

בס"ד
למודי משה
שופטים - גליון ע"ח

תמים תהיה עם ה' אלקיך – "You must be wholehearted with Hashem your G-d" (Devorim 18:13)

Insights into Halachah

Founding out if "it" is a boy or a girl:

In this week's *sedra* we have the mitzvah of אֱלֹקֶיךָ עִם ה' אֱלֹקֶיךָ. Rashi explains that this means: התהלך עמו בתמימות ותצפה לו ולא – "Walk before Him wholeheartedly, put hope in Him and do not attempt to investigate the future, but whatever it may be that comes upon you accept it wholeheartedly, and then you will be with Him and become His portion". Unlike the *goyim* who use sorcerers and necromancers, palm readers and all sorts of things to try and predict the future, a Jew shouldn't. A Jew should trust in Hashem and have faith everything will be alright.

The Rambam in *Sefer HaMitzvos* doesn't count the above *issur* as a separate *lav* [negative commandment], however, the Ramban argues and counts it as a separate *lav*. The Ramban says, perhaps the Rambam never listed it because this mitzvah is included in the general charge to accept *mitzvos*, and to be faithful to Hashem, however the Ramban counts it as a separate mitzvah.

The Ramban (on *Chumash*) writes: טעם תמים תהיה עם ה' אלקיך שנייחד לבבנו אליו לבדו ונאמין שהוא לבדו עושה כל והוא היודע אמתת כל – "The reason behind the mitzvah of "You must be wholehearted with Hashem your G-d" is that we are to direct our hearts to Him only, and believe that He alone does everything. It is He Who knows the truth about all future events, and from His prophets, or from His pious ones, in other words the *Urim V'Tumim*".

Nowadays, we have no *Neviyim*, no *Beis HaMikdash*, and no *Urim V'Tumim*, therefore, it would seem that this mitzvah is not applicable today, however, there is an area in halachah where it is applicable. In recent years, with the advancement of medical science prenatal ultrasound imaging (as well as other advanced scans and tests) has become the norm in pregnancy. In general, these tests are performed to rule out possible defects in the foetus or issues that may affect the health of the mother. However, it is common for expectant parents to want to discover the gender of the child before delivery. This information can, of course, be gleaned from a simple ultrasound. The *shailah* is, is the above *halachically* permitted?

The above can really be split into two *shailos*: 1) Is one specifically allowed to go and get an ultrasound to determine the gender of the foetus, 2) If one is anyway having an ultrasound and the paediatrician asks if you want to know the gender, do you have to say no?

Arguments for

We find by Rivka that: וַיִּתְרַצְצוּ הַבָּנִים בְּקֶרְבָּהּ וַתֹּאמֶר אִם כֵּן לִמָּה זֶה אֲנִי וַתִּלְךָ לְדָרֶשׁ ה' – "But the children struggled in her womb, and she said, "If so, why do I exist?" She went to inquire of Hashem". Therefore it would seem it's *mutar* to go and find out.

We even find in *Shoftim* that Monoach and his wife were notified in advance what they were having. The *pasuk* say's: וַיֵּרָא מְלַאכֵי ה' אֵלַי – "An angel of Hashem appeared to the woman and said to her, "You are barren and have borne no children; but you shall conceive and bear a son" (*Shoftim* 13:3).

Furthermore, halachah acknowledges and addresses issues relating to pregnant women who are aware of the gender of their baby. For example, regarding *kapparos*, a woman who knows the gender of her baby need only use a chicken which corresponds to this information (instead of using three). Similarly, a woman who knows she is carrying twins she should take two chickens, accordingly.

There is also much discussion whether a woman pregnant with a male Kohen is permitted to enter a cemetery, and the like. (*Nishmas Avraham* Y.D. 371:1, O.C. 343:2)

We will discuss below that there is even an opinion that women pregnant with Kohanim are obligated to find out if they are carrying a male, in order to be able to conduct themselves accordingly throughout their pregnancy.

