

SHO-F'TIM

48th of the 54 sedras;
5th of the 11 in D'varim

Written on 191.6 lines (ranks 27th)

18 parshiyot; 3 p'tuchot, 15 s'tumot

97 p'sukim - ranks 36th - 7th in D'va.
(tied with Tzav, but larger)

1523 words - ranks 28th - 7th in D'va.

5590 letters - ranks 31st - 7th in D'va.

Relatively long p'sukim, like most of
D'varim but an average-sized sedra

MITZVOT

41 mitzvot - 14 pos., 27 prohibitions;

That's more than 6.5% of the Torah's
mitzvot. Ranks 6th among the sedras,
in mitzvot.

The top 6 mitzva-sedras contain 55%
of the Torah's mitzvot. (31 other
sedras have the other 45%; 17 have
none)

Aliya-by-Aliya Sedra Summary

[P> X:Y (Z)] and [S> X:Y (Z)] indicate start of
a parsha p'tucha or s'tuma. X:Y is
Perek:Pasuk of the beginning of the parsha;
(Z) is the number of p'sukim in the parsha.

Numbers in [square brackets] are the
Mitzva-count of Sefer HaChinuch AND
Rambam's Sefer HaMitzvot. A=ASEI; L=LAV
(prohibition). X:Y is the perek & pasuk from
which the mitzva comes.

The weird spelling of SHO-F'TIM

The SHIN is vowelized with a CHOLAM
- doesn't matter if it's just a CHOLAM
CHASEIR (just a dot on upper-left) or
a CHOLAM MALEI (VAV with dot over
it) - the CHOLAM is a strong vowel,
T'NU'A G'DOLA. It most often makes
a syllable by itself - without a closer
letter with a SH'VA NACH. The first
syllables of the two words that begin
our sedra are SHO and V'SHO. The
FEI and the TET do not join the first
syllable, but rather are part of the
second syllable: F'TIM and T'RIM.
Their SH'VAs are NA.

In addition to which syllable the letter
belongs, the two different SH'VAs
sound different. A SH'VA NACH is
totally silent. It adds nothing to its
letter's sound.

Table is SHUL-CHAN. The SH'VA
under the LAMED is NACH. The
LAMED is heard as a consonant with
no vowel sound at all. Just like the
NUN at the end of the word. Just the
consonant sound. It too has a (virtual)
SH'VA NACH.

The BET of B'RACHA has a SH'VA
NA, which adds a very short vowel
sound to the BET.

Mispronouncing the FEI-SH'VA of
SHO-F'TIM does two things: it
attaches the FEI to the wrong
syllable, and it changes the vowel
sound (from short to nothing).

Usually, NAing a NACH or NACHing a NA doesn't change the meaning of the word. Same for attaching a letter-SH'VA to the wrong syllable. Once in a while, the meaning changes. Even with no change in meaning, we should pronounce the words - especially in davening and laying - correctly. But a BK (Baal Korei or Baal K'ri'a) who reads SHOF-TIM is not to be corrected.

Kohen - First Aliya - 18 p'sukim - 16:18-17:13

[S> 16:18 (3)] Judges to clarify the law (and try cases) and agents of the court to enforce the law are to be appointed throughout the Land [491, A176 16:18], and they are to carry out their duties fairly. They must not slant the law, nor show favoritism, nor take bribes which blind and pervert even the fairest and most righteous of people. Justice is to be ardently pursued so that we will be worthy of living and flourishing in Eretz Yisrael.

What if a judge was going to vote in favor of the briber, even without the bribe. Justice is still being served. Is the bribe any less a serious offense? The answer is NO. A bribe is a bribe. One leads to another, and justice will be perverted.

SDT: TZEDEK TZEDEK TIRDOF - Justice you shall surely pursue. The doubling of the word TZEDEK is

usually considered a form of emphasis. But here, one commentator suggests that it can be seen as a reminder that not only shall justice be pursued, but the means employed in the pursuit of justice shall also be just. We should not subscribe to the concept that the end justifies the means. Perpetrating a mockery of justice and claiming that it is justice, is the greatest offense of all. TZEDEK (B')TZEDEK, justice with justice (you shall pursue)...

[S> 16:21 (2)] Planting trees in the courtyard of the Mikdash (or near the Mizbei'ach) is forbidden [492, L13 16:21] - it is an idolatrous practice. *(This prohibition still applies today.)*

Erecting monuments (as is done in idol worship) to G-d (even with "proper" motives) is forbidden [493, L11 16:22].

