

BS"D

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INTERNET PARSHA SHEET
ON KI SEITZEI - 5763

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From: Chaim Shulman <crshulman@aol.com>
Date: Aug 26, 2003 [from last week]
Subject: Finally - A Web Archive of the 8 Years of Internet Parsha Sheets - <http://www.teaneckshuls.org/parsha>
I have uploaded all the Internet Parsha Sheets going back to 1995 at the following address <http://www.teaneckshuls.org/parsha> [also at <http://www.onlysimchas.com/torah>]
Thanks to <http://www.onlysimchas.com> for hosting the web page (and to teaneckshuls for the url extension)
Also, I revised my collection of torah links and put them at <http://www.teaneckshuls.org/parsha/links.html>
Make sure to bookmark <http://www.teaneckshuls.org/parsha> (and the links page) for future reference.

From: torahweb@zeus.host4u.net Sent: September 03, 2003
Subject: Rabbi Hershel Schachter - The Sixth Sedrah
to subscribe, email weekly@torahweb.org to unsubscribe or for anything else, email: torahweb@torahweb.org the HTML version of this dvar Torah can be found at:
http://www.torahweb.org/torah/2003/parsha/rsch_kitetzei.html
RABBI HERSHEL SCHACHTER
THE SIXTH SEDRAH

The official anthology of readings from the works of the Gaon of Vilna is entitled "Even Shleima". The choice of the title is based on the acronym of the phrase: the word "even" representing "Eliyahu ben", and the word "shleima" being read as "Shlomo", which was the name of the Gaon: Eliyahu ben Shlomo. The background for the acronym is not that well known.

In the late 1930's Rabbi Shmuel Maltzahn published a manuscript written by Rabbi Chaim of Volozhin (a well known student of the Gaon) where he related the following story: the Gaon was fond of stating that if we look carefully into the Chumash, we will discover allusions to anything and everything that happened, both to the Jewish nation as well as to individuals, even in the centuries following the time of Moshe Rabbeinu. On one occasion Reb Chaim asked of the Gra, "Where is there an allusion to the rebbe?" The Gaon immediately opened a Chumash to parshat Ki Tetzei and reviewed it a bit until he noticed that the phrase "even shleima" was an allusion to his name. Reb Chaim asked the Gra why he chose to search specifically in parshat Ki Tetzei? Whereupon the Gra responded that in Chumash D'vorim there are ten sedrot, and even though we usually count eleven sedrot in D'vorim, Nitzavim and Vayelech they are really one sedrah, "as is known". Each of these ten sedrot corresponds to each of the ten centuries of the "sixth millennium".

The rabbis of the Talmud had a tradition that the world would last (in its present state) for six thousand years, and then Shabbos would occur. The tradition further relays the historical break-down of these six thousand years. The first two thousand years are

labeled as "Tohu", since the notion of monotheism was not being popularized. According to the records in Chumash B'reishit, Avrohom Avinu was born in the year 1948 (after the creation), and according to the tradition he began preaching monotheism at the age of 52, which would correspond to the year 2000. This introduced the second unit of 2000 years which represented the two millennia of "Torah development", which ended in the year 4000, which corresponds to the year 240 in the common calendar. Rabbi Yehudah Hanasi, who edited the Mishnayot, passed away in the year 220, so this cut-off point of 240 seems to correspond to the end of the period of the Tanaim. The next 2000-year unit is labeled as "the days of Mashiach", as Mashiach may come at any date following the year 240. Rabbi Akiva who thought that Bar Kochva might turn out to be the messiah was not aware of this oral tradition, and his contemporaries argued with him saying, that he (R. Akiva) would be dead and buried, and grass would be growing on his grave, and the time for mashiach will not have arrived, because their tradition had it that the mashiach must arrive at some time during the last 2000 years of the 6000-year program for the world.

So according to the Talmudic tradition, the sixth millennium began with the year 1240. At the time Reb Chaim asked of the Gra for an allusion to him, it was after 1740. So the Gra explained that whatever occurred in the first century of the sixth millennium (between the years 1240 - 1340) should be alluded to in Parshat Dvorim; and whatever occurred during the second century (between the years of 1340 - 1440) should be alluded to in Parshat Va'etchanan, etc. Since the Gra was then in the sixth century (of the sixth millennium), he opened right away to Parshat Ki Tetzei, the sixth sedra in Chumash D'vorim.

Rabbi Maltzahn who printed this manuscript of R. Chaim of Volozhin in his sefer "Emmunah U'Bitachon" added the following comment: Parshat Ki Tavo is the seventh sedrah, and should contain allusions to things that would occur between the years 1840 - 1940. At the end of the 1930's the Nazis had already begun their extermination of the Jews, and he suggested that perhaps the bitter "Tochacha" that appears in Ki Tavo was not only an allusion to the many years of suffering of the galut, but also specifically alluding to the Nazi persecutions at the end of the 1930's.

In later years, others pointed out that in the next - the eight sedra, parshat Nitzavim-Vayelech which really is only "one sedra": "as is known"; we read of the return of the Jewish people to Eretz Yisroel, the great teshuvah movement, and the mitzvah of writing a sefer Torah. All of these were witnesses following the year 1940, through the establishment of Medinat Yisrael, the great world-wide baal teshuvah movement, and the popularity of the mitzvah of writing a sefer Torah.

We hope that Hashem will be "mosif machol al hakodesh" and will be "mekabel shabbos", and hasten the coming of the mashiach before the end of the sixth millennium.

From: Rafael Salasnik [rafi@brijnet.org] Sent: September 03, 2003 To: daf-hashavua@shamash.org Subject: daf-hashavua Ki Tetze 5763/2003 Kiteitze--5763
Daf Hashavua U N I T E D S Y N A G O G U E - L O N D O N

Ki Tetze 6 September 2003 9 Ellul 5763 Shabbat ends in London at 8.24pm
SIDRA INSIGHTS

by DAYAN MENACHEM GELLEY, London Beth Din
The Sidra of Ki Tetze carries a large selection of the 613 mitzvot. The 74 wide-ranging laws of the Sidra mostly govern the interaction between the Jew and his fellow man. The prohibition

of taking interest, the returning of lost property and the restriction of taking as security for a loan only an article that does not jeopardize the borrower's livelihood are only some of the better-known laws.

Further along we find the nations of Ammon and Moab banned from converting and entering the ranks of Israel's families. The reason given in the verse is the fact that they did not exercise humanity in offering food and water to refresh the Jewish nation who, worn and weary in their wanderings, passed by the borders of their countries. A seemingly secondary reason is given that Moab was responsible for hiring Bilam to curse the Jewish people. On reflection, one would assume the latter to be by far the greater reason to warrant grounds for the exclusion of Ammon and Moab from Am Yisrael. Surely hiring Bilam showed that Moab wanted nothing less than the total extermination of Israel?

The Ramban explains that the sin of not providing food and drink was not only an act of inhumanity but also a failing in a basic character trait - gratitude. Many years back, was it not Abraham the Patriarch who saved Lot, his wife and family, when they were pursued by a band of kings? These grandchildren of Lot, Ammon and Moab, who failed so gravely to recognize a chance to repay kindness with kindness at a time of need, are not a people deserving the title of Am Hashem - People of G-d.

Indeed, explain our Rabbis, Hakarat Hatov - gratitude - forms one of the most compelling rationales for our duty to observe Torah and mitzvot. The very fact that we continuously receive such abundant goodness from the Almighty, must surely obligate us in return to "repay" by observing His will to the best of our ability.