Arguments against

There are those against finding out, one of their arguments is based on the Gemara in *Bava Metsia* (42a): אין הברכה מצוייה אלא בדבר – "Blessing is only found upon something which is hidden from the eye."

This argument seems slightly out of context however, as we normally only say this when it comes to profit, business dealings and matters which multiple quantities of an item are involved. It is difficult to apply it in response to the parents' desire to better prepare for the arrival of their baby by knowing in advance which gender it will be.

Another argument against is based on the Midrash Rabbah in *Parshas Toldos* (65:12). The Midrash lists seven things that are “hidden from human beings”. The sixth item on that list is the knowledge of the gender of a baby before it is born. The Midrash proves this from the *pasuk* in *Koheles* (11:5) which states: “Just as you do not know the way of the wind, nor the nature of the embryo in a pregnant abdomen, so can you never know the work of G-d who makes everything.” This *pasuk* does not just reveal the fact that the “nature of the embryo” is unknown to us, but also implies that Hashem expressly created it as a hidden matter.

The *Targum* on the *pasuk* in *Koheles* also says: היכמא דליתך ידע איכדין יהליך רוח נשמתא דחיי בגוף עולימא שלילא דשרי במעינא דאמיה - מעברא והיכמא דלא תנדע אי דכר או נוקבא עד זמן דאתיליד הכדין ליתך ידע ית עובדא דיי דעבד בחוכמתא ית כולא - “Just as you do not know how the breath of the spirit of life enters the body [of an embryo] which is lying in its pregnant mother’s womb, and as you do not know if it will be male or female until the time it is born, so you do not know the work of Hashem who does everything in His wisdom.”

Why is it important for the gender of the foetus to remain hidden until birth?

The *Yefei Toar* explains, that if parents were to find out the gender of their unborn child, and it is not the gender they hoped for, they will be distressed for the remainder of the pregnancy. Furthermore, even if it was what they wanted, the mother will not experience the excitement and anticipation of discovering the gender at birth, which helps her overcome the pain of delivery.

The *Tiferes Zion* (and others) explain that there may be a different reason why ascertaining the gender of a foetus may be ill-advised. If, for example, a husband dearly wants a son and he discovers that his wife is carrying a daughter, he may force her to abort the child. Hashem therefore ensured that the gender of a foetus during pregnancy remains unknown.

Psak from R’ Chaim

R’ Chaim Kanievsky was in fact asked the above *shailah*, if one is allowed to find out the gender of a foetus or not and he brought the above Midrash and he said, אין ראוי לעשות כך – “It’s not a good idea”. (It’s unclear however how he was asked the *shailah*, it could be he was asked “Is one allowed to get an ultrasound especially to find out the gender of the foetus” and it could be he was asked “if the technician asks you if you want to know what the foetus is, do you have to say no?”. It’s not clear exactly what *shailah* he was asked.)

Is the pregnant wife of a Kohen obligated to find out whether she is carrying a son or daughter?

Although from the above it would seem it’s better not to find out, perhaps there is a case where one is *mechuyav* to find out. There is an *issur de’O’raisa* for a Kohen to come in contact with a *mes* [dead body]. This *issur* only applies to male Kohanim. However, adults cannot deliberately cause even the youngest of Kohanim (even infants) to come in contact with a dead body (*Mishnah Berurah* 343:3 and *Aruch HaShulchan* Y.D. 373:1). In addition, contact with the dead includes being in the same building as the dead body (*Bamidbar* 19:14).

Is a pregnant women allowed to enter a *ohel hameis* (room containing a dead body which a male Kohen may not enter)?

The *Shach* (*Yoreh Deah* 371:1) brings a *Rokeach* who rules that the pregnant wife of a Kohen may enter an *ohel hameis*, as there are two doubts (*sfek sfeika*) that lead us in a lenient direction. The first doubt is perhaps the child is a female and not a male. The second doubt is, even if the child is a male, it might be a *neifel* (a non-viable child), to whom the restrictions to come in contact with the dead do not apply.

