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PARSHA INSIGHTS

by Rabbi Yaakov Asher Sinclair

Beating the Beast

“When you go out to war against your enemies...” (21:10)

The BBC ran an article on July 21st about Lee Butler.

“Butler was a cocaine addict and he hated himself. But now Lee hasn't had a drink or taken drugs for four years – and insists he never will again.

“Lee tried Alcoholics Anonymous, which has helped millions of people around the world, but didn't like their 12-step approach. He wanted to feel powerful, not – as the first step states – powerless. He wanted to beat his addiction, not battle it every day.

“I just couldn't buy into this ‘addiction is a disease, you're powerless, and you have to surrender.’ They say you have to take one day at a time, for the rest of your life, and every day you wake up you're an addict. I just thought – I don't want that future.”

“It was while visiting one recovery service that Lee met Chris Farrell, a counselor who introduced him to Addictive Voice Recognition Technique. AVRT was coined by an American ex-alcoholic, Jack Trimpey, who calls it a ‘very simple thinking skill that permits anyone to recover immediately and completely from alcohol or drugs.’

“The technique is not that well known in rehabilitation circles. Some experts contacted by the BBC had not heard of it; one charity – while

not dismissing it – said it was not ‘evidence-based.’ ‘As I understand it, there is not any evidence base to support it – but that may be because no one has researched it,’ said one professor from a different organization.

But for Lee, AVRT “just clicked immediately.”

“In effect, says Lee, AVRT recognizes that ‘two parts of you are at war’ – the rational voice and the addictive voice; the real you and, as Trimpey dubs it, ‘the beast.’”

“When you go out to war against your enemies...”

When we go out against our greatest enemy, our Negative Drive; when we try to do *Teshuva*, to return to Hashem, our first step is recognizing that our ‘addictive voice’ is not us.

In the service of Yom Kippur, two identical goats are selected. One is brought as a *korban* and the other is hurled from the summit or a peak in the Judean desert known as Azazel. The goat that is brought on the *mizbeach* – the Holy Altar – represents the *Yetzer HaTov* – the ‘rational voice.’ The goat that is sent to the desert is the ‘beast.’ They are almost identical. The message is that the only way a person can rescue himself from the many addictions of this world is to sort out the ‘rational voice’ from ‘the beast.’

Q & A

Questions

1. Why must a captured woman mourn her family for a month in her captor's house?
2. What fraction of the inheritance does a first-born receive if he has a) one brother, b) two brothers?
3. What will become of a *ben sorer u'moreh* if his parents don't bring him to court?
4. Why is it a degradation to G-d to hang a criminal's body on the gallows overnight?
5. What do you do if you find a lost object that costs money to maintain?
6. Why does the Torah forbid wearing the clothing of the opposite gender?
7. Why does the Torah link the mitzvah of sending away the mother-bird with the mitzvah of making a railing on the roof of your house?
8. When is it permitted to wear wool and linen?
9. What three things happen to a man who falsely slanders his bride?
10. Although the Egyptians enslaved the Jewish People, the Torah allows marriage with their third generation converts. Why?
11. Why is causing someone to sin worse than killing him?
12. If one charges interest to his fellow Jew, how many commandments has he transgressed?
13. What is the groom's special obligation to his bride during their first year together?
14. When is a groom required to fight in a non-obligatory war?
15. What type of object may one not take as collateral?

All references are to the verses and Rashi's commentary, unless otherwise stated.

Answers

1. 21:13 - So her captor will find her unattractive.
2. 21:17 - a) 2/3 b) 1/2
3. 21:22 - He will eventually rob and kill to support his physical indulgences.
4. 21:23 - Because humans are made in G-d's image; and because the Jewish People are G-d's children.
5. 22:2 - Sell it and save the money for the owner.
6. 22:5 - It leads to immorality.
7. 22:8 - To teach that one mitzvah leads to another, and to prosperity.
8. 22:12 - Wool *tzitzit* on a linen garment.
9. 22:18 - He receives lashes, pays a fine of 100 silver *selah*, and may never divorce her against her will.
10. 23:8 - Because they hosted Yaakov and his family during the famine.
11. 23:9 - Murder takes away life in this world, while causing someone to sin takes away his life in the World to Come.
12. 23:21 - Three: two negative commandments and a positive commandment.
13. 24:5 - To gladden her.
14. 24:5 - When he remarries his ex-wife.
15. 24:6 - Utensils used to prepare food.

WHAT'S IN A WORD?