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From: RABBI RISKIN'S SHABBAT SHALOM LIST [parsha@ohrtorahstone.org.il] Sent: September 03, 2003 2:03 AM To: Shabbat_Shalom@ohrtorahstone.org.il Subject: Shabbat Shalom: Parshat Ki Tetze by Rabbi Shlomo Riskin Shabbat Shalom: Parshat Ki Tetze (Deuteronomy 21:10-25:19) By Shlomo Riskin

Efrat, Israel - Why do such bad things often happen to good people? This is the age-old question plaguing every religionist, and it is an especially poignant question today in Israel after we have experienced three horrific years of suicide bombings, acts of wanton terrorism which have taken the lives and limbs of well over 1,000 innocent and righteous men, women and children. Our Torah portion teaches: "When you happen to come upon a nest of birds, .. chicks or eggs, and the mother is sitting on the chicks or eggs, you must not take the mother along with her young. You must first chase away the mother, and only then may you take the young; then it will be good for you and you will live a long life" (Deuteronomy 22:6,7).

Tragically there have been many instances during this period of bus-bombings, drive-by shootings, hotel explosion on seder night, in which it seems as though the Almighty, as it were, has not fulfilled His own commandment; mothers together with their children were exploded into their eternal resting place, even grand-parents were forced to see their beloved grandchildren cruelly murdered in front of their eyes.

The Sages of the Talmud creatively expand upon this particular command in a way which touches upon –even exacerbates – our question: "If someone says (as he is praying the Amidah before the congregation) 'even unto a nest of birds does your compassion extend', he must be silenced" (Mishnah Berachot 5,3).

The Gemara explains: "What is the reason?... one sage says, 'it makes the traits of the Divine, matters of compassion, and they are in truth merely (arbitrary) decrees'" (BT. Berachot 33b). Let us attempt to analyze this statement. To what is this Sage referring? He cannot be saying that our Biblical commandments are merely (arbitrary) decrees, because the Torah itself iterates and reiterates that the commands are "letov lakh, for your well-being!" In this case, for example, by not taking all of the birds for our own selfish gratification, by holding back from taking the chicks before the concerned eyes of a mother creature, we are training ourselves in the art of self-discipline, we are demonstrating sensitivity to the parental feelings, we are paving the way for filial respect from generation to generation.

Indeed, this Talmudic Sage is not referring to the commandments but rather to the ways of the Almighty, the "traits of G-d" which we perceive in this world which seem to be arbitrary decrees based upon the "fate of the draw," the happenstance of genes, the coincidence of circumstance. The Biblical commandment is telling us how to act for our own good; the addition to prayer on the basis of a particular interpretation of the commandment is saying that G-d runs this world on the basis of compassion, which is not true to our human experience.

In fact the Talmud records an incident in which a father asked his young son to climb a tree and bring him down a pigeon. The child climbed the tree, sent away the pigeon, and began to carry down the pigeon – thereby fulfilling two commandments (filial devotion and sending away the mother bird) which both promise long life. The child fell from the tree and died.

The Talmud continues to tell us that Rav Elisha Ben Abuyah saw this tragic incident, cried out, "there is no Judge and no judgement," and became a heretic. His grandson, Rabbi Yaakov, explained that had the Sage only understood a fundamental axiom of Jewish theology, he would have remained a great teacher in Israel. The axiom is, "there is no reward for the commandments in this world." This world is based upon freedom of choice, the free will of individuals – partners and not puppets – to choose the blessing or the curse, to perfect the world or destroy the world. Were the Almighty to reward the righteous and punish the wicked in this world, everyone who wished long life would live in accordance with the commandments, the Torah would be reduced to a "Kaspomat" (You put in filial observance, you take out long life), and our freedom of choice would be severely compromised.

Since we believe in the eternity of the soul; a life after life in another dimension of a world of the spirit, that is the dimension in which Divine reward and punishment takes place. Perhaps the extent to which we develop the light, the good, the spiritual aspect of our personalities and diminish the dark, evil and bestial aspect of our personalities – in this world, will prepare the extent of the spiritual existence we will enjoy in the dimension –to – come. But there is no reward for commandments in this world.

Given this theological perspective, then it is clear why we must silence the hazzan (precentor) who declares that G-d's compassion in this world extends "even unto a nest of pigeons." We can even dismiss the question "Why do bad things happen to good people?, as being irrelevant in this prior, ante-world in which "children, long life and material sustenance are dependent not on merits but rather on luck (mazal)" (B.T. Yevamot 28).

Indeed the only relevant question must be, "what ought good people do when bad things happen to them?" And Toby Weisel, a most beloved resident of Efrat, answers, "They must become even better people." In the words of Rav J.B. Soloveitchik, they must turn cruel fate into redemptive destiny. When Rav Moshe Ebstein realized that his beautiful babies were born deaf, he initiated the first Hebrew Institute for the Deaf. When the thirteen year old Koby Mandel was mutilated to death by a Palestinian terrorist, his mourning parents Rabbi Seth and Sherry organized Camp Koby for survivors of terrorist attacks. Are these super-human responses? Perhaps they are, but the Bible tells us that all who are created in G-d's image are all part – Divine. Apparently it is only when we realize our super-human potential that this world of tears and travail will be redeemed.

Shabbat Shalom.

You can find Rabbi Riskin's parshiot on the web at: <http://www.ohrtorahstone.org.il/parsha/index.htm> Ohr Torah Stone Colleges and Graduate Programs Rabbi Shlomo Riskin, Chancellor Rabbi Chaim Brovender, Dean To subscribe, E-mail to: <Shabbat_Shalom-on@ohrtorahstone.org.il>

From: Rav Kook List [RavKookList@lycos.com] Sent: September 02, 2003 7:01 PM

RAV KOOK DVAR TORAH LIST -

Ki Tetze: The Rebellious Son - Preventive Medicine

Is there really a death penalty for rebellious children? Even in Talmudic times, it was clear that the severe punishment for the "wayward and rebellious son" [Deut 21:18-21] is only 'on the books':

"There never was, nor will there ever be, a child who meets all of the legal qualifications of the 'wayward and rebellious son'. If that is so, why did the Torah write about him? Study, and receive reward (for the Torah study, despite its lack of practical value)." [Sanhedrin 71a]

Does this Torah subject serve no other purpose, than as a theoretical area of study?

While medicine has made tremendous strides over the centuries, it is widely recognized that its greatest successes have been in the field of preventive medicine. Efforts to assure clean air and water, public education on healthy lifestyles and food, and immunization against infectious diseases, have been the most important factors in fighting sickness and increasing life expectancy.

We should appreciate the benefit of the Torah and its mitzvot in terms of the most effective assistance - preventing the possibility of harm. Thus, G-d promised, "If you obey G-d ... keeping all His decrees, I will not strike you with any of the sicknesses that I brought on Egypt. I am G-d, your Physician." [Ex. 15:26] The healing powers of the Torah should be compared to the preventive form of medicine; it is a lifestyle that does not leave room for disease. G-d did not promise that He will cure us of sicknesses of Egypt. Rather, by faithfully following the Torah, we will not be visited by those illnesses.

How does this connect with the hypothetical "rebellious son"? By educating the people about the draconic punishment for the rebellious child, this tragic breakdown in family and society was prevented from occurring in the first place. This is what the Talmud means by, "Study, and receive reward". The very study of the subject is its reward. As each generation learns and absorbs the message of the gravity of the offense, this terrible situation is avoided.

The truly important things in life - peace, freedom, mental and physical health, to name a few - are often taken for granted. They safeguard our happiness and well-being, yet we only properly

appreciate them in their absence. Inconsequential matters, on the other hand, are just the opposite. They come to our attention only when they are present. "The evil inclination only rules over what the eyes can see." [Sota 8a]

This explanation helps us understand why one should not accept payment for teaching Torah. "Just as I taught for free, so you shall teach for free." [Nedarim 37a] The most vital aspects of life, protecting our health and well-being, cannot be procured with money. Thus, a doctor who heals a sick patient may request remuneration for his services. But one who chases away a lion, averting damage to his neighbor's property, may not demand reward from his neighbor. One may be paid for after-the-fact healing, but preventing potential injury must be provided without charge.

This is the lesson of the "rebellious son", the Torah's preventive medicine to safeguard familial and social order. "Study, and receive reward."

