



Parshas Ki Seitzei

For the week ending 9 Elul 5756
23 & 24 August 1996

Overview

The Torah describes the only permissible way that a woman captured in battle may be married. In a case where a man is married to two wives, one of whom he hates, and she gives birth to the firstborn son, this son's right to inherit a double portion is protected against the father's desire to give this to the children of the favored wife. The penalty for a wayward and rebellious son who will inevitably degenerate into a monstrous human being is death by stoning. The body of a hanged man must not be left on the gallows overnight — as it was the dwelling place of the soul which is holy, it too has become holy. A person finding lost property has a responsibility to track down the owner and return it. Men are forbidden from wearing women's clothing and vice versa. A mother bird may not be taken together with her eggs; rather the mother must be sent away first. A fence must be built around the roof of a house to prevent people from falling. It is forbidden to plant a field with a mixture of seeds; or to plow using an ox and a donkey together; or to combine wool and linen in a garment. A four-cornered garment must have twisted threads (*tzitzis*) on its corners. Laws and penalties in regard to sexual offenses are detailed. When Israel goes to war, the camp must be governed by rules of spiritual purity. If, as a result of the battle a slave escapes, he must be freed and not returned to his master. Promiscuity is prohibited to men and women alike. Taking any kind of interest for loaning money to a Jew is forbidden. Bnei Yisrael are not to make vows even in a good cause. A worker may eat of the fruit he is harvesting, but not take it home with him. Divorce and re-marriage are legislated. A new husband is exempted from the army and stays at home the first year to make his wife happy until the relationship is cemented. Collateral on a loan may not include tools of labor for this may prevent the debtor from earning a living. The penalty for kidnapping for profit is death. Removal of the signs of the disease *offzara'as* is forbidden. Even if a loan is overdue, the creditor must return the debtor's collateral every day if the debtor needs it. Workers must be paid immediately. The guilty may not be subjugated by punishing an innocent relative. Because of their vulnerability, proselytes and orphans have special rights of protection. The poor are to have a portion of the harvest. A court has the right to impose the punishment of lashes. An ox must not be muzzled in its threshing, but be allowed to eat while it works. It is *amitzvah* for a man to marry his brother's widow if there were no children from that marriage. Weights and measures must be honest. The Parsha concludes with the *mitzvah* to wipe out the name of Amalek, for in spite of knowing all that happened in Egypt, they ambushed the Jewish People after the Exodus.

Insights

ONLY CONNECT

“Remember what Amalek did to you, on the way when you were leaving Egypt, that he happened upon you upon the way, and he struck those of you who were hindmost...” (25:18)

The head and the heart are like two different people. A concept can be as clear as daylight to the mind, but if we don't send it down the 'information super-highway' to the heart, it's as though two different people are inhabiting the same body.

Amalek is the arch-enemy of the Jewish People. He is a master of ambush. He lies in wait along the highway between the head and the heart. He tries to kidnap the idea on the way to its destination — to the place where it will be crystallized into conviction — the heart.

Why does the Torah have to tell us here “*that he happened upon you upon the way*”? Upon which 'way'? **The way from the head to the heart.** Intellect that is devoid of emotional conviction leads to cynicism and hedonism. Amalek's two great protégés.

As E.M. Forster once put it: “Only connect the prose and the passion...” Only connect the head and the heart, and Man will reach his true vocation, offering his mind on the altar of the heart to his Maker.

(Heard from Rabbi Yehoshua Bertram in the name of Rabbi Yosef Tzeinvort, shlita)

CLEARING THE LONDON FOG

“When you go out to battle...” (21:10)

While he still lived in London, Dayan Yechezkel Abramsky, *zi"l*, would give a *shiur* (class) every Friday night to non-religious young people. He would invite them into his home and teach them the weekly Torah portion.

When it came to this week's parsha, *Ki Seitzei*, he spent the entire week pondering how to explain the *Yefas Toar* — the law that allows a Jewish soldier in battle to take a female captive.

How was he going to be able to put across this seemingly strange concept to his young pupils?

Try as he might, he could think of no suitable approach. Friday night arrived, and still no explanation had materialized in his head. So he prayed that Hashem would put the right words into his mouth. Suddenly, during the Friday night meal, Hashem opened his eyes and it came to him...