SDT: Perversion of justice is juxtaposed to idolatry to emphasize how serious is the former sin. Pirkei Avot states that "the sword comes to the world because of perversion of justice... exile comes because of idolatry." Both sins cause us to lose our hold on Eretz Yisrael. And conversely, remaining faithful to G-d and dealing with each other with honesty and justice will secure us our hold on our Land. The Gemara states that "appointing inappropriate judges is tantamount to planting a tree near the Altar." Planting a tree in an attempt to beautify the Temple, is a

completely misguided act. The beauty of the Beit HaMikdash flows from itself and its spiritual essence. To think that external decoration can contribute to the beauty is to lack understanding of what the Beit HaMikdash is. So too, to appoint a judge because of personal appearance, wealth, stature, etc. (and not because of scholarship and worthiness to judge) is equally "missing the point".

[S> 17:1 (1)] Sacrificing blemished animals is forbidden [494, L95 17:1]. (Elsewhere the Torah enumerated types of blemishes, but the mitzva is counted here in Shoftim; the Gemara deals with the details.)

[S> 17:2 (6)] The Torah next stresses that idolatry is a most serious sin. If we find among us a fellow Jew who worships anyone (or thing) other than G-d, we must most scrupulously investigate the case against him (or her). If the person is convicted by the court, the punishment is death by stoning, thereby uprooting evil from our midst.

It is the eye-witness testimony of a minimum of two that shall be necessary to convict. No one can be sentenced to die (or be otherwise punished) by the testimony of only one witness. The witnesses themselves are often to be involved in the carrying out of the sentence.

[P> 17:8 (6)] The Torah next establishes the mechanism for the perpetu-

ation of Judaism through the generations (by emphasizing, among other things, that if disputes arise or a halachic point needs clarification, that we are to consult the judges in our time) and the dynamic applicability of Halacha for all times (by giving the Sages the authority to enact laws for the protection of Torah and its proper observance).

We are required to do all that the Sanhedrin (the Supreme Halachic Authority) teaches and commands [495, A174 17:10]. We must not veer from their rulings "neither to the right nor to the left" [496, L312 17:11].

MITZVAnotes

Rambam's Book of Mitzvot contains 14 "rules" by which Rambam counts the Torah's 613 mitzvot. Rule #1 states that rabbinic mitzvot such as Chanuka and Purim shall not be counted among the Taryag. This might seem obvious, but Rambam feels compelled to state this rule in opposition to mitzva-counters who DID include some "rabbinic mitzvot" among Taryag.

Why would someone consider the post-biblical mitzvot of Chanuka and Purim as Torah law?

Similarly, why is it that the bracha for mitzvot, which states "...(G-d) Who has sanctified with his mitzvot and commanded us..." is also recited for 6 rabbinic commandments? (Try to

come up with the six Rabbinic mitzvot before reading further - Shabbat & Yom Tov candles, Chanuka candles, Megilat Esther and the other Megilot, Netilat Yadayim, Hallel, and the three types of Eiruv - make this into a question for those who share your Shabbat table.)

The answer to both questions is based on the p'sukim towards the beginning of this week's sedra which speak about the authority of the Sanhedrin - mitzvot **495 & 496** above. In essence, the Torah commands us to observe rabbinic law. Therefore, it can be argued that rabbinic law IS Torah Law. It follows that one might consider counting Chanuka and Purim among the 613, and it makes sense to use the mitzva-bracha formula for Rabbinic mitzvot.

Rambam does not argue against this. He insists, however, that we cannot possibly count Rabbinic mitzvot separately among the 613. This could lead to the untenable situation of having to re-adjust the mitzva count each time a Sanhedrin would make a new rabbinic mitzva. (Clarification: there are many, many Rabbinic laws - positives and prohibitions. Only these six - plus the seventh, the mitzva of making brachot - however, are accorded the status of Rabbinic MITZVOT.)

Clarification: Rabbinic Law is NOT

Torah Law. It is backed by the Torah (D'varim 17:11), but it is not Torah Law. It cannot be. It would be in violation of BAL TOSIF, adding to the Torah. Let's say that Rabbinic Law is a notch below Torah Law - close but not equal. To avoid BAL TOSIF, Chazal have created guidelines of Rabbinic Law that are different from the guidelines of Torah Law. One example - cases of doubt. SAFEIK D'ORAITA L'CHUMRA; SAFEIK D'RABANAN L'KULA - a doubt in a Torah issue is handled to the strict side; that of a Rabbinic issue is handled leniently. There are other distinctions between Torah and Rabbinic Law; they were purposely made to avoid the BAL TOSIF issue. We must know what is Torah Law and what is Rabbinic Law. But our commitment is to both.

