



The Greater Washington Community Kollel

# SHABBOS DELIGHTS

## TORAH MINUTE

IN MEMORY OF RABBI KALMAN WINTER ZT"l

### The Lengths We Must Go To

**Presented by Rabbi Hillel Shaps, Kollel Scholar and Director of Special Projects**

In Parshas Shoftim, the Torah instructs us that when a Jewish army prepares for battle, any soldier who had recently built a house, but not yet dwelled in it, planted a vineyard, but not yet had an opportunity to benefit from it, or betrothed a woman, but not yet married her, was instructed to return home from the battlefield. Additionally, the Torah continues (20:8), one who was "fearful and soft at heart" also was directed to leave in order to prevent him from damaging the morale and confidence of the other soldiers. Rashi cites two opinions from the Mishna (Sotah 44a) as to what kind of fear is referred to in the verse. According to Rabbi Akiva, it refers simply to fear of combat, while according to Rabbi Yosei Hagelili, it refers to a person who is afraid he may fall in battle as a result of the sins he has transgressed. The Mishna expounds on this opinion and explains that the primary reason the Torah instructs the previously listed categories of people to return from battle as well was to provide cover and avoid embarrassing those departing because of their sins. With so many different reasons for exemption, nobody would know if a person was leaving over fear of their sins or for some other reason.

This explanation also seems to provide a solution to an obvious question. If a person recently built a house, planted a vineyard, or betrothed a woman, why was it necessary for him to show up to the battlefield in the first place and then leave? Why not simply stay home? The answer might be that they needed to come to the battlefield specifically in order to depart at the same time as those leaving for fear of their sins, to provide cover and avoid any embarrassment for anyone.

Rav Yoseph Leib Nenedick, a prominent Mussar leader in pre-war Europe, related that you see from here how far one must go to avoid embarrassing another. The Torah includes an entirely "extra" set of laws and requires extraordinary effort in order to spare another person from embarrassment, and even from being embarrassed over his sins. We as well must go to great lengths to not only avoid shaming or embarrassing others, but even to save them from embarrassment, even when we don't necessarily agree with their behavior.

**Wishing you a Good Shabbos!**

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## TABLE TALK

### Point to Ponder

**Or who will come with his fellow into the forest... (19:5)**

Rebbi Yehuda says, a blind person who kills someone accidentally does not go into exile. The reason is since the verse says "without seeing" and a blind person never sees (Makos 9a).

Rebbi Yehuda says, a blind person is exempt from all the mitzvos of the Torah (Kiddushin 31a).

If a blind person is exempt from the mitzvos anyway, he would not be obligated to go into exile either. So why does Rebbi Yehuda need a special inference to teach that?

### Parsha Riddle

**Where in the Parsha is there a source for the obligation to escort a guest who leaves your home?**

Please see next week's issue for the answer.

Last week's riddle:

**When is one permitted to eat the cheilev fats of a cow?**

**Answer: If a cow was slaughtered and there was a baby inside, the cheilev fats of the baby may be eaten.**

## HATORAH V'HAMITZVAH

### HALACHA INSIGHTS FROM THE PARSHA

*Parashas Shoftim* contains two similar sounding admonitions regarding witness testimony: "By the testimony of two witnesses or three witnesses shall the condemned person be put to death; **he shall not be put to death by the testimony of a single witness.**" (17:6) and "**A single witness shall not stand up against any man** for any iniquity or for any error, regarding any sin that he may commit; by the testimony of two witnesses or by the testimony of three witnesses shall a matter be confirmed." (19:15)

The latter admonition is indeed generally understood in the sense of the above translation (by ArtScroll); Rambam (*Sefer ha-Mitzvos lo sa'aseh* #288) and *Sefer ha-Chinuch* (#523) count it as one of the 613 commandments, to refrain from imposing punishment upon, or extracting money from, a defendant based on the testimony of a single witness. The former admonition, however, is interpreted differently in various Midrashic, Talmudic, and medieval sources:

- The Talmud (*Makkos* 6b) interprets it as a rule against "disjointed testimony," in which each of the witnesses saw the incident independent of the other, in capital cases. Ramban considers this another of the 613 commandments (*Hasagos to Sefer ha-Mitzvos*, negative commandments forgotten by Rambam, #9).

- Rambam (*ibid.* #291) also considers this to be another of the 613 commandments – but following *Sifrei*, he understands it in yet another way, as a reiteration of a prohibition first stated in *parashas Masei* (35:30): "Whoever smites a person, according to the testimony of witnesses shall one kill the killer, **but a single witness shall not testify against a person regarding death.**" According to the Talmud (*Sanhedrin* 33b-34a), this is a prohibition against a witness in a capital case making arguments for or against the accused, beyond his actual testimony. The *halachah* follows the view that this extends even to an argument for acquittal, since a witness subsequent to testifying against the accused may acquire an interest in his acquittal: he may regret his testimony (and may even fear being [ostensibly?] shown to have perjured himself via the mechanism of *hazamah*), and since a witness is barred from recanting his testimony, he may attempt to forestall a conviction by improperly advocating on behalf of the accused.

PRESENTED BY  
RABBI YITZHAK GROSSMAN, ROSH CHABURAH

## KIDS KORNER

### Who Am I?

#### #1 WHO AM I ?

1. I totaled forty-two.
2. Three on each side.
3. I saved.
4. Do not leave.

#### #2 WHO AM I ?

1. I am on request.
2. Fear me.
3. I carry a Torah.
4. I must be Jewish.

#### Last Week's Answers

**#1 Har Grizim** (I am for blessings, I am not greasy, I am across the river, I am toward the west)

**#2 Avoda Zara/Idols** (Destroy me, I contaminate you, Strange work, I am the second of the ten.)

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