[Otzrot HaRi'iah II: 187]

http://www.geocities.com/m_yericho/ravkook - Rav A.I. Kook on the Weekly Parasha

From: Shema Yisrael Torah Network

[shemalists@shemayisrael.com] Sent: September 04, 2003 5:52 AM

To: Peninim Parsha Subject:

PENINIM ON THE TORAH

BY RABBI A. LEIB SCHEINBAUM

PARSHAS KI SEITZEI

If a man will have a wayward and rebellious son. (21:18) The incident of the ben sorer u'moreh, wayward and rebellious son, is one of the most serious tragedies related in the Torah. A boy who rejects his parents and everything they have taught him, a boy who rejects everything his parents stand for, truly represents a tragedy of unparalleled proportion. Being a Jewish parent is an awesome responsibility. Parents are the link between the Jewish generations that precede us and those who will follow in the future. Ours is the privilege to maintain the faith of the past, to give meaning and value to the present, and to ensure that there will be a future. Surely the parents of the ben sorer tried everything in their quest to raise their son. They were present for him at home and at school - unlike those parents who simply drop off their child at school and expect their responsibilities to their child to be carried out by the school. Although it is true that good schools teach, instruct, guide and even inspire, their mission succeeds only with the support of the parents. Regrettably, there are too many Jewish "orphans" who are dropped off at school, while the parents wait for the finished product.

No, our ben sorer's parents cared about him. In fact, they did everything to help him "make it". Sometimes, however, everything is just not enough! We never stop loving our children regardless of what they do - and we never should. The heartache and agony which a parent sustains when his child rebels is immeasurable - or, at least, it should be. Some parents are stronger than others and continue trying, hoping, long after the average person would have given up. The following letter is about one such parent who was fortunate enough to see his everlasting love make a difference. The son who had "gone off" writes about his transformation and return - all because his father refused to give up on him.

"Until a few years ago, I did not take anything seriously. I was not like the rest of my class. Having graduated from yeshivah high school, I was undecided what to do. I was neither interested in continuing my Jewish education nor was I ready to begin college right away. I thought I would just drift around for a while and then get a job.

My parents were obviously not very pleased with my decision, but, at that point, what my parents wanted did not carry much weight in my life. Regrettably, during this time, I fell in with a group of like-minded fellows who were not Orthodox. At first, I figured that they would not influence me, but I was dead wrong. It did not take long before I became like them: no interest in Judaism. Shabbos and kashrus were something of the past. Indeed, my entire life became a haze: no direction, no meaning, no value.

"My parents were devastated. While they did not expect me to become a rabbi, they certainly did not expect this. As well as having destroyed my life, I was on the way to destroying my family as well. It got to the point that, due to the adverse influence I was having on my younger siblings, my father asked me to leave the house. When I moved out, I said some cruel and vicious things to my father. I can remember him standing silently by the door, with my mother crying at his side.

"Looking back, I realize that what I thought I saw in them as a weakness was actually incredible strength of character. A year went by, and I had no contact with anyone in my family. I missed them very much, but I was afraid that if I contacted them, it would be viewed as a weakness on my part.

"One morning, I was shocked to find my father standing outside the door to my apartment building. He looked at me with tired, worn eyes and asked if we could talk. I was stubborn and obnoxious. I only nodded. We walked to a corner coffee shop where we sat down to talk. My father opened up. He said that everyone missed me and that, despite my absence, I had been on their hearts and minds every moment that I was gone. I saw the hurt in his eyes - eyes that had long ago stopped crying - because there were no more tears. He told me how my mother agonized over what had happened, blaming herself for not having been there for me. Why did he come? He came because he had one last request - no lecture, just one last favor. He wanted me to drive with him to Monsey, New York, to recite Tehillim at the grave of a certain tzaddik. I looked at him incredulously, and then he began to cry. Bitter tears streamed down his face as he asked me to please grant him this one request. As far removed as I was from Yiddishkeit, I was still moved by his request.

"I told my father that that day was impossible, because I had plans to go with my friends to Atlantic City that night. I would go with him another time. He reached across the table and took my hand in his, looking at me with his tear-streaked sad face. He said nothing - just stared and wept. I felt my own eyes begin to water, and - rather than have him see me cry - I just agreed to meet him later on that day.

"I made the necessary apologies to my friends. Atlantic City would have to wait. Later that day, I drove with my father up to the cemetery in Monsey. We did not talk much during the trip. I remember getting out of the car with my father and walking over to one of the graves. He placed some rocks on top of the grave and gave me a Tehillim. Anybody who walked by would have seen a bizarre sight: my father - standing there in his long black frock, a black hat perched on his head; and me - with my leather bomber jacket and jeans. We did not stay long. Ten minutes is all it took, and soon we were on our way back. We talked as much on the return trip as on the way in - very little.

"My father dropped me off and walked me to my apartment building. I will never forget the words he told me that day. He said that regardless of what had occurred between us, and no matter what might happen in the future, I was always going to be his son, and he would always love me. I was emotionally moved by his words, but I did not manifest the spiritual inspiration that he hoped would occur that day. I shook my head at his words, and we parted company.

"The next morning, I woke up to some shocking news. On their return trip from Atlantic City, my friends were involved in a head-on collision with a tractor-trailer rig. They did not survive the accident. Had I not gone with my father that day, I would have been in that car.

"As I write this letter, I am overwhelmed with emotion. I made a Bris for my bechor, firstborn, today. My father was sandek, and as he held my son on his lap, our eyes met, and we smiled. It was as if we had finally reached the end of a long arduous journey.

"We have never talked about that trip to the cemetery, nor did I ever tell my father about my friends' untimely death. I just walked into their home that evening and was welcomed with open arms. No questions asked, no accusations, no answers. I just know that, sitting here late at night with my son in my arms, I will try to be the father to him that my father was to me."

If a man will have a wayward and rebellious son. (21:18)

The law regarding the ben sorer u'moreh, wayward and rebellious son, is a difficult one to understand. Just because the boy ate a sizeable amount of meat and drank the required measure of wine, does that make him guilty of a capital punishment? He is punished, however, because of what he will eventually do. Let him therefore be put to death now before he commits a serious crime. This is not a law that can be adjudicated by Bais Din, the earthly court system. The law of the ben sorer is from Hashem, who knows what this boy's future will bring.

The law, however, does not seem consistent with what the Torah teaches us concerning Yishmael. He was in the desert, suffering and in pain, and Hashem sustained him Ba'asher hu sham, according to what he is now. So what if his descendants had refused to give us water? So what if we have suffered for years from the Arabs? Now is what counts, and now Yishmael is nothing more than a child. Why is he different than the rebellious son who is judged in accordance with what he will become? Horav Mordechai Ilan, zl, distinguishes between Yishmael's yichus, pedigree, and that of the ben sorer. The rebellious son is the end product of a union between a Jewish soldier who deferred to his yetzer hora, evil-inclination, and a yefes toar, beautiful captive. It was a marriage that was allowed only because of a special Scriptural dispensation. It was doomed from its very genesis. The ben sorer u'moreh is clear proof. Such a child has within him very little future to which to look forward. Therefore, he is judged according to his future. Yishmael, on the other hand, as the son of Avraham Avinu, had his roots in the foundation stone of Klal Yisrael. Indeed, he repented before his death. He was, thus, judged according to his present circumstance. Apparently, when we judge a person, we must take everything into account, because every factor plays a defining role in determining the outcome of a person.

Sponsored in loving memory of HERMAN SCHLESINGER by his children and grandchildren Richard and Barbara Schlesinger and Family

From: RABBI JONATHAN SCHWARTZ [jschwartz@ymail.yu.edu]
Sent: September 04, 2003 2:57 PM To:
internetchaburah@yahoo.com Subject: [internetchaburah]
Internet Chaburah -- Parshat Kee Tze Tze

Prologue: In reference to war, the Torah emphasizes the word Machaneh, camp. The Torah commands, "When you go out to encamp against your enemies, you shall guard against anything evil...for Hashem, your G-d, walks in the midst of your camp to rescue you and to deliver your enemies before you so that your

camp shall be holy." Rabbi Joseph B. Soloveitchik, zt"l, distinguishes between Machaneh, camp, and Eidah, congregation. A camp is formed in the face of a common enemy, who engenders fear and creates the need for self-defense. "When you go out to encamp against your enemies" the camp is established when people feel helpless and must join together to battle the enemy. An Eidah, a congregation, on the other hand, shares a common ideology, and is nourished by love rather than fear. A congregation expresses man's powerful spirit. In a Jewish context, the Eidah is grounded in the teachings of Sinai, a holy nation committed to a Divine destiny. In order for the nation of Israel to fulfill its Divine mission and destiny, "your camp shall become holy." This Machaneh, this camp, must develop into an Eidah. It must become holy.