Why would a pregnant women want to enter an *ohel hameis*?

The reason is because she wants to give birth in a hospital and unfortunately people die in hospital. There is a big *shailah* (see *gilyan* 62, *Parshas Emor*) if a Kohen is allowed to go to hospital for an appointment or to visit someone who is sick. Therefore, the *shailah* is, is a pregnant female Kohen allowed to go to hospital to have a baby, there is an *issur* for an infant male Kohen to become *tomei* and if a pregnant women goes into hospital with her baby she is taking an infant Kohen into an *ohel hameis*.

Can we still say there is a *sfek sfeika* today

The *Rokeach* was *matir* because of a *sfek sfeika*, perhaps with today’s medical advancements and the fact that we are able to find out the gender of the foetus it’s no longer a *sfek sfeika*. The *Nishmas Avraham* (*Yoreh Deah*, 371:1) deals with the above *shailah*.

First the *Nishmas Avraham* brings the *Rokeach* we mentioned that it’s *mutar* because of a *sfek sfeika*. Then he brings a *Magen Avraham* (343:2) who wonders why the *Rokeach* finds it necessary to construct a *sfek sfeika* to permit pregnant wives of Kohanim to come in contact with the dead. He notes that the Gemara in *Chullin* (71a) teaches that something that is “swallowed” (*beluah*) in another item does not contract *tumah* from the item that surrounds it. Thus, if someone swallows a *tohar* ring and subsequently becomes *tomei*, the ring remains *tohar*, since the person shields it from the *tumah*. Accordingly, the foetus should not become *tomei* even if the mother becomes *tomei*, since the mother shields the foetus that is *beluah* within her from *tumah*. The *Magen Avraham* concludes that he is unable to resolve his question.

The *Nishmas Avraham* brings a *Radvaz* (*Shu”t HaChadashos* 200) who also asks this question. He concludes that the *Rokeach* must be speaking about a specific circumstance when a special justification is necessary, namely, when the woman is very close to giving birth

and she needs to be in a place where there are dead bodies (such as a hospital or funeral home). In such circumstances, there is concern that the baby may suddenly emerge from the womb since the mother is close to term. Hence, the *Rokeach's sfek sfeika* is needed to justify such a visit in those circumstances.

The *Avnei Miluim* (82:1) also criticizes the approach of the *Radvaz* and *Magen Avraham*. He notes that only a foreign object in a body is considered *beluah* and consequently does not contract *tumah* from its host. He argues that a foetus is not "foreign," and is therefore not shielded by its mother from contracting *tumah*. As proof for his assertion, he cites the Gemara in *Yevamos* (78b) which teaches that the foetus of a non-Jewish woman who immerses in a *mikvah* in order to convert to Judaism becomes Jewish along with its mother. The Gemara explains that the mother does not constitute a *chatzitzah* (barrier) between the baby and the *mikvah* water because דהיינו רביתיה – "this is the normal manner in which the foetus develops". The *Avnei Miluim* argues that just as the mother does not constitute a barrier in the context of immersion in a *mikvah*, so too she does not serve as a barrier between her foetus and *tumah*.

[R' Elchonon in *Kovetz Shiurim* (2:41) maintains that a Kohen is forbidden to come into contact with a *mes* even in circumstances in which he does not become *tomei*. He brings a *rayah* from the halachah that a Kohen is forbidden to be in the same building as a *goses*, i.e., a moribund person, despite the fact that the Kohen does not become defiled by virtue of his presence in that building. A foetal Kohen "swallowed" in his mother's body, contends Reb Elchonon, is indeed in the same building as the *mes* and is forbidden to be in that building even though he does not thereby become *tomei*.]