A Torah scholar with authority to render halachic decisions who defies the Sanhedrin and encourages others to disregard their ruling, can (under certain circumstances) be liable to a death penalty. Such an individual is known as ZAKEN MAMREI and is ultimately judged by the Great Sanhedrin of 71. This shall serve as a deterrent to the People not to behave similarly. The average Jew is not similarly subject to possible execution, but still is warned of the seriousness of flouting Rabbinic authority. [It is likely that there never actually was an individual who was executed as a Zaken Mamrei, yet the idea adds

tremendous weight to the seriousness of Rabbinic Law.] We might say that G-d's Plan and his Torah included Rabbinic Law in the total picture of what He wants of us.

Levi - Second Aliya - 7 p'sukim - 17:14-20

[S> 17:14 (7)] When the People will enter the Land, conquer it, and settle down, and they will ask for a king (like the nations around them - this phrase contains an implicit warning against asking for the wrong reasons), it is a mitzva to "place over us" a king (of G-d's choosing) from among the Jewish People [497, A173 17:15]; we may not choose a non-Jew as king [498, L362 17:15]. The king must not possess too many horses [499, L363 17:16] (i.e. in excess of those necessary for his army and other needs) nor may he lead the People back to Egypt - it is forbidden for us to dwell in Egypt [500, L46 17:16]. (Visits are permitted.) A king may not have an excessive number of wives (more than 18) [501, L364 17:17], nor may he amass excessive wealth [502, L365 17:17]. (This refers to wealth for its own sake; funds necessary for running the kingdom are excluded from the prohibition.)

A king must write a Sefer Torah for himself [503, A17 17:18] (in addition to the one he is commanded to write as a Jew - mitzva #613). This Torah is to be copied from THE Sefer Torah of the

Beit HaMikdash (in or next to the Aron - there are differing opinions).

A king of Israel has awesome powers over his subjects. He therefore requires the "humbling force" and moral restraints of the Torah constantly before him. The Torah is his guide for proper rule. A king who is guided by Torah law and values is a great asset to the People of Israel. A king who isn't, is our worst liability. (Just look into Tanach for our track record...)

Shlishi - Third Aliya - 5 p'sukim - 18:1-5

[S> 18:1 (2)] Kohanim-Leviyim are not to receive land in Eretz Yisrael [504, L169 18:1] (other than the cities which are given to them by the Tribes) nor share in the spoils of war [505, L170 18:1] - their holy service in the Mikdash is considered their share.

[S> 18:3 (3)] (Among other gifts to the kohen,) the kohen is to receive specific parts of every animal slaughtered for food - the right forelimb, tongue and surrounding cheeks, stomach and surrounding fat [506, A143 18:3], T'ruma from produce [507, A126 18:4], and the first-shearing of the sheep [508, A144 18:4]. These gifts are due the kohen because of his sacred service.

Note: Whereas T'ruma and other gifts which are sacred, cannot be given at

the present time because of issues of ritual impurity, both "gifts" [506] and Reishit HaGeiz [508] apply today and can be given. If this is practical issue for you, consult a Rav for details.

First shearing applies only in Eretz Yisrael, even though it is not related to the Land. This is learned from its partner in the pasuk, T'RUMA, and by the use of the word REISHIT. First shearing can be given to a Bat Kohein, as well as a male Kohein. If and when you own at least 5 sheep, check with your LOR about this mitzva.

R'vi'i - Fourth Aliya - 8 p'sukim - 18:6-13

[S> 18:6 (3)] Kohanim and Leviyim are supposed to distribute their workloads at Holiday time equally among the different family units [509, A36 18:6].

[S> 18:9 (14)] Another warning follows, to be on guard against learning from and adopting any of the abominable practices of the nations that we will encounter in Eretz Yisrael. The implication here is that we must not "learn to do" the terrible things, but we may learn about them in order to understand their ways and to better instruct our fellow Jews in this area. *(Tur Shulchan Aruch, based on the Gemara)*

On the practical side of this ruling, one should be very well-established

in his own Judaism before reading and learning about other world religions and pagan practices. Such a study should be done under the supervision of a proper mentor.