Synonyms in the Hebrew Language

by Rabbi Reuven Chaim Klein

Sort of Siblings

The English term “brother-in-law” can denote one of four possible familial connections: A woman’s husband’s brother, a woman’s sister’s husband, a man’s wife’s brother, and a man’s sister’s husband. In this essay we explore the words for the sibling of one’s spouse and the spouse of one’s sibling in the Hebrew language. Our point of departure is the commandment of the Levirate Marriage, which decrees that when a childless married man dies, then one of the deceased’s brothers must marry his widowed sister-in-law (Deut. 25:5). The phrase Levirate Marriage is derived from the Latin word *levir* (“brother-in-law”). The Hebrew term for this commandment is *yibbum* – a cognate of the words *yavam/yevamah*, used to describe the deceased’s brother (*yavam*) and the deceased’s widow (*yevamah*) who are commanded to marry each other.

Rabbi Shlomo Pappenheim of Breslau (1740-1814) offers a fascinating etymological explanation of the term *yavam*. He traces it to the biliteral root BET-MEM, whose core meaning is reflected in the word *bam* (“in them/through them”). As Rabbi Pappenheim clarifies, this two-letter root can be further broken down into a merger of two single monoliteral roots, the letter BET (the prefix “in/through”) and the letter MEM (the suffix “them”). Rabbi Pappenheim thus understands the root BET-MEM to denote the conglomeration and meeting point of multiple parties. As such, he explains that the Hebrew word *bamah* (“private altar”) is derived from this word, as it denotes a site at which many people gathered in communal worship. *Bamah* also denotes “high place” – and many commentators even understand this to be the word’s original meaning – because such gatherings typically happened at elevated places to increase their visibility.

When it comes to the word *yavam*, Rabbi Pappenheim explains that this term for a relative-in-law stands in stark contrast to other terms for relatives-in-law. For example, in any given marriage, a spouse will only have one father-in-law and one mother-in-law, so the terms that denote those sorts of kinship (*choten/chotenet* or *cham/chamot*) are always limited to one person. By contrast, through marrying one’s spouse, a bride or groom can accrue any number of siblings-in-law. This has the potential to create a sort of “mass gathering” of family members. Hence the word for a sibling-in-law (*yavam/yevamah*) is derived from the root that denotes the meeting and conglomeration of multiple individuals.

Rabbi Yaakov Tzvi Mecklenburg (1785-1865) cites Rabbi Pappenheim’s explanation, but ultimately prefers a different approach. He too connects the word *yibbum* to *bamah* but explains the connection differently. He adopts the traditional understanding of the word *bamah* as a “high place,” and thus explains that *yibbum* entails “lifting up” a downtrodden and childless widow by marrying her and making her feel important again. Alternatively, he suggests that *yibbum* involves “elevating” the deceased brother’s soul by establishing a family in his name.

Based on the Talmudic principle that one and one’s spouse are considered the same, Rabbi Pappenheim broadens the definition of *yavam/yevamah* to even include one’s spouse’s sibling’s spouse. To that effect he cites Ruth 1:15, in which Naomi characterizes Orpah as Ruth’s *yevamah* even though she was Ruth’s husband’s brother’s wife. (This usage is also found in the Mishna in *Yevamot* 15:4, where *yevamah* refers to a woman’s husband’s brother’s wife.)

Rabbi Pappenheim further explains that the act of the Levirate Marriage is called *yibbum* because when the deceased's brother died, his wife was no longer actively considered a sister-in-law to his brothers; yet when one of the dead brother's brothers marries her, she rejoins the family and is now once again considered a sister-in-law to the remaining brothers. Because marrying the widow entails reintroducing her as a *yevamah* to the rest of the family, the commandment to marry her is called *yibbum*.

Rabbi Wolf Heidenheim (1757-1832) takes the exact opposite approach, explaining that the verb *yibbum* does not imply reinstating the widow's lost status as a *yevamah*, especially because from a halachic perspective she always remains a sister-in-law to her husband's brothers. Rather, *yibbum* implies one brother marrying her and making her his wife instead of a *yevamah*, and thus effectively *eliminating* her status as a *yevamah* vis-à-vis himself. Rabbi Heidenheim thus compares the relationship between the noun *yevamah* and the verb *yibbum* to the noun *shoresh* ("root") and the verb *l'shareth*, which means "to uproot." According to this approach, the act of *yibbum* serves to *undo* her status as *yevamah* and instead make her a wife.