The *Mishnah Berurah* (343:3) *paskens* like the *Rokeach* and permits the pregnant wife of a Kohen to enter an *ohel hameis* even if she is close to full term. דאף שנראה לנו שודאי תלד שם ולד ושמא יהיה זכר ויטמא שם אפ"ה מותר דס"ס הוא שמא יהיה נקבה ושמא יהיה נפל – "Even if it would appear to us, that she will definitely give birth there to a child, and perhaps it will be a male and become *tomei* there, even still it's permitted because of the double doubt involved, perhaps it will be a female and even if not perhaps it will be a non-viable child".

R' Efrayim Zalman Margolias says however, that if the mother is four or five months pregnant then we can say a *sfek sfeika*, if however, she is in month nine already then it's very unlikely that the child will be a *nefel* and therefore there is only now one *sofek*, if it's a boy or a girl. The *Rokeach* was talking about four or five months into pregnancy, in the ninth month however the *Rokeach* wouldn't be *matir*.

He then writes: "It would seem that nowadays, since most women have ultrasounds and it's now possible to know if a female Kohen is having a boy or a girl, it should be *ossur* for a woman in her ninth month to enter a hospital, especially in Eretz Yisrael where they do nothing to prevent the *tumah* spreading around the hospital. However, the question is, does she need to determine the gender of the foetus?"

Innocence is bliss

Why should she be *mechuyav* to take an ultrasound, what is wrong with not finding out?

The *Nishmas Avraham* brings a *Maharam Chalava* (*Pesachim* 4b) who says: דכיון דאפשר למיקם עליה דמלתא כל בספיקא צריכה בדיקה וכן – "Since it is possible to find out, even if it's a doubt one needs to check. Similarly, with every *sofek de'rabonon* or *sfek sfeika de'O'raisa* if one can find out the facts he has to and is forbidden to continue unless he finds out"

Similarly he brings a *Mishnah L'Melech* (*Hilchos Bechoras* 4:4) who says, even though with a *de'rabonon* we go *lekulah* [leniently], if one has the ability to find out then we don't go *lekulah* unless he finds out.

Similarly the *Shach* *paskens* that when there is a *sfek sfeika* and one can find out he should.

Based on all the above the *Nishmas Avraham* concludes that a female Kohen should find out the gender of her foetus.

Psak from R' Yehoshua Neuwirth

The *Nishmas Avraham* then brings that he asked R' Yehoshua Neuwirth (*mechaber* of *Shemiras Shabbos*) if his *psak* was good and he says he agreed with his *psak*.

R' Yehoshua Neuwirth adds however, the above is only if all things are equal, if a Kohen's wife wishes to be attended to by a specific doctor, or she feels more confident giving birth in a particular hospital, she may do so, even if she is certainly carrying a male and even if the hospital in question does have an issue of *tumas meis*.

She should, however, ensure that the hospital will discharge her child as soon as he is in a condition to leave.

The *Nishmas Avraham* brings that Rav Elyashiv *paskened* similarly.

Is a foetus a Kohen?

It's clear from the *Rokeach* that he takes on that a son of a Kohen is considered a Kohen before he is born. The Chasam Sofer (*Yoreh Deah*, 354) however, notes that the Gemara in *Yevamos* (67a) writes, "A foetus in the womb of a non-Kohen is not a Kohen (even if the father is a Kohen)." Moreover, reasons the Chasam Sofer, since we rule that "*ubar yerech imo*," a foetus is considered to be a limb of the mother, the foetus has the same status as its mother. Thus, just as the unborn child's mother (even if she is the daughter of a Kohen) is not forbidden to come in contact with the dead, so too the foetus is not forbidden to be in contact with the dead. The *Minchas Chinuch* (263:4) advances a similar idea.

However, Rav Moshe Shternbuch (*Teshuvos VeHanhagos* 1:679) brings the Brisker Rav, who asserts that a son of a Kohen is classified as a Kohen even in utero. According to the Brisker Rav, the Gemara in *Yevamos* (67a) should not be understood as an all-embracing statement, but rather as a rule that applies uniquely to the context of a Kohen's wife's permission to eat *terumah*. The *Rokeach* apparently shares this view.