Shun the practices of passing one's children through fire (a vivid example of a reprehensible pagan practice, counted elsewhere), divination and certain types of meditations meant to "read the future" [510, L3 18:10], astrological predictions (counted elsewhere; some other aspects of astrology are not halachically objectionable, but one must be careful), reliance on omens [counted elsewhere], conjuring & witchcraft [511, L34 18:10], incantations [512, L35 18:10], mediums [513, L36 18:11], oracles [514, L37 18:11], and necromancy (seances, contacting the dead) [515, L38 18:11]. All the abovementioned practices - and there are different opinions as to exactly what each Torah-term refers to - pull a Jew away from his straightforward, "pure" relationship with G-d. We must strive for that direct, honest relationship.

These Black Arts can be seen as an alternative to prophecy, yet they are "unkosher" and must be shunned. How much more so when they are attempts to bypass or defy G-d.

Chamishi - 5th Aliya - 22 p'sukim - 18:14-19:13

It is the other nations who listen to the

practitioners of the occult arts. G-d did not make us so. We have prophets (like Moshe) who arise from our midst, and it is their prophecies to which we must hearken [516, A172 18:15].

This was part of the "deal" made with G-d at Sinai, when we asked that we not hear G-d's "voice" directly. G-d agreed with our request on the condition that we would listen to true prophets who would communicate to us what G-d asks of us. Anyone who does not listen to the Word of G-d through the prophet will be "answerable to Him". But a prophet dares not speak in G-d's name under false pretenses [517, L27 18:20], or speak in the name of an idolatry [518, L26 18:20]. How are we to know what is and what isn't G-d's word? A prophet must have a 100% "track record" - anything less is an indication of a false prophet. (Prophecies of bad things to befall the People can be reversed through sincere repentance and therefore do not cast doubt upon the prophet who "predicted" those events that ended up not happening.)

We must not be afraid to defy a false prophet and bring him to justice [519, L29 18:22].

Of course, we are not supposed to be afraid to do any mitzva in the Torah. In the case of a false prophet, we are often dealing with a charismatic individual who might have a very large following. A person who might actually perform wonders before our

eyes. Defying him might be a very unpopular thing to do (or even dangerous). The Torah is bolstering our resolve to rid ourselves of false prophets by commanding us not to be afraid.

Perhaps we can draw from this mitzva a lesson to apply to all mitzvot. Do not be afraid to keep the Shabbat, be kosher, daven, avoid Lashon HaRa, etc. etc. etc. even when doing so might meet with the scoffing of others. Adhere to halacha and don't be afraid or embarrassed to do so. Sometimes the Torah has to tell us something once and we can learn to apply the same idea - wherever it fits.

[S> 19:1 (10)] When matters are settled in Eretz Yisrael, we are required to designate another three cities of refuge [520, A182 19:3]. Roads to the cities are to be prepared and identified so that a killer can easily find refuge. The cities will protect the inadvertent killer from the blood-avenging relative of the the victim. When we will merit expansion of our Land, another three cities will be selected. This is to avoid unnecessary blood- shed.

[P> 19:11 (3)] An intentional murderer also flees to a city of refuge, but is removed therefrom to stand trial. We must not ignore these situations - and those concerning assault [521, L279 19:13], so that we will thereby eliminate the shedding of innocent blood and merit a good life.

Rashi raises an interesting argument against capital punishment, which he rejects. On the words, Do not have pity on him (the killer), Rashi says, don't say that the victim is dead anyway, why should we take another life and then there will be two dead people. The implication is clear that despite that argument, capital punishment stands.

One can be opposed to capital punishment in today's society without it being considered clashing with the Torah. We don't, at the moment, have the Sanhedrin system of Justice, we don't have a complete Torah society, we don't have the same rules of evidence that might give us the confidence in a death sentence.

On the other hand, there is the statement about a Beit Din that executes a person once in seven years - some say, once in 70 years, that it is a "murderous Beit Din". The Torah, so to speak, commands capital punishment but expects it to be meted out exceedingly sparingly.

Shishi - Sixth Aliya

17 p'sukim - 19:14-20:9

[S> 19:14 (1)] One may not encroach upon another's territory [522, L246 19:14]. This literally refers to the prohibition of moving a boundary-marker between your land and your neigh-

bor's thereby stealing some of his property. Although stealing is already forbidden (and counted among the 613), this prohibition comes to emphasize the seriousness of stealing land, 'dafka' in Eretz Yisrael.