The Jewish community has been concerned with the crisis of Jewish continuity. The solution is to unite not only as a Machaneh but as an Eidah, a holy congregation committed to the destiny of faith's faith rooted in Torah and Mitzvos. Such a covenant stems not from fear but from love, the love of G-d and the Jewish people.

Sometimes, it is in the moments of our greatest crises that we unite together and show our greatest strength. The communal responsibilities to Kevurah and Aveilim present one example of our ability to band together in times of challenge. This week's Chaburah examines the ability to fulfill one's communal responsibility in the face of personal challenge and adversity. It is entitled:

LO TALIN: TAHARA AND KEVURA AFTER MAJOR DISASTERS

The Torah's commitment to the sanctity of the dead is great indeed. The Torah places great stress not only on the respect we show to the Avel by way of the Niftar, but through the Kevurah process, the Tahara and the burial, we do our utmost to show care to the Niftar. However, what happens to the process if there are extenuating circumstances? What is a community to do with Niftarim who remain following an attack from weapons of mass destruction be they chemical, biological or nuclear?

The first issue that needs to be discussed involves decontamination as part of the Tahara process. The Talmud (Shabbos 151a) tells us that we wash and anoint the Mes prior to Kevura. The Ramban (Toras HaAdam) and Beis Yosef (Yoreh Deah 352:4) explain that the earlier washing is not to disgust the people who are working with him and performing the Tahara. The Sefer Maavar Yabok (Maamar Sifsei Raananot 17) traces the history of our present Tahara process to Hillel HaZaken. Albeit communal changes do exist, the basic rules are those that originated with Hillel.

However, issues arise in terms of the decontamination process in those who perished in a chemical, biological or nuclear attack. May chemicals be placed onto the body?

In this matter, the Shulchan Aruch (Y.D. 363:2) writes that if a Mes is to be carried from one city to another, lime may be placed upon the body to speed up the process of decay. The Rashba explains that in such an instance, the lime serves to allow those who will carry the Mes not to be strapped with the burden of the smell of rotting flesh. This, explains the Rashba (Shut Harashba I:369), is not a lack of respect for the body and therefore may be done. The Radvaz (Shut HaRadvaz I:484) adds that lime may be utilized even if there is no external reason (like travel) for speeding up the decaying process. Still, lime may be added in order to facilitate faster decay. Similarly, the Shulchan Gavoha (Siman 362) notes that lime was a common practice in Yirushalayim.

Based upon the above, R. Yaakov Reiser (Shut Shevus Yaakov II:97) argued that it would be better to place the lime on the

Kevaros of those who died in the epidemic of 1713 and allow them to be buried in the Jewish cemetery than to leave them undecontaminated and have them buried in the forest (which was the choice presented by the government). According to the Shevus Yaakov, it would be preferable to place lime on the body and allow Kevuras Yisroel than to be buried alone at the side of a road like a donkey.

The Pischei Teshuva (363:5) quotes Sefer Har Eivel (11) who noted that it was not advisable to engage in the practice of utilizing lime but Rav Goren (Techumin XXXIII:93) notes that in a case of chemical attack, even the detractors would be Meikil. Similarly, the Shut Arugas HaBosem (Yoreh Deah, 251) notes that if a person had a contagious illness, the coffin should be sealed on all sides to prevent the spread of disease. Similarly, many others (See Nitei Gavriel Aveilus I:43:13) permit the use of gloves in a Tahara for the protection of the living and the potential for contagious disease. The same care would be utilized in the case of chemical, biological or nuclear contamination where the necessary precautions for the Kevura/Tahara can be made. Another issue that arises in response to these attacks is the issue of synthetic Tachrichin. Of course, the Shulchan Aruch rules that if he is murdered in the attack, no Tachrichin are used (See Y.D. 364:4 and Bach and Taz that he is buried in his own clothes). The Bach and Shach add that even if the death involved no blood, the victim is buried in the clothes he was murdered in. The change from the norm is done in order to arouse the communal anger about the death (See Levush). Thus, if he can, he is buried in his clothes after a bomb attack.

However, once the clothes have to be removed (as in the case where the body must be decontaminated before it is buried), The Birkei Yosef (Y.D. 364:1) rules that we perform a Tahara and dress the body in Tachrichin. (See also Shut Teshuva MeAhava III:Gilayon to Siman 364.) Others caution the need to bury the clothes the Niftar was murdered in, with the Mes (See Shut Meishiv Davar Y.D. 2, Shut Arugas HaBosem Y.D. 249). In the case where regular cloth Tachrichin cannot be used and synthetics are demanded in order to control disease, Rav Goren adds that the synthetic Tachrichin may be used. He sums up the issue as follows: Any activity that needs to be done in order to protect the living community may be done as long as the greatest care is taken to preserve Kavod HaMes and certainly to insure against the Chilul HaMes.

From: Aish.com [newsletterServer@aish.com] Sent: September 03, 2003 7:20 AM To: cshulman@cahill.com Subject: Lively Parsha - Ki Tetzei

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Parsha: Ki Tetzei (Deuteronomy 21:10-25:19)

LIVELY PARSHA KI TETZEI

BY: RABBI AVI GELLER

The planes were flying overhead in formation, discharging their deadly cargo over the entrenched infantry soldiers. Pvt. Johnson was manning his post at the far end of the camp when a brainstorm struck him. If he could only reach that cannon a half kilometer away, he could blow those planes out of the sky. Without bothering to consult with his commanding officer, Johnson was off. Risking his life under heavy fire, he finally reached the cannon and started his barrage. It was like the "Penny Arcade" as Pvt. Johnson single-handedly shot down every plane, winning the battle for the Allies.

As soon as Johnson returned to his barracks he was lifted on the shoulders of his buddies for a victory celebration. Suddenly the door was stormed open and in walked the M.Ps.

"Are you Pvt. Allen Johnson?" they gruffly demanded.

"Yes I am," he replied proudly. "Do you want to present me with my medal?"

"Not quite!" they replied. "You are under arrest for leaving your post in the midst of the battle!"

All of Johnson's protests were to no avail. He was sure he could do a better job in the artillery - and look at the results!

Unfortunately, the judges did not see eye-to-eye with Johnson. As of last report, he was still peeling potatoes on K.P. duty.

The point of this story? We all have our roles to fill. To leave them is desertion, even if we think we can accomplish more in some other position.

Parshat Ki Tetzei is a large compilation of laws which Moses taught the people before his death. One of them is that men and women are required to dress differently so as to differentiate between them. The concept (not always accepted in Western society) is that men and women are inherently different, although equally important. Just as the artillery and infantry, the army and the navy, even the table and chair are equally valuable yet inherently different, so men and women from the Torah perspective are different and must be aware of this.

Marriage is the vehicle that combines the uniqueness of men and women to create a full relationship, and a Jewish home built on strong foundations.

The Parsha begins with a list of laws that seemingly have no connection, but the Talmud connects them.

THE CAPTIVE WOMAN

The Torah recognizes the fact that a soldier in battle, fearing death any minute, cannot always control himself. For example, a Jewish soldier who comes upon non-kosher food and is ravishing from hunger, is permitted to partake of it. So too, if a soldier sees a woman among the captives, he may not be able to control himself. The Torah allows him to take her home for one month to decide if he wants to marry her.