Divrei Torah for the Shabbos Table

1) **וְלֹא תִשְׁפֹּט לֹא תִכִּיר פְּנִים וְלֹא תִקַּח שֹׁחַד כִּי הַשְׁחָד יְעִיר עֵינֵי הַחֲכָמִים וְיִסְלַף דְּבַר צְדִיקִים** – "You shall not judge unfairly: you shall show no partiality; you shall not take bribes, for bribes blind the eyes of the discerning and upset the plea of the just" (*Devorim* 16:19). In this week's *parsha* the Torah admonishes judges against accepting bribes, warning that doing so will blind the eyes of the wise and twist the words of the righteous. Similarly, in the beginning of *Parshas Devorim* (1:16-17), Moshe mentions that he warned the judges to mete out justice fairly and not to show any favouritism to either of the litigants. The Gemara in *Kesubos* (105b) teaches that bribes do not always come in the form of money, and it gives several examples of *Amoraim* who recused themselves from being involved in cases in which they had received relatively minor favours from one of the litigants, which they worried may distort their judgment.

For example, when Shmuel was struggling to cross a rickety footbridge across a river, somebody extended his hand to help him across. Shmuel asked him what he was doing in the area, to which he responded that he had an upcoming court case. When Shmuel heard this, he remarked that he could not take part in adjudicating the case because he was afraid that the benefit he received would warp his evaluation of the case.

Similarly, Ameimar was once sitting in his *Beis Din* when a bird flew onto his head, and somebody walked over and removed it. When Ameimar heard that the man had a case scheduled before him, he disqualified himself from participating in the proceedings.

Lastly, Rav Yishmoel bar Yossi's sharecropper normally delivered his share of the crops each Friday. One week, he needed to come to town on Thursday to appear in *Beis Din*, so he brought the produce with him. Rav Yishmoel bar Yossi was afraid that receiving his crops one day early would cloud his ability to remain impartial, so he recused himself from the case.

Rav Pam finds this Gemara extremely difficult to understand. Were these *Amoraim* really so fickle that such trivial favours could corrupt their reasoning and preclude them from rendering unbiased rulings? Why didn't they give themselves more credit than to assume that they would pervert justice as a result of such inconsequential interactions?

Rav Pam explains that the underlying issue in this Gemara is not the power of bribes, but rather the strength of feelings of *hakoras hatov* (gratitude) that we should feel toward those who help us out. These Rabbis were certainly not impulsive and capricious, but they took favours much more seriously than we do. We have difficulty comprehending these incidents because the benefits being discussed seem so minor that they wouldn't even register on our mental radar screens. However, to the *Amoraim* who had worked to develop a proper sense of *hakoras hatov*, they viewed these trivial acts as deserving of so much gratitude that they feared that their judgment would be skewed as a result.

Rav Pam adds that our lack of appropriate feelings of *hakoras hatov* is responsible for so many interpersonal problems that we face today. For example, many spouses regularly take each other for granted, and the chores and errands that one spouse does for the other are dismissed as undeserving of gratitude because "he (or she) is only doing his job." If we would instead work to appreciate these favours and take them as seriously as the *Amoraim* did, our marriages would be far more peaceful and fulfilling. Similarly, in our interactions with friends, neighbours, and co-workers, if we view their actions with an eye toward feeling gratitude, we will get along much better with others.

As we begin the month of Elul and the process of self-improvement, let us resolve to begin this period by striving to emulate the *Amoraim* and inculcating within ourselves genuine feelings of appreciation toward all those who help us out in any way, no matter the magnitude or motivation, which will serve to improve all our relationships and make us happier people.

2) In this week's *sedra* the Torah tells of the various groups of soldiers who were sent home before battle, including: **וְמִי הָאִישׁ אֲשֶׁר: אָרַשׁ אִשָּׁה וְלֹא לָקַחָהּ** – "a man who betrothed a woman but did not yet marry her" (20:7). Such a person is excused from battle: **פֶּן יָמוּת: וְאִישׁ אֲחֵר יִקְחָנָהּ** – "lest he die in battle, and another man will marry her."

