

## “Our hands have not spilled this blood.” (21:7)

*Chazal* (*Sotah* 45b) ask: “Did anyone suspect the elders of committing murder?” They mean to say that they did not see the traveler (deceased) and had no part in allowing him to go on his way – alone, without food or escort. If the elders would have been guilty of this neglect, they would be considered as having (his) blood on their hands. The elders/leaders of a community have an enormous responsibility. When they renege their responsibility, and, as a result, someone is hurt – they have blood on their hands.

The commentators debate whose blood the elders are atoning. *Rashi* writes that this is about the *neherag*, deceased. Perhaps because we did not give him a proper welcome – no food, no drink – he was compelled to steal. In the course of his violating the community he was killed. [*Rashi* is teaching us that if someone resorts to theft/violence and worse – it is our fault. If someone falls into depression and acts in a manner unbecoming to himself, because no one reached out to him, it is the fault of those who should have opened up their hearts to him.]

The *Yerushalmi* contends that the blood refers to the murderer. Apparently, this man had a record and, due to the indolence of the judges, the verdict was not carried out. As a result, this murderer attempted to victimize another Jew. Only this time, he ended up on the receiving end, and he became the victim. Whether the deceased is a man who was ignored and had to resort to violence in order to obtain food for himself, or he was the murderer who ended up being killed in a holdup gone wrong, all due to the uncaring laziness of the judges, the leaders require atonement. It is their fault that a Jew met a violent death. The atonement must be a heifer that had never worked, never had a yoke over its neck. It is axed, rather than slaughtered. This ritual occurs only twice in the Torah – *eglah arufah*; and *peter chamor*, when a firstborn donkey is redeemed from its holiness by exchanging it for a sheep. If the donkey’s owner refuses to have his animal redeemed, it too is killed via the medium of *areifah*, axing. Obviously, the choice of ritual to effect atonement in these two isolated instances begs elucidation.

*Horav Elchanan Sorotzkin, zl*, illuminates these *dinim* pragmatically. The *eglah arufah* atones for indolence and indifference on the part of the rabbinical leadership of a community, which resulted in the loss of life. This applies regardless whether the victim was himself a murderer who was still around because the judges were lax in carrying out the verdict; or whether he was a poor, depressed person about whom no one seemed to care, who succumbed to his frustration and attempted to rob someone. He robbed the wrong person, and he was killed for his efforts. The identity of the deceased notwithstanding, if he met his sorry end because of the indifference of the nearest town’s communal leadership, they are at fault. This is the lesson of *eglah arufah*. An *ol* is a yoke; it symbolizes a sense of responsibility. One who carries the *ol* of a community is a person who does not live only for himself – he lives for the community. He is *nosei b’ol*, carries the yoke of *achrayos*, responsibility, for his fellow.

Can we say that the blame rests solely upon the leadership? Certainly not. When leaders are

indolent, when leaders do not seem to care, it is a reflection on the community. This is a community that is obsessed with itself. It does not bother turning its head to look at the next fellow: Is something wrong? Is something bothering him? Is it financial, emotional, social, familial? “It is not my problem” had become the motto in this town. As atonement, the neck the heifer, who had never carried a yoke, is axed. Its head represents the community whose leadership and members did not bother turning their collective heads to see what is wrong, how can they help. When the *zekeinim*, elders, declare *yadeinu lo shafchah es ha’dam hazeh*, “It was not our hands that shed this blood;” they imply, “It was not us that committed this outrage.” Despite our sensitivity and care, this tragedy occurred. Tragedies happen; it is not necessarily someone’s fault. Nonetheless, Hashem sends a message that something is not right.

A similar idea applies to *peter chamor*, redemption of the firstborn donkey. Under normal circumstances, the donkey is exchanged for a sheep, which, in turn, is given as a gift to the *Kohanim*. Apparently, the owner of this donkey sees no reason to support the *Kohanim*, since the only reason they are in “power” is because the *bechorim*, first born, sinned with the Golden Calf. Such a person maintains a strong resemblance to a donkey; his spiritual cognition is flawed. He should respect and support our spiritual leaders. Doing so would alter his own spiritual persona. If he is not learning, he should at least support those who do.

Thus, the Torah writes that if the owner refuses to exchange his donkey, to support the *Kohanim*, to be included among those who are spiritually ascendant – his donkey will be his representative. He – who refused to share in the *ol*, yoke, of Torah – is less than a donkey, a beast of burden that is naturally predisposed to carrying the yoke. By having the donkey’s head axed at the neck, he demonstrates that he is doing this to himself. He refuses to support, to carry the yoke. What happens to the firstborn donkey is actually what its owner is doing to himself. The Torah reveals his true character. In fact, his own donkey is, by nature, better than him.