The principle here is specific. Based on what criteria should one choose a spouse? Obviously this soldier was not attracted by wonderful character traits or deep intelligence. Should one choose a spouse based entirely on physical attraction? This seems to be a recipe for disaster, as the physical attraction wears off faster than you would like to believe.

The Torah tells this soldier to take her home for a month and she should "cry in his living room." If he is so impressed that he still wants to marry her, there is a chance this relationship will work out. If not, however, he must set her scot-free.

Although the Torah gives the soldier the option of marrying the captive woman, it does not recommend it. The proximity of this law screams, "If you do take her, you will end up with marital strife."

THE REBELLIOUS CHILD

This law is conceptually a continuation of the above. If the soldier does marry the captive woman, he will likely end up with marital strife, which leads to a rebellious child. The exact details of this law - in which the parents themselves give their son over to the courts to be put to death - are so unlikely, that the Talmud says "it never happened and never could possibly happen."

Some of the conditions are:

- (1) The child is in the specific age bracket between 12 and 13 1/2.
- (2) The child stole money from his parents and bought and consumed a very large amount of wine and meat with his trouble-maker friends.
- (3) The parents are physically healthy (neither blind, deaf, mute, or missing a limb), and are very similar to each other.

Question: If this case is theoretically impossible, why does the Torah mention it?

Answer: The Sages say that the reason is to teach us a theoretical lesson: Be careful how you bring up your children! See what can conceivably happen!

The commentaries explain that the reason why this child is (theoretically) executed is because he is addicted to this lifestyle and will not be content when his parents run out of funds. He will then rob and steal, and eventually murder (similar to the drug scene as we know it) - so the Torah commands us to take preventive measures for the protection of society, and also for early intervention for the child's soul.

The next thing the Torah discusses is one who received the death penalty. The implication is that if the parents of the rebellious son have misplaced compassion upon him, he will eventually turn to crime and receive the death penalty anyway.

The Torah commands us to hang the bodies of certain criminals after their death, as a form of atonement for their souls. The Torah forbids leaving the body hanging overnight, and the Talmud says that the custom was to hang the body for a few moments, and then immediately to take it down.

LOST OBJECTS

The first topic traditionally taught to young students beginning Talmud study, are the laws of returning lost objects. The goal is to impress upon them the sanctity of someone else's possessions. If you find a lost object with an identifying sign, you must try to locate the owner, who must then properly identify the item. If the item costs money for upkeep (such as feeding an animal), the finder must sell it and keep the money for the owner. If the animal can earn its upkeep by selling its milk, fleece, eggs etc., the finder should keep the original animal for a short period, as the owner would definitely prefer his original; however past this time he may sell it.

The Talmud tells of a certain rabbi who found a chicken. He sold the eggs and bought another chicken, then a goat and sold the milk, and then a lamb and sold the wool. A year later, a man appeared seeking his lost chicken and received a barn full of animals. This of course, was going above the absolute call of duty.

A religious children's magazine included a letter to the editor from a young boy inquiring about finding clothespins under an apartment building's shared lines, and not knowing to whom they belonged. How often do you find such questions in a children's magazine?! If children are sensitive to clothespins, they certainly won't take bicycles or more valuable items. This is the sensitivity the Torah wants us to show.

THE MOTHER BIRD

This is considered to be the easiest Mitzvah in the Torah. It costs no money, requires no preparation, and takes a minimal effort. If one happens to come upon a bird's nest in the wild and desires to take the eggs or the chicks, he must first shoo away the mother and then take the eggs or chicks.

The concept is that even in the animal world, there exists motherly feelings (which Rabbi Hirsch refers to as "the noblest profession in the world"), and the Torah wants us to be sensitive to these feelings. We may not cause the mother anguish by taking her offspring before her eyes.

Presumably afterward, she forgets about them and starts a new nest, although the Zohar claims that the outcry of the mother bird, upon finding her offspring missing, opens the gates of mercy in the world!

The Mishnah says that one who proclaims that "G-d's mercy extends until the bird's nest" is silenced, because he is falsely claiming that the purpose of the Mitzvot is mercy. The commentaries explain that the point is not that G-d has mercy on

the birds, because if so, He would have forbidden the slaughter of birds. The point is that G-d wants people to be merciful. If we are sensitive to the feelings of a bird, then certainly we will care for our fellow humans.

The reward for this Mitzvah is long life. The only other positive Mitzvah which the Torah specifies reward, is honoring one's parents - which is considered one of the most difficult Mitzvot. From the fact that the easiest and hardest Mitzvot both receive the same reward, we learn that one cannot rate Mitzvot, and we must do them whenever we have the opportunity.

FENCE ON THE ROOF

The Torah commands us to fence in our roofs. This refers to a flat roof that people go on. "The faller will fall" (Deut. 22:8), the rabbis explain, even though only one whom it was decreed from heaven that he should fall would actually fall, in spite of this we are responsible that our roofs not be the vehicle of his death. As the rabbis put it: "Good things come about through good people, and bad things through bad people." This basic law of safety precautions teaches that "if it happened in your domain as a result of your negligence, you are responsible, and don't blame G-d!"

SEPARATIONS

The Torah prohibits the cross-breeding of species. G-d created diversity in His world and wants the species to remain distinct. Furthermore, the Torah prohibits one to plow (or transport any load) with an ox and donkey together. The Oral Law expands this to any two species. The simple reason being that different animals pull at various rates and this will inevitably cause pain to both species.

The Torah prohibits the use of wool (representing the animal world) and linen (made of flax representing the plant world) in the same garment. The Oral law explains that this refers only to wool and linen, and not to other fabrics such as cotton.

The commentators connect this law to the controversy between Cain (the first farmer) and Abel (the first shepherd). Today there are special laboratories that test samples and determine if a garment contains a mixture of wool and linen. The pockets, lining, and buttons can be replaced; if however the actual material contains this mixture, the garment may not be worn.

ILLEGITIMATE CHILD (MAMZER)

The Torah places restrictions on the offspring of certain forbidden unions (such as adultery and incest). This is not to be perceived as a punishment, since of course the children are not guilty. Rather, this is like a child born with a physical handicap because the mother took drugs or alcohol during pregnancy. The point is that, sadly, they are born with a "spiritual birth defect" - and this puts a grave responsibility upon parents to be careful who they unite with.

However, this does not in any way imply that a mamzer is a second class Jew! He is only limited in the area of whom he may marry. In all other areas, he is a total Jew in every regard.

An example of this is found in the Mishnah concerning the ransoming of captives. The Jewish community has an obligation to ransom captives (if the pirates do not request an exorbitant sum). If the community cannot redeem all the captives, the Mishnah sets down the order of priorities. The Mishnah tells us that a Torah scholar comes before a High Priest, because the Torah scholar is a greater asset to the community.

What about the case of a mamzer who is a Torah scholar, vs. a High Priest who is an ignoramus? The Mishnah says to save the mamzer Torah scholar. From this we learn that the mamzer can be very great and is only limited in a specific area.

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From: Jeffrey Gross [jgross@torah.org] Sent: September 03, 2003 1:44 AM To: weekly-halacha@torah.org Subject: Weekly Halacha - Parshas Ki-Setzay

WEEKLY-HALACHA FOR 5763

BY RABBI DONIEL NEUSTADT

Rav of Young Israel in Cleveland Heights

A discussion of Halachic topics. For final rulings, consult your Rav

AN ELUL REMINDER:

CHECK YOUR MEZUZOS

All mezuzos(1) must be checked periodically to verify their kashrus. Everyone who lives in a dwelling(2) (whether he owns it or rents it) is required to check his mezuzos twice in seven years, or once every three-and-a-half years,(3) since it is an established fact that over a period of time mezuzos are liable to become invalid. Age, humidity, rain, location, a paint job and/or other factors may ruin a mezuzah which was originally kosher.(4) Even if one letter is smudged or cracked, the entire mezuzah may no longer be valid and often cannot be fixed. It is imperative, therefore, to check all mezuzos periodically and be prepared to buy replacements.(5)

The three-and-a-half year time frame established by the Rabbis applies only to mezuzos exposed to normal conditions, not to mezuzos that have to weather harsh elements like direct sunlight, exposure to a sprinkler system, a paint job,(6) etc. Such mezuzos must be checked more often.(7) Indeed, some meticulous individuals check all of their mezuzos every Elul.(8)

Some people are lax about checking their mezuzos, claiming, among other excuses,(9) that it is difficult to find a professional sofer or an examiner who will come to the house, remove all the mezuzos, check them, and re-affix them in short order. Since people are wary of leaving their homes without the protection of the mezuzah for any length of time - and justifiably so - checking mezuzos gets pushed off and sometimes neglected entirely. This should not be allowed to happen.