This prohibition extends to other forms of encroachment, e.g. unfair competition that steals someone's business. There is often a fine line between "healthy" competition and one encroaching on the other's territory. Each situation needs to be examined on its own merits.

[S> 19:15 (7)] It is forbidden to render judgments (in most cases) based on the testimony of a single witness [523, L288 19:15]; a minimum of two witnesses is required. (Sometimes, what only one person says will point the judges in a certain direction, but not as formal testimony. So too, what someone who is invalid as an official witness says, can point the judges in the direction of the truth.)

If false witnesses shall plot to victimize the accused (and their plot is uncovered in a specific way and at a specific point in the trial) they are to be punished in the manner that they plotted against their fellow [524, A180 19:19].

This topic is known as EIDIM ZOM'MIM - plotting witnesses. It is a subset of false witnesses that differs from regular false witnesses in several interesting and sometimes enigmatic ways.

For example, if witnesses plot to falsify their testimony **PLANNING** that their victim will be executed, then their punishment is execution. However, if their plot succeeds and the one whom they testified against is executed, then they are not executed. Only if their plot is revealed in one specific way before it "succeeds", can they be put to death.

Remember that G-d is the backup Judge whenever something "slips by" our application or understanding of justice. So even when something seems unfair or illogical, remember that before Him all is fair and all is logical.

[S> 20:1 (9)] When we go out to battle our enemies and see their horses and vehicles, armaments, etc. and we might tend to panic... we are forbidden to be afraid, because G-d is on our side [525, L58 20:1,3].

A kohein is anointed as chaplain (sort of) and delivers the pre-battle speech to the potential army [526, A191 20:3]. He and the Sho-t'rim speak to the people and send home those that have recently built a house, become engaged to marry, and/or planted a vineyard. (In all three cases, the point is that each pursuit is as yet "unfinished". Such a person faces serious distraction from the goals of battle.) They also dismiss from service someone who fears that he has insufficient merit to survive battle.

(This is one of several ways of looking at this topic.)

It is important to point out that these "exemptions" from army service apply to Milchemet R'shut, an optional war - not to Milchemet Mitzva. For the obligatory war, a Chatan is taken from his Chupa (and the yeshiva boy from the Beit Midrash).

It is reasonable (and also a sad reality) to argue that in the situation that Israel finds itself today, at war (and being pressured by its friends with their own agendas), that we are in a state of Milchemet Mitzva. This is a hotly debated issue in our very own time - army service for Yeshiva and Kollel students.

Sh'VII - Seventh Aliya - 20 p'sukim - 20:10-21:19

[S> 20:10 (9)] Before attacking an enemy city, an offer of peace must be sent [527, A190 20:10]. (This applies to all enemies including Amalek! - but not to Amon and Moav.) It is conditional upon the acceptance of the 7 Noahide Laws and other restrictions. If these terms are not met, we attack and destroy the male population. Female captives and spoils of war may be taken, except for the "Seven nations" [528, L49 20:16]. These nations are to be totally eradicated at G-d's command, in order to eliminate their evil influence from the world.

[S> 20:19 (2)] When laying siege to a city, care must be taken not to destroy fruit trees [529, L57 20:19]. Only shade trees may be cut down so that siege equipment may be built. This prohibition of BAL TASHCHIT is expanded by Chazal to include many types of wanton wastefulness.

[P> 21:1 (9)] If a corpse is found in a field, and it is not known who has committed the murder, measurements are made to determine the nearest town. The elders of that town perform a ceremony which includes killing a calf at NACHAL EITAN [530, A181 21:1] to emphasize the senselessness of bloodshed. The area where the ceremony is performed may never be planted nor worked [531, L309 21:4]. The elders proclaim that they are not responsible for the loss of life. The whole procedure has a sobering effect on all involved, and hopefully there is sincere mending of ways and atonement granted by G-d because all the People now take "life" more seriously. The mitzva is known as EGLA ARUFA. *The last 3 p'sukim are repeated for the Maftir.*

Haftara - 24 p'sukim - Yishayahu 51:12-52:12

4th of the 7 haftarot of consolation. The predominant message of the haftara is that G-d has a special relationship with the People of Israel (an appropriate reminder for the beginning of Elul) and that we have

nothing to be afraid of, because the end to difficult times is coming. This can be summed up by the end of the famous saying (song) of Rabbi Nachman - "And the essential thing is not to be afraid at all."