The *Targum* Yonasan ben Uziel presents a novel and surprising interpretation of this *pasuk*: דלא יגרומ ליה חובא דלא חדי באנתתיה ויתקטיל – “so that the sin of not bringing joy to his wife will not cause him to fall in battle such that another man will marry her.”

This soldier might be deserving of dying in battle, *Targum* Yonasan explains, because he failed to fulfil the mitzvah presented later in *Sefer Devorim* (24:5): וְשִׂימַח אֶת אִשְׁתּוֹ אֲשֶׁר לָקַח, requiring a newly married husband to make his new wife happy.

Several *Achronim* raised the question of why the soldier is guilty of neglecting this mitzvah, which applies only after marriage. Since he has only betrothed his bride, and has not yet married her, he is not yet obligated in the mitzvah of וְשִׂימַח אֶת אִשְׁתּוֹ. Why does the *Targum* Yonasan speak of the soldier as neglecting this mitzvah? Some have explained *Targum* Yonasan’s translation to mean that the soldier might be guilty of delaying his wedding, which had the effect of delaying the mitzvah of וְשִׂימַח אֶת אִשְׁתּוֹ, and for this reason he is sent home.

Regardless, the *Zohar* (*Ki Seitzei* 58b), commenting on a later *pasuk* which speaks of Bnei Yisrael going out to battle (כִּי תֵצֵא לְמִלְחָמָה עַל), explains that it refers to מלחמת היצר, our ongoing battle against our *yetzer ha’ra*. Rav Simcha Bunim of Pashischa commented that at the times when actual wars were fought, the *Zohar’s* interpretation was merely an allusion to the מלחמת היצר, but now, when wars are not fought, this is the true, primary meaning of the *pasuk*. The practical difference between a subtle allusion and a primary meaning is that it is far easier for us to achieve that which the *pasuk* demands according to the primary meaning.

It emerges, then, that *Targum* Yonasan’s explanation of the exemption given to the soldier offers us a new insight regarding our battle with the *yetzer ha’ra*. Of course, a person must go out to wage war against his *yetzer ha’ra*, devoting himself to Torah learning in the *Beis HaMidrash* at all times. However, he must also ensure that his wife feels that she, too, has a share in his Torah learning, that as he grows and achieves in Torah and *avodas Hashem*, it is all in her merit, as the Gemara teaches (*Berachos* 17a), wives earn reward by bringing their children to *shul* and by allowing their husbands to spend time away from home in the *Beis HaMidrash*. This is the intent of the *Targum* Yonasan ben Uziel – that every man must properly fulfil the mitzvah of וְשִׂימַח אֶת אִשְׁתּוֹ, and even when he sits engrossed in Torah and growing in *avodas Hashem*, *yir’as Shomayim* and *middos*, he must see to it that his wife experiences fulfilment and satisfaction from his actions and from hers. This is the essential meaning of the Torah’s command וְשִׂימַח אֶת אִשְׁתּוֹ.

As Rashi explains, the Torah commands husbands to make their wives happy – וְשִׂימַח אֶת אִשְׁתּוֹ – as opposed to just being happy together with their wives, in which case the Torah would have written וְשִׂמַח אֶת אִשְׁתּוֹ (*Tzadikim* would often cite this Rashi to *chasanim* before their weddings as a matter of practical guidance). One must ensure that his wife is happy and content, and give her a sense that all his Torah and hard work is because of her and in her merit. We will then all, with Hashem’s help, succeed in triumphing over our *yetzer ha’ra* and serve Hashem with all our heart and soul, אמן כן יהי רצון. (Adapted from Ma’amer from the Tolner Rebbe)

3) This week’s *parsha* contains the mitzvah of setting up *oray miklot* [cities of refuge]. If a person unintentionally kills, he must run to the nearest *oray miklot* and remain there until the death of the Kohen Gadol.