In a situation when a sofer or an examiner is not accessible, one should still not totally forsake the checking process. As explained earlier, the main purpose of checking is to find out whether or not a mezuzah that was originally kosher became ruined. Technically, anyone who reads Hebrew well and is familiar with the basic layout of a mezuzah can check if the lettering has faded or if the letters are no longer whole and fully formed; no professional sofer is required for this.(10) Of course, if a question were to arise about a specific letter, then one would need to refer to an halachic authority for a decision.

Obviously, this type of checking suffices only if the mezuzah in question was certified kosher by a professional sofer at the time of purchase. Before one places a mezuzah on his doorpost, he must have it professionally checked to be sure that it was properly written. [Unfortunately, buying a mezuzah from a Jewish-owned establishment is no automatic guarantee that the mezuzah is kosher.] Once, however, the mezuzah was certified as kosher, and a professional is not available, the checking can be done by a layman as described above.

In order to check a mezuzah, it must be removed from the doorpost. If it is removed for only the few moments that it takes to check it, there is no halachic obligation to replace it with another mezuzah.(11) The mezuzah is removed, looked over carefully,

and if no problem is found, it is immediately returned to the doorpost. One does not recite a blessing over the mezuzah when re-affixing it to the doorpost.(12)

When mezuzos are removed overnight [and, according to many poskim, even when they are removed for more than several hours(13)], a blessing should be recited when they are re-affixed.(14) If all the mezuzos are re-affixed at the same time, one blessing suffices for all of them. The poskim argue as to whether one who replaced a mezuzah and forgot to recite the blessing can recite the blessing later on. One may conduct himself according to either view.(15)

If the existing mezuzah is *pasul* and a new one is needed, a blessing is recited over it. The same halachah applies if the existing mezuzah was found to be *pasul*, but it was able to be repaired. When it is re-affixed, the blessing is recited.

QUESTION: What can be done if the checking process will take a long time and the house [or room] will be left without a mezuzah?

DISCUSSION: Sometimes the checking process can drag on overnight or even a few days. In such a case, it is improper to leave the house (or any single doorpost) without mezuzos. According to some opinions, the people in the house may even have to move out while the mezuzos are being checked.(16) Obviously, this is a terrible inconvenience and highly impractical.

To avoid this situation, there are some possible alternatives:

1. Buy [or borrow(17)] an extra mezuzah which will replace the mezuzah that is being checked. A blessing would have to be recited when the replacement is put on.(18) This solution is not practical for a large house that has many mezuzos to be checked.

2. Renounce ownership of one's home(19) for as long as the mezuzos are being checked. This procedure, called *hefker*, removes halachic ownership from the home and makes it an ownerless entity. Once ownership of the house is renounced, the obligation to put on a mezuzah is lifted. The residents are living in an ownerless property, and they are not obligated to put on mezuzos.(20) [Before re-affixing the mezuzos, one should have in mind that he is once again becoming the owner of the house.]

The proper way of making an item *hefker* is to renounce ownership in the presence of at least three adults. The adults may be household members. [Some *Rishonim* maintain that the *hefker* is valid even when declared in front of one individual or even in front of no one at all.(21) If three adults are not available, one may rely on this view.(22)]

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FOOTNOTES: 1 Mezuzos which are publicly owned must be checked only once every twenty-five years; Y.D. 291:1. 2 This includes a woman living alone, students sharing an apartment, etc. 3 In order to remember this obligation, the custom in Frankfurt was to check the mezuzos every Adar Sheini, which falls every two or three years. 4 Another reason for checking is to see if the mezuzah was stolen [or misplaced]; Rashi Yuma 11a. See also Meiri, *ibid.* 5 Y.D. 291:1. 6 *Igros Moshe* Y.D. 1:183. L'chatchilah, mezuzos should be removed before painting. 7 Aruch ha-Shulchan 291:1. 8 *Mateh Efrayim* 581:10; *Kitzur Shulchan Aruch* 128:3. In addition, *Teshuvos Maharil* 94 writes that it is proper to examine one's mezuzos if misfortune befalls an individual or his family, G-d forbid. 9 It must be emphasized that there is no halachic basis for laxity in this obligation. See *Birur Halachah*, pg. 399, who quotes several sources that strongly condemn those who are not careful about fulfilling this obligation. 10 *Teshuvos Chasam Sofer* 283, quoted in *Pischei Teshuvah* 291:3. 11 *Da'as Kedoshim* 291:1 (concerning a renter); *Emek Berachah* (Mezuzah 11). 12 *Pischei Teshuvah* 289:1 remains undecided on this issue but most poskim rule that one should not recite a blessing in this case. 13 If the owner was preoccupied with the mezuzos throughout the time that they were removed from the house, possibly the blessing should not be recited. 14 Even if the house was not pronounced as *hefker*. 15 See *Kuntres ha-Mezuzah* 289:3. 16 See *Pischei Teshuvah* Y.D. 285:1 quoting the *Pri Megadim*, who maintains that it is prohibited to remain in a house [or in a

room] without a mezuzah, and one who has another place to go to must go there. Other poskim, however, are not as stringent and do not require one to move out of his home if the mezuzos are down temporarily and he cannot find a replacement. 17 *Har Tzvi* Y.D. 238. 18 *Harav C. Kanievsky* (*Mezuzos Beisecha* 289:6); *Kuntres ha-Mezuzah* 289:6, quoting several poskim. Other poskim, however, do not require a blessing to be recited (oral ruling by *Harav M. Feinstein*, quoted in *Ohlei Yeshurun*, pg. 22). 19 This is suggested by *Mikdash Me'at* 285:3 and *Mezuzos Melachim* 285:19. There are other halachic areas where this solution is suggested; see *Mishnah Berurah* 13:15 concerning *tzitzis* and O.C. 246:3 concerning a Jew's animal on Shabbos. For various reasons not all poskim agree with this solution, and it is not common practice. [See *Sefer Tevilas Keilim*, pg. 84, who quotes *Harav S.Z. Auerbach* as ruling that under extenuating circumstances one can rely on this solution to permit temporary use of utensils which were not immersed.] 20 Although one who "borrows" a house is required to put on mezuzos, in this case the people living in the house are not "borrowers." Halachically, the house has no owners to "borrow" from. The house is technically ownerless and temporarily exempt from the mitzvah of mezuzah. 21 *Rama C.M.* 273:5. 22 See *Sma C.M.* 273:11, *Mishnah Berurah* 246:15 and *Sha'ar ha-Tziyun* 18.

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From: RABBI MENACHEM LEIBTAG [tsc@bezeqint.net] Sent: September 04, 2003 9:54 PM To: Pareg; Lite1; 'NEW1' Subject: Parshat Ki-teyze THE TANACH STUDY CENTER [<http://www.tanach.org>] In Memory of Rabbi Abraham Leibtag Shiurim in Chumash & Navi by Menachem Leibtag PARSHAT KI-TETZEH - shiur #1

Mitzvot, and more mitzvot; and all kinds of mitzvot - that would certainly sums up Parshat Ki-Tetzeh. Yet, it's not clear why we find such a wide assortment and random progression of laws specifically at this point in *Sefer Devarim*? In this week's shiur, we attempt to explain why - by exploring an intriguing parallel to the Ten Commandments, while considering (once again) the overall theme of the 'main speech' of *Sefer Devarim*.