Alternatively, Ibn Ezra (to Gen. 38:8) seems to explain that the term *yibbum* does not relate to the *yevamah*, but to the *yavam*. The act of *yibbum* is then the quintessential act of "brother-in-lawing" one's *yevamah* in the sense that the *yavam* responsibly acts in the way of brothers-in-law who take charge of their widowed sisters-in-law and bring them into their own family (see also *Meshech Chachmah* to Deut. 25:5).

Rabbi Mecklenberg and others (cited by Rabbi Heidenheim) explain that Biblical Hebrew has no special word for "brother-in-law" or "sister-in-law." Rather, the latter is called *eshet achiv* (literally, "his brother's wife") like in Gen. 38:8-9, Lev. 18:16, 20:21, and it is only in later Rabbinic Hebrew that the terms *giss/gissa** for siblings-in-law were introduced. They argue that the terms *yavam/yevamah* refer specifically to those who are party to the commandment of *yibbum* and are not general kinship terms for siblings-in-law. Nonetheless, Rabbi Heidenheim cites Ibn Ezra (mentioned above) and HaBachur (below), who clearly disagree with this approach and understand

yavam/yevamah to have a kinship meaning even outside of the context of *yibbum*.

Rabbi Heidenheim further argues that the term *giss* refers exclusively to one's spouse's sibling (or their spouse), such that two men are *gissim* only if they married two sisters. With this explanation, Rabbi Heidenheim argues that one's sister's husband is not called a *giss*, even though in English we would call him a "brother-in-law." Rabbi Heidenheim deduces proof to this assertion from the Mishna (*Sanhedrin* 3:4), which lists those relatives who are disqualified from giving testimony in court about their kin and mentions *baal achoto* ("his sister's husband") separately from *gisso* ("his brother-in-law"). This implies that a *giss* refers to a spouse's sibling, but not a sibling's spouse. Indeed, Rabbi Tanchum HaYerushalmi (a 13th century exegete who lived in the Holy Land) defines *giss* as a man's wife's sister's husband, implying that his sister's husband is not called his *giss*.

Nevertheless, Rabbi Heidenheim's argument based on the Mishna is not foolproof: The Talmud (*Chullin* 18b) relates that Rabbi Yochanan referred to Reish Lakish as "*gissa gissa*," which, writes the Ritva, recalls the fact that Reish Lakish was married to Rabbi Yochanan's sister (see *Bava Metzia* 84a). Based on this, the *Nimukei Yosef* (*Sanhedrin* 6a in the Alfasi pagination) – written by a student of the Ritva – explains that even though the Mishna lists *baal achoto* separately from *gisso*, one's sister's husband can evidently still be called a *giss*.

Rabbi Eliyahu HaBachur (1469-1549) explains that the difference between *giss* and *yavam* is based on the speaker's perspective: A man calls his wife's brother a *giss*, while a woman calls her husband's brothers her *yavam* (even when the mitzvah of *yibbum* does not apply). For example, when the Midrash refers to Moses from the point of view of his sister-in-law, Aaron's wife Elisheva, the Talmud (*Zevachim* 102a) refers to him as her *yavam*. As we saw earlier, the same is true of two women who are married to brothers, who call each other *yevamot* (Ruth 1:15). Both a man's sister's husband or his wife's brother can thus be called *giss*, so two men married to two sisters are called *gissim*. HaBachur concedes that a man might call his brother's wife or his wife's sister *gisato*, but this is a borrowed meaning rather than the primary meaning of the term.

It is interesting to consider the etymology of the Mishnaic Hebrew word *giss*, because the root GIMMEL-SAMECH does not appear in the Bible, and, in fact, the two letters GIMMEL and SAMECH never appear next to each other in the entire Bible! When we look at the Mishna, we find words derived from this two-letter string with various meanings, including: “mixing” (*Pesachim* 5:10, *Yoma* 6:7, *Avot* 6:6, *Machshirin* 5:11), “army” (*Rosh Hashanah* 2:5, *Yevamot* 16:7, *Bava Kama* 10:2), “thick” (*Peah* 6:11, *Demai* 2:4-5, *Sheviit* 4:1, *Shabbat* 4:1, 8:1, 24:2, *Pesachim* 4:3, *Yoma* 8:2, *Kiddushin* 1:4, *Bava Batra* 5:5, *Avodah Zarah* 1:6, *Chullin* 2:7, 3:1, 6:7, 9:3, *Bechorot* 