The Torah refers to this *din* in *Parshas Mishpotim* (*Shemos* 21:13) as well. - וְאֲשֶׁר לֹא צָדָה וְהֶאֱלָקִים אֹנֶה לְיָדוֹ וְשִׁמְתִי לָךְ מְקוֹם אֲשֶׁר יָנוּס שָׂמָּה. “And concerning the one who did not hunt, but G-d brought (the victim) into his hand, and I will setup a place for him to flee there.” The Rabbis point out that 4 consecutive words in this *pasuk* אֹנֶה לְיָדוֹ וְשִׁמְתִי לָךְ begin with the letters *Aleph, Lamed, Vov, Lamed* which spell out the name of the month of Elul. This is a hint to the month of Elul, which we are now beginning as a preparation to the Yomim Noraim.

There is perhaps a more commonly known acronym applied to the letters of the name of this month. - אָנִי לְדוּדִי וְדוּדִי לִי הִרְעָה בְּשׁוֹשְׁנַיִם. “I am to my Beloved and my Beloved is to me” (*Shir HaShirim* 6:3). This latter acronym seems to be more appropriate. It connotes the fact that in Elul we feel a special closeness to Hashem and He reciprocates that feeling.

It seems rather stretched and inappropriate, by comparison, to have a hinted connection between the concept of the *oray miklot*, someone who killed by accident having a place to flee, to the month of Elul. What connection could there be?

Rabbi Zev Leff offers the following explanation. When a person kills unintentionally, we see that he needs some form of atonement. The atonement is going to *oray miklot* and staying there until the Kohen Gadol dies. We can ask two questions: 1) Why does he need atonement — what did he do wrong, it was an accident! 2) What type of atonement is it to go to *oray miklot*?

The answer must be that if one kills, even by accident, there is an indication that this person does not properly value human life. Had he valued human life the way it should be valued, he would have taken the necessary precautions. It was an accident, but he should have been more careful. Had he valued human life the way it should be valued, he would have been more careful.

One might object — what does it mean “he doesn’t value life” — doesn’t everyone value life?

Unfortunately, there are people who do not value life. If a person does not appreciate what he can do in his lifetime, he does not appreciate life sufficiently. There are people in the world who will put their lives in danger for sporting and fun activities. I do not understand people who jump out of a plane, fall ten thousand feet and at the very last minute pull the cord, just for fun.

Perhaps it is because they feel that their lives are so empty that they need the fear of death to put meaning in their lives. Perhaps they don’t value what one can do in a lifetime.

At the opposite end of the spectrum was Rabbeinu HaKadosh. The Gemara in *Avodah Zarah* (17a) tells us of the wicked Elazar ben Durdaya who had an inspiration to do *teshuva* at the end of his life and thereby acquired *Olam HaBoh*. Concerning this, Rebbi cried and said “A person can acquire his World in a single moment.”

It seems strange that Rebbi cried. Was he upset that he himself had to be religious his whole life to acquire the *Olam Haboh* and this wicked person was admitted with one second’s worth of effort? No, that was not why Rebbi cried.

Rebbi saw how much could be accomplished with a single second of effort. If one can get *Olam Haboh* with one second of effort, how much more can be accomplished by devoting every second of one’s life to such effort. Rebbi cried because he valued life. If one views this world, not as an end in and of itself, but sees eternities that he can accomplish with this world, then he has a different aspect and a different outlook on life. Life becomes so much more precious.

The person who kills unintentionally doesn’t have this appreciation of life. Therefore, his punishment is to go to *oray miklot*. Who lives in *oray miklot*? The Leviyim. What did the Leviyim do with their time? They devoted themselves to holy work. They worked in the *Beis HaMikdosh*. They sang in the *Beis HaMikdosh*. They were the teachers of Torah. The person who killed unintentionally would now have the opportunity to get an appreciation of what one can do with life. Such an experience will forever change the person. Seeing a Levi who spends his morning, afternoon, and evening immersed in Torah and *mitzvos* will change his view of life.