INTRODUCTION As Parshat Ki-Tetzeh is located towards the end of the main speech of *Sefer Devarim*, we begin our study with a quick review of the overall structure of that speech in order to appreciate its location:

* MOSHE'S INTRODUCTORY REMARKS (5:1-6:3) Explaining when these mitzvot were originally given (i.e. at Ma'amad Har Sinai) and why Bnei Yisrael heard them from Moshe (and not directly from G-d). * THE 'MITZVA' SECTION (chapters 6 - 11) Mitzvot relating primarily to 'ahavat Hashem' - the proper attitude towards G-d and the underlying obligation to observe His mitzvot and not to follow other gods. * THE 'CHUKIM & MISHPATIM' SECTION (chapters 12-26) A wide assortment of commandments pertaining to the establishment of an 'am kadosh' [a holy nation], its institutions, and various laws pertaining to daily life in the Land of Israel.

Therefore, Parshat Ki-Tetzeh (chapters 21 thru 25) forms an integral part of the *chukim & mishpatim* section, and continues the laws found in *Re'eh* (chapters 12 thru 16) and *Shoftim* (chapters 17 thru 20). Nonetheless, the laws in Ki-Tetzeh appear to be quite different. Recall how the mitzvot in *Re'eh* focused on the establishment of national institutions such as the national center - 'ha-makom asher yivchar Hashem', and 'shmitta' economic system, and the national pilgrimage holidays, etc. Similarly, Parshat Shoftim discussed the institutions of national leadership such as the judges, the supreme court, the king, the 'navi', etc, cities of refuge and laws governing the army and war. In contrast, the focus of Parshat Ki-Tetzeh seems to shift from mitzvot related to the nation as a whole to mitzvot directed towards the individual. As you scan through the Sedra, note how virtually all of its mitzvot, despite their variety, all relate in one manner or other to the behavior of the individual within the framework of the society, and most all of them fall within the category of 'bein adam le-chavero'.

A LOGICAL PROGRESSION One could suggest a very logical reason for this order of presentation. Considering that the purpose of these

mitzvot in the main speech is Bnei Yisrael's creation of an am kadosh in the land which they prepare to conquer (see 6:1, 14:1-2 & 26:16-19), the speech must first and foremost address the establishment of the national institutions. Once this national framework is achieved (e.g. a judicial system, an organized system of educators and national leaders, a national center, etc.), a more suitable environment will exist to facilitate and encourage the fulfillment of the numerous mitzvot bein adam le-chavero that relate to the daily life of each individual. Without an organized court system and a functioning political entity, it would be quite difficult to establish a society characterized by 'tzedeq u-mishpat'.

Although this reasoning line adequately explains the overall structure of this unit (i.e. the progression from Parshat Shoftim to Parshat Ki-Tetzeh), it does not account for the internal sequence within this Parsha. To explain this arrangement, our shiur will follow the approach of Rav David Tzvi Hoffman, who demonstrates that the mitzvot of the main speech in Sefer Devarim follow the order of the aseret ha- dibrot [the Ten Commandments].

THE PARALLEL TO THE DIBROT To properly identify and appreciate this parallel, we must first draw a distinction between the first two commandments and the remaining eight. Recall that the first two dibrot deal primarily with the concept of 'emuna', fundamental belief in G-d, and the consequent prohibition against worshipping other so-called deities. As such, these two dibrot form the very foundation of our relationship with G-d. The remaining eight commandments involve concrete, practical mitzvot, through which this fundamental principle is implemented and manifest in daily life. [Recall as well that the first two dibrot are recorded in first person, while the remaining eight are in third person. See Ramban's explanation for this in his commentary on Shmot 20:4 (i.e. the reason for the switch from first to third person in the third dibbur).]

Corresponding to this division within the dibrot, the mitzvot of the main speech of Sefer Devarim also divide into two very distinct categories: 1) The mitzva section, dealing primarily with the issue of emuna, and hence parallel to the first two dibrot 2) The chukim & mishpatim section, the practical mitzvot and hence, parallel to the remaining eight dibrot

Taking this parallel one step further, one may suggest that the dibrot also provide the general framework for all the mitzvot in the main speech of Sefer Devarim, and hence its mitzvot progress in topical order, similar and corresponding to the sequence of the Ten Commandments. In this sense, each group of mitzvot in Sefer Devarim could be understand as an 'expansion' upon the underlying principle of each dibbur. [To borrow an analogy from Hilchot Shabbat, the dibrot serve as 'avot' (primary categories), while the mitzvot in the main speech may be considered 'toladot' (secondary categories).]

The rationale for this parallel is clear. The mitzvot of the main speech are the laws to be observed upon entering the Land (see 6:1). Thus, these laws apply the abstract principles established in the dibrot to the realities of life in the Land of Israel - conquering, occupying, settling and establishing a nation. Let's use a table to show how our analysis works:

CHAPTERS	DIBUR	TOPIC IN THE MAIN SPEECH

[THE 'MITZVA' SECTION]		
6-11	I	'Ahavat Hashem', emuna
	II	Not worshipping 'avoda zara' (parallel to the first two dibrot)
[THE 'CHUKIM U-MISHPATIM' SECTION]		
12-14	III	Establishing God's Name in the mikdash ["ha-makom asher yivchar Hashem leshaken sham"]
		(parallel to not saying God's Name in vain)
15-16	IV	The seven year Shmitta cycle and the holidays (parallel to Shabbat)
17-18	V	The national leaders (shoftim, kohanim & levi'im, melech, and navi) (parallel to honoring parents)
19-21	VI	Laws of war, murder, and capital punishment (parallel to 'lo tirtzach')
21-25	VII-X	Misc. laws 'bein adam le-chavero' (parallel to the final dibrot)

[Before analyzing this structure in detail, a word of clarification is in order. The fact that the dibrot create the framework for the entire speech does not mean that there can be no digression whatsoever from this general arrangement. The dibrot merely establish a general pattern; this does not constrain the internal structure of the individual parshiot. We may (and should) find isolated exceptions to this structure, but they in no way undermine or violate the general pattern.]

Let's take a few minutes to explain the parallels cited in the table above.

THE 'MITZVA' SECTION AND THE FIRST TWO DIBROT As we explained in detail in our shiur on Parshat Va- etchanan, the mitzva section of the main speech contains primarily mitzvot relating to ahavat Hashem as well as numerous warnings against avoda zara (worshipping other gods). These mitzvot of the mitzva section simply apply the principles of the first two dibrot to the realities of conquering and settling the Land. For example, to ensure G-d's assistance and continued 'Hashgacha' (providence) throughout the conquest, Bnei Yisrael must maintain the proper religious outlook and exhibit general belief in, and devotion to, G-d ('Anochi...'). They must also be careful not to fall into the trap of 'over-confidence' or fall prey to the influences of the decadent Canaanite culture ('Lo Yihyeh...'). [Scan chapters 6-11 to verify this point. Pay particular attention to 11:22-23.]

THE 'CHUKIM & MISHPATIM' SECTION Likewise, the mitzvot in the 'chukim u-mishpatim' section apply the underlying principles of the 'removing dibrot to the realities of forming a nation in the Promised Land.

We will now explain how each general topic in this section relates to its corresponding dibbur:

LO TISA (chapters 12-14) As we explained in our shiur on Parshat Re'eh, the primary topic of these chapters is 'ha-makom asher yivchar Hashem leshaken *shmo* sham'. In order to make G-d's Name great (both to ourselves and to other nations), Bnei Yisrael must build a bet mikdash, frequent that site, and gather there on the national holidays. This commandment relates to the third dibbur - not to utter G-d's Name in vain. Just as it is forbidden to defile His Name through irreverent and inappropriate misuse, so is it imperative that we proclaim His Name in the proper manner. The primary vehicle designated by the Torah to accomplish this goal is the bet mikdash - 'ba-makom asher yivchar... leshaken shmo sham' (see Melachim I 8:15-21,41-43!). At this site the levi'im sing and praise G-d (see 10:8, 21:5), proclaiming and sanctifying His Name. Ideally, Am Yisrael's service of G-d at the bet mikdash would lead all mankind towards the recognition of His Name (see Isaiah 2:1-4, Melachim I 8:41-42). [To confirm this point, simply read the second paragraph of the 'Aleinu leshabeiach' prayer, the section of 'al ken nekaveh...' (in case you never paid attention to the words before).] [The 'digressions' from this theme in Parshat Re'eh, i.e. the warnings against those who encourage idolatry (chapter 13) and the dietary laws (14:3-21), may also relate to this general theme. The worship of other gods by definition detracts from G-d's Name and honor, and the dietary laws involve the general obligation to be an am kadosh (14:2,21). In our shiur on Parshat Kedoshim, we connected this topic to the mishkan, as well.]

