car. Please contact me for payment." Then Then I wrote my name and phone number and stuck the paper onto the windshield of the damaged

A few days later, my phone rang The caller identified himself as Oded, the owner of the Mitsubishi, and he sounded very excited:

"Listen, brother, nothing like this has ever happened to me," he enthused. "For years, I've been parking in this spot. Over that time, it's been bumped into many times by irresponsible drivers, but no one ever bothered to acknowledge it or inform me about it. But you my friend, are an honest person! I'm so impressed! I'm sure you are religious; only

"So, how can I compensate you? How much is the damage?" cut off his enthusiastic stream of

words. He explained that because he is trying to tell the car, he has to restore it to the way it was. We made up that he'd get an estimate at a relatively cheap mechanic and he'd let me know.

A few hours later, he told me that he'd found a mechanic in East Jerusalem who would fix the damage for three and a half thousand shekel...

Three thousand five hundred shekel...my heart sank. Where would I get such a large sum of money when I was hardly able to finish the month on my salary? But I confidently told Oded that it was no problem, and I would send him the money within a few days. In a burst of generosity, Oded agreed to wait with the payment until two weeks from the coming Sunday.

The two weeks passed, and the appointed Sunday arrived. I had no idea where I was getting the money from. "Coincidentally", that day was my birthday, which a day that is auspicious. All I could do was utilize the opportunity to daven. So I poured my heart out to Hashem in simple words:

"Father in heaven, I need to get three and a half thousand shekels. am not asking for more, but I plead with You to help me obtain this sum without affecting my family's parnassah." I continued to daven until I felt some relief.

When I returned from Shacharis, I took my cell phone, and saw that Oded had tried to call me five times in the last hour. I called him back, sure that he wanted to give me his bank information. But he was so excited he could hardly speak...

"Brother, you a good person, Hashem loves you! You don't have to pay me a penny!" he gushed.

Why? What happened?" I asked. Oded related: "Two weeks ago,

when I parked in my regular spot, an Egged double 'accordion' bus maneuvered itself into a tight parking spot. It managed to get out, but not before it hit my Mitsubishi and flattened it like a pita...

Within a short time, an Egged assessor came, and he determined that the car was no longer usable. A representative of the insurance company who came with him began the process of compensating me with a new car at the full list price. You don't have to pay me for the repair, because there's simply nothing to fix...

"What 'tikkun' [literally, repair] did you have to do for this miracle?" Oded asked.

"No tikkun," I replied. "I just davened!!" And I told him the secret without which nothing would have happened.

Pikudecha Darashti, Beha'alosecha