



# In Harms Way

*Rabbi Reuven Mann*

The mitzvot of the Torah deal with every aspect of a person's life, both the mundane and sublime. An example of this is the mitzvah of maakeh which is contained in this week's parsha, Ki Tetzeh. The commandment obliges us to maintain high standards of safety on our premises. Thus, if a person has a flat roof, which is accessible for use, he must build a fence (maakeh) around it. The reason which seems obvious is stated in the Torah: "and you shall make a fence for your roof and not place blood in your house when the faller falls from it."

The question arises: is this just good practical advice or is there a deeper spiritual message to this mitzvah? We should pay careful attention to the wording of the verse. Literally translated it is saying that "the faller should not fall from it." At first glance the use of the word "faller" is redundant. If he falls then by definition he is a "faller." What is the message that the Torah is communicating here?

Rashi makes an interesting comment on the term nofail (faller). He says: this person deserves to fall nevertheless you should not be the cause of his death for reward is brought about through the virtuous and punishment through the guilty." In my opinion Rashi is highlighting the moral

dimension of the mitzvah. The Torah chose the word nofail for a good reason. In an ideal world there would not be a need for guard rails on roof tops. The reason is because intelligent people stay away from situations of danger. Thus the owner of a house might say: I have no need for a fence since I and my family members are careful and responsible people. The Torah, however, recognizes that there are people who fit the description of the nofail. They are reckless, or careless, or absent minded and put themselves in situations of danger. If they should fall it is due to their own negligence because they should have been more careful. Still the Torah obliges us to take precautions and establish protections not only for those who've "got it all together", but for those who are at risk because of their reckless disposition. The philosophy of maakeh extends to all facets of life, for no one is perfect and each of us has areas in which we lack prudence and take needless and dangerous risks. Sometimes we take dangerous gambles and escape any harmful consequences. When that happens we should give thanks to Hashem who guards the "foolish." This should make us humble and more sympathetic and sensitive to foibles of those who are more prone to harm than ourselves.

Shabbat Shalom. ■

# Prayers of the Tzaddik

*Rabbi Moshe Ben-Chaim*

**Reader:** Is there is a concept in Judaism of the prayer of a righteous person? That's why we try to have the most righteous person leading our prayers? Is the prayer of a tzaddik more important than our prayers?

**Rabbi:** There were times when God answered Moses' prayers (Gold Calf), and times He didn't. (Miriam) There are considerations of the individual, and those affecting all of Israel. There are sincere prayers, and those through which a person rushes, like unburdening a load. Many considerations affect a response from God. Thus, we don't know when God will answer someone, even as righteous as Moses, when he prays for others, or if action is also needed by the nation like King David says.

But we do know that God is just. So if a person truly needs something from God, and he or she is on a level deserving of it, God can answer, without a tzaddik praying for us. God will not hold back goodness from a deserving person, simply because he didn't have a tzaddik requesting it from God.

A wise Rabbi taught that the prayer of the person who is in need is the most important prayer before God. This makes sense, since the person in need will see whether his prayer goes unanswered and can then realize he is not deserving. He alone is in the

position to perfect himself. In this case only, when one selects to improve himself, does prayer reach its optimal purpose, and deserves a response from God. But if the person doesn't improve, why should a tzaddik's prayers have any affect? If the person is a sinner, he doesn't deserve God's help, so a tzaddik's prayer will be ineffective.

Of course, we cannot know all God's considerations. Rashi said God answered Isaac and not Rebecca, since Isaac was a tzaddik whose father was also a tzaddik, while Rebecca was a tzadikas whose father was evil. And the Talmud has a case where rain was needed so the people approached a tzaddik to pray, although this does not mean God will answer.

There are so many cases, so many factors...and to arrive at true principles we must know all cases, which we do not. The best we can do is to keep studying and following the principles we know as true, and abandon practices we have not yet proven. For God desires we live in accord with what our mind tells us is truth.

The best approach is that each person live in accord with Torah, removing his or her sins, and also help others live by God's word through educating our nation. In this manner, we are doing all we can to deserve God's blessings. ■



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