SHABBAT [Devarim chapters 15-16] In the second half of Parshat Re'eh, we find two types of toladot or derivations of Shabbat. First, there appears the law of shmitta, which follows a seven year cycle, similar to the seven-day cycle of Shabbat. These laws require that we rest from working the land on the seventh year. In fact, we can even consider the laws of 'ma'aser sheni' & 'ma'aser ani' - which are functions of this seven year shmitta cycle - as the beginning of this section and a suitable 'transition' from the topic of 'ha-makom asher yivchar Hashem' (note 14:22-23). The second 'tolada' is the 'shalosh regalim' - the three pilgrimage holidays described in chapter 16. Their most basic and obvious resemblance to Shabbat is the prohibition of work (note Vayikra 23:1-3). Furthermore, the number seven emerges as the prominent number in the context of these holidays. For example, on chag ha-matzot we celebrate seven days (16:3, note also 16:8! - cute?) and then we count seven weeks until Shavuot (16:9). On Sukkot, we once again celebrate for seven days (16:13). [In fact, these holidays are actually referred to as shabbatot in Parshat Emor! The laws of 'bechor' which precede this section (15:19-23), clearly connect to the discussion that immediately follows, the laws of Pesach (see Shmot 13:1-2,11).]

"KABED ET AVICHA..." - HONORING PARENTS (16:18 -18:22) The concept of respecting authority at the family level can easily be expanded to the national level as well, thus requiring us to honor our national leaders. Therefore, the next general topic - the national institutions of leadership: the shofet, kohen, levi, navi, and melech - can be understood as a tolada of 'kibbud horim'. This section includes the laws regarding proper and effective leadership - judges, officers, priests, the king, and nevi'im - as well as laws pertaining to leaders who must be eliminated: those who lead others to idol worship (17:2-7), false prophets (18:20-22), and dissenters who disobey and snub the authority figures (see 17:12).

LO TIRTZACH [chapters 19-21] The toladot of 'lo tirtzach' are the most obviously identifiable, as almost all the laws in these three chapters expand upon (or apply) this dibbur. For example: * Cities of Refuge -

'arei miklat' (19:1-10); * How to conduct war (20:1-20); * 'Egla arufa' (21:1-9) - an entire city takes responsibility for a homicide perpetrated in its vicinity; * Yefat to'ar (21:10-15) - laws relating to prisoners of war; * Ben sorer u-moreh (21:18-21) - the obligation to kill a rebellious son; * Hanging the body of a criminal executed by bet-din (21:22-23); * The mitzva of 'me'akeh le-gagecha' - putting a fence on one's roof to prevent accidental death (22:8-9), etc. [Many laws presented in this section digress from the specific context of murder and related issues. However, even those digressions relate in one form or other to mitzvot bein adam le-chavero.]

LO TIN'AF [22:10-23:19] This section includes various laws relating to forbidden sexual relationships. For example: * 'Motzi shem ra' (22:13-21); * The classic 'affair' (22:22); * The various instances of 'na'ara ha-me'orasa' (22:23-29); * Forbidden marriages (23:1-9) and harlotry (23:18-19). [Once again, this section contains several other laws, in addition to these derivations of 'lo tin'af'. Many of these digressions are tangentially related to the central theme. The prohibition of 'kil'ayim' (working two animals together) and 'sha'atnez' (weaving two types of thread) [22:10-11] may be perceived as relating to illegal marital relationships. Likewise, the mitzva of tzizit (22:12) could be understood as a prevention of 'lo tin'af', as suggested by Bamidbar 15:39.]

LO TIGNOV (23:20-26) * The prohibition against taking interest (23:20-21); * Stealing from 'hekdesh' by neglecting one's vow (23:22); * Stealing produce from one's neighbor's field (23:25-26).

Various other toladot of 'lo tignov' sneak in at different places throughout Parshat Ki-Tetzeh, mostly as 'digressions' within other sections (see below).

LO TA'ANEH BE-RE'ACHA ED SHAKER (19:15-21) The situation of 'eidim zomemim' could be considered a toлада of 'lo ta'aneh...'. It is included in the lo tirtzach section as a 'digression' from the laws of capital punishment (19:11-13). Admittedly, this case does not fit 'perfectly' into the overall structure, but is included within the framework of bein adam le-chavero (see below).

LO TACHMOD (chapter 24) 'Lo tachmod' is so general that almost any law can be considered its toлада. Most likely, the laws of divorce (24:1-4) and the prohibition of the divorcee to remarry his remarried wife prevent a 'legal affair' (read 24:4 carefully), and could be considered a toлада of coveting. Also, throughout the mitzvot in Parshat Ki-Tetzeh we find many references to 're'echa' (as in 've-chol asher le-re'echa' 5:17, such as the laws of eating while walking through one's neighbor's vineyard or field (see 23:25-26). These laws could also be considered toladot of lo tachmod. [Note the word 're'echa' in that commandment.]

VI-X - AN IMPORTANT NOTE As we noted several times in our analysis, we encounter many exceptions to this general pattern within Parshat Ki-Tetzeh (what we have called 'digressions'). Not all the mitzvot line up perfectly as toladot of each dibbur in exact sequence. Additionally, the various toladot of the last five dibrot seem intermingled within these chapters. Nonetheless, almost all the mitzvot in this Parsha are toladot of at least one of the last five dibrot. One could suggest that these final five dibrot actually comprise a single, general category - 'mitzvot bein adam le-chavero'. They all involve conduct and relationships amongst people. [Significantly, within the 'aseret ha-dibrot' these final five commandments are merged into one pasuk (according to the 'ta'am tachton').]

THE FINALE The final mitzvot of the chukim u-mishpatim section include the mitzva to destroy Amalek (25:17-19) and 'mikra bikkurim' (26:1-15). One could view the law of destroying Amalek as a toлада of 'lo tirtzach' and the finale of this unit of the last five dibrot. [Why this mitzva was chosen to close this unit will be discussed iy"H in a shiur for Parshat Zachor.] Similarly, the laws of 'mikra bikkurim' in chapter 26 complete the topic of 'ha-makom asher yivchar Hashem' and hence close the entire chukim & mishpatim section which now forms a chiastic structure. [We will deal with this parsha iy"H in next week's shiur.]

SIGNIFICANCE This parallel may emphasize the point that all of the laws of the Torah originate from Har Sinai. The dibrot, given directly by G-d, serve as avot - the very basic principles of the covenant between G-d and Bnei Yisrael. The mitzvot of the main speech serve as toladot, applying these principles to govern our national and individual conduct. This model of 'avot and toladot' teaches us that we must apply the principles of Matan Torah to every aspect of daily life. Furthermore, this model teaches us that when we apply the principles of the dibrot, we raise them to a higher level. For example, not only is one forbidden to steal, one is also required to return a lost item to its owner. In this manner, the laws of 'hashavat aveida' and the obligation to help even one's neighbor's animal in distress, both toladot of lo tignov, expand the fundamental precept

established by this dibbur to maintain a heightened sensitivity to the property of others, beyond the actual prohibition of stealing. Expanding the principles of Har Sinai to every aspect of our daily life, as exemplified by Sefer Devarim, forms the basis and foundation of our development into an am kadosh.

shabbat shalom,
menachem