That is what living in *oray miklot* accomplishes. This is not a jail sentence. The person had a problem. He didn’t appreciate life. He didn’t value life. He didn’t realize what he could accomplish with life. Go to the Leviyim and see what one can do with life. That is what *oray miklot* accomplishes.

Now we can understand what this has to do with the month of Elul. That which *oray miklot* is supposed to be in space, the month of Elul is supposed to be in time. Just like there is a city of refuge to which one can run and contemplate what life is all about, the month of Elul is the month of refuge in which one must also contemplate what he can do with his or her life.

In less than a month we will get up and request “Remember us for Life... Inscribe us for Life...”. Hashem says, “Before you ask for life, I want you to spend a month in a time zone of refuge to reflect what life is really about.” The only way to enter Rosh Hashanah is by first contemplating what life is really about. Those in Yeshiva merit to have special Elul *shmoozen*, slower *davening* etc. However even those who aren’t in Yeshiva have to slow down and set aside time to think about life. Rosh Hashanah and Yom Kippur are days that one can’t enter unprepared. That is what Elul is about. Elul is a time zone of refuge to contemplate about life.

4) אִם תִּחַנֶּה עָלַי מַחֲנֶה לֹא יִירָא לְבִי אִם תִּקּוּם עָלַי מִלְחָמָה בְּזֹאת אֲנִי בּוֹטָח – “If an enemy army camps against me, my heart will not be afraid, and even if war rises up against me, in this I trust.” (*Tehillim* 27:3)

During the month of Elul, at the end of our *davening*, we add *Perek* 27 of *Tehillim*, in which Dovid declares, “If an enemy army camps against me, my heart will not be afraid, and even if war rises up against me, בּוֹטָח אֲנִי בּוֹטָח – “in this I trust.” What is the זֹאת that is the source of Dovid’s confidence? Although Rashi and the Radak connect it to the beginning of the *Perek*, where he proclaims ד’ אֲרוּרֵי וַיִּשְׁעֵי חַי וְמַעוֹז חַי – “Hashem is my light, my salvation, and the stronghold of my life” – and the *Malbim* explains it as a reference to the following verse, in which Dovid discusses his *tefillah* to dwell in the house of Hashem all the days of his life, Rav Meir Wahrsager of Yeshivas Mir Yerushalayim suggests that these interpretations do not fit well with the context and straightforward reading of the passage.

Accordingly, Rav Wahrsager cites the *Sfas Emes* (*Shoftim* 5634), who explains Dovid’s words according to their literal meaning, that the very encampment of his enemies against him is the זֹאת that is the source of his optimism. In other words, Dovid is saying that when he is confronted by a difficult *nisoyon* [test], he draws strength from the challenge before him, for he understood that as overwhelming and insurmountable as a situation may appear, בּוֹטָח אֲנִי בּוֹטָח – the very fact that Hashem put me in these circumstances is the greatest proof that I am up to the test and capable of passing it.

As we begin the period of introspection and self-improvement to prepare ourselves for the upcoming Yomim Noraim, we must recognize that the moment we believe a battle is too hard for us, we have already lost. The fact that Hashem gives us a certain *nisoyon* is the ultimate proof that He knows that we are up to the task and possess the necessary tools to prevail. (R’ Ozer Alport)

This week sheet is dedicated lechovoid Reb Avraham, lechovoid his shabbos sheva brochos this week, may he be zoicha to build a bayis ne'man b'yisroel lshem ultiferes and be zoicha to only brocho.

Dedicated by the Eretz Yisroel Oilom

The above *gilyon* was written by Moshe Harris, please consult a Rov for final ruling. For sponsorship, dedications or for any *ha'oras* or to receive this *gilyan* weekly please email me at limudaymoshe@gmail.com or call/text me on +447724840086 (UK) or 0585242543 (Eretz Yisrael)

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