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ר' שלום יעקב דזשייקאב  
איש הסופר  
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# THE Zera Emes זרע אמת PROJECT

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The Zera Emes Project by Rabbi Moshe Hubner was created to honor and share the Torah of over 250 Gedolim who weren't zocheh to descendants of their own. Their legacy lives on through their words of Torah and emunah that continue to inspire and touch countless lives. By bringing their timeless divrei Torah and wisdom to life, we create a powerful connection to the past to help inspire today's generation. For sponsorship opportunities or to sign up to the weekly newsletter, email [weekly@zeraemes.com](mailto:weekly@zeraemes.com) or visit [www.zeraemes.com](http://www.zeraemes.com)

## The Unsolved Murder

When a corpse is discovered in an open area, the victim of an unwitnessed murder, the Torah requires the *beis din* of the town nearest to the body to perform a public ritual. As part of this ceremony, the elders declare their non-culpability and offer a prayer seeking forgiveness for the Jewish people.

The Torah records the declaration of the *beis din*:

“Our hands have not spilled this blood, and our eyes did not see.”

The Mishnah (*Sotah* 45b) raises an obvious question: Are we to suspect that the members of the *beis din* themselves committed the murder or saw it and failed to act? These are the dignified leaders of the town—such a suspicion seems absurd. Why, then, must they proclaim their innocence in such dramatic terms? Their denial seems strange!

The Mishnah answers that, of course, they had no direct involvement in the murder. Rather, their concern is with indirect negligence. The declaration is meant to affirm

that they were not even indirectly responsible. They affirm that they did not know that the traveler was local to their area. In other words, they are saying: We did not allow this person to leave our town unaccompanied,

without food or an escort. If they had neglected such responsibilities, some degree of blame would lie upon them. Leadership includes not just governance, but fostering a communal culture in which the vulnerable are protected—even silently.

Still, the wording of the *passuk* seems redundant. Why state both, “Our hands did not spill this blood,” and also, “Our eyes did not see it”?

Rav Zev Volf Poppers in his *sefer Zeved Tov* cites his uncle Rav Dovid Meir Babad, who was the *bechor* of the Minchas Chinuch. Rav Dovid Meir notes that if the elders did not “see the murder,” meaning, they were not present at the time or place of the murder, then certainly they did not

use their hands in an actual killing. Why, then, must they mention that their hands did not spill blood?



ZEVED TOV BY RAV ZEV VOLF POPPERS  
SHINOVER RAV (1895) WRITES  
“HE DESIRES TO HAVE A LEGACY BY PRINTING THIS SEFER  
BECAUSE HE HAS NO CHILDREN.”

He explains that there are two distinct roles in communal responsibility. The wealthy members of the community provide financial support but are not necessarily expected to physically assist travelers. They are busy at their place of business and cannot be expected to be available for physical assistance. The leaders, on the other hand, are to take the more active, physical role in communal welfare.

Thus, “Our hands did not spill this blood” refers to the role of the wealthy who provide tangible, material support. “Our eyes did not see” refers to the leaders of the community—the eyes of the people (עֵינֵי הָעֵדָה) —who must oversee the needs of all and maintain vigilance to ensure safety and dignity for all who pass through.

## ANSWER TWO

Rav Elyashiv (*Yeshurim* 28) explains that there are two ways to be responsible for a murder. The clear one is when actively kills another. There is the second method when one passively ignores the situation, they pretend they don’t see another who is in mortal danger. He offers the example of someone drowning and one does not lift his hand to help save him. Here he did not actively kill the person but he passively allowed it to occur. He adds that part of the obligation of the *bes din* is to ensure that the murderer is caught. They should be actively creating an investigation to find the culprit and that passively standing by is akin to being complicit in murder. They must proclaim publicly that they are completely innocent of any responsibility of this unsolved unwitnessed murder.

According to this, the two clauses in the declaration by the *bes din*, reflect two dimensions of responsibility. “Our hands

did not spill this blood”—we were not the direct perpetrators. “Our eyes did not see”—we did not ignore the situation, fail to prevent it, or neglect to pursue justice after it occurred.

This interpretation may also answer Rav Dovid Meir Babad’s question: Even if they were not present at the murder, they could still be responsible if they failed to investigate or allowed negligence to persist. Their declaration affirms that they were neither actively nor passively responsible.

## ANSWER THREE

Rav Ben Tzion Yadler (*Tiferes Tzion*) offers a third explanation.

He explains that usually a murder is a result of desperation, someone in real need of food. But even with that framework there are two possible scenarios:

A desperate, starving individual turns to another for help. A struggle ensues, and in his desperation, the needy man kills.

A starving person begs for assistance, but the person he approaches feels threatened and kills him in fear or anger.

According to Rav Yadler, these two statements of the *beis din* correspond to these two tragic possibilities. “Our hands did not spill this blood”—we did not allow a poor, desperate person to leave town in such a state that he would become the aggressor. “Our eyes did not see it”—we did not ignore a desperate soul to the point that he would provoke a violent reaction from someone else.

The two parts of the declaration are not mutually exclusive.

## ר' זאב (וולף) פאפרט

The Poppers family are descendants of **Rav Meir Poppers**, author of the *Ohr HaYashar* (1624 – 2 Adar 1662). Rav Meir who was born in Poland, moved to Yerushalayim as a 13-year-old boy, eventually published much of the *kisvei Arizal*. The Chida writes that he wrote 39 *sefarim*.

Rav Zev Wolf Poppers (1827-Shevat 1900) was the son of Rav Dov Beirish of Brod, grandson of Rav Yitzchak Isaak Poppers. Rav Dov Beirish’s sister, Malka, married Rav Dovid Meir Babad.

She would say, “Although the Minchas Chinuch had many impressive *mehutanim*, he constantly desired to be specifically within the enclosure of my father (Rav Yitzchak Isaak Poppers).”

Rav Zev Wolf was from the *chashuvim* of Pshemishal (Przemysł). He married Rayzel Ganz in 1872 and his stepson Dov Beirish Rizer helped him publish the sefer. His sefer has many beautiful *haskamos* including from the Shinover Rav (1895) who writes “he desires to have a legacy by printing this sefer because he has no children.” Another from “his close friend,” Rav Yosef Binyamin Reich. He was close with the Minchas Soles.

There is Torah cited from the Sar Shalom and Shinover Rav that is not written elsewhere.

One of his students was his great nephew, Rav Elazar Bromer (1882- 10 Adar 1944) author of *Mishpat Kasuv; Shaar Halevi* who was a Rav of Sanek. Rav Elazar was orphaned at a young age and went to Brod to live with his grandfather, Rav Chaim Mordechai, who married Elka Dinah the sister of Rav Zev Wolf. Rav Chaim Mordechai facilitated his grandson learning with his brother-in-law.