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Prepared by Ohr Somayach in Jerusalem, Israel

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22 Shimon Hatzadik Street, POB 18103, Jerusalem Israel

972-2-581-0315

fax: 972-2-581-2890

ohr@virtual.co.il

38 East 29th Street 8th floor, New York, NY 10016, USA

1-212-213-3100

fax: 1-212-213-8717

RZCorlin@aol.com or estern@Aol.com

613 Clark Avenue West, Thornhill, Ontario L4J 5V3, Canada

1-905-886-5730

fax: 1-905-886-6065

Somayach@MSN.com

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Production Design: Lev Seltzer

With his students seated around the Shabbos table, Dayan Abramsky said "Before we open the *Chumashim*, I want you to know something: From what we are about to read we will see clearly how the whole of the Torah is obligatory upon us."

From this week's parsha we learn that the Torah never demands that which is beyond a person's ability: In a situation where it is impossible to hold back, the Torah *permits us to follow our instincts!*"

It must be then, that everything that the Torah *does* demand of us is certainly within our capabilities. And if the Torah itself understands the limits of human endurance and permits that which is beyond Man's power to withstand, it must be that everything that it commands is within the reach and obligatory upon us all..."

Let us now open our *Chumashim* and learn this week's portion..."

(Peninei Rabbeinu Yechzkel, heard from Rabbi Naftali Falk)

LOST SHEEP

"You shall not see the ox of your brother or his sheep... cast off... you shall surely return them to your brother." (22:1)

Why does the Torah add "or his sheep" in this verse? If I am commanded to return my brother's ox, surely I must also return his sheep to him! The 'sheep' that this verse is alluding to, is the lost 'sheep' of Israel. Israel is scattered like sheep among the nations. Despite an exile that seems interminable, eventually Hashem Himself will come like a shepherd and gather up the lost sheep of Israel, returning His children to the Land.

(Based on the Maharsha at the end of Tractate Makkos, in *Mayana shel Torah*)

Haftorah: Yeshayahu 54:1-10

REASONS TO SING

"Sing out O barren one, who has not given birth..." (54:1)

The Talmud asks a question about this verse — Because she hasn't given birth, she should sing? Rather (this is the meaning) — 'Sing, Congregation of Yisrael, who is like a barren woman, because she has not given birth to children (who will be sent) to Gehinom. (*Berachos* 11)

Why does the Talmud ask its question based on the phrase "because she *hasn't given birth*, she should sing?" Surely the question should have been asked on the first phrase — i.e., "Because *she's barren*, she should sing?"

The Mothers of the Jewish People, Sarah, Rivka and Rachel, were 'barren' because "Hashem desires the prayers of the righteous." (*Yevamos* 64) and He withheld progeny from them.

However, they are called 'barren' because after all was said and done, it was as a result of their prayers that they eventually conceived and gave birth to children. At that point it was evident

that they weren't barren at all, rather that Hashem had wanted their prayers and had therefore withheld children from them. However, if they had not merited children *even after they had prayed*, one couldn't say that their 'infertility' was because Hashem desired their prayers.

Therefore the Talmud *couldn't* have asked its question on the phrase "because she's *barren*, she should sing?" For it could well be that her infertility is only a sign that Hashem desires her prayers. **She herself has cause to sing, because her infertility is a sign that she is a very elevated and righteous soul.**

However, if "she has *not given birth*" — and this, even after all her prayers — then the question becomes highly relevant — "because she *hasn't given birth*, she should sing?" What cause does she have for singing?

It is to this question that the Talmud answers "Rather Sing, Congregation of Yisrael, who is like a barren woman, who should sing because she has not given birth to children who will be sent to Gehinom."

(Rabbi Mahari Hakohen, zt"l, in *Mayana shel Torah*)



INSIGHTS INTO THE ZEMIROS
SUNG AT THE SHABBOS TABLE
THROUGHOUT THE GENERATIONS.

TZUR MISHILO-ukan rum
"THE ROCK, FROM WHOSE FOOD WE HAVE EATEN..."

With food and sustenance
He satisfies our souls

מזון וצדה
השביע נפשנו

mazon v'tzaydah,
hisbi-a l'nafshaynu

There are two categories of food: The necessities such as bread which are referred to as *mazon* and the luxuries such as meat which are in the category of *tzaidah*.

This distinction is evident from the analysis made by our Sages (*Mesechta Chulin* 84a) of the term used by the Torah (*Vayikra* 17:13) in describing the manner in which one acquires the undomesticated animal or fowl whose blood he must cover before he eats its flesh. "When a man shall trap his prey ..." says the Torah even though the same requirement applies to fowl which need no trapping. The lesson is one in economic practicality: Don't eat meat so readily because it may strain your budget. Approach its consumption as if you had to exert yourself to trap the animal or fowl and you will avoid becoming impoverished.

Therefore on Shabbos when we eat both bread and meat we sing praise to Hashem for "satisfying our souls" with both the necessity and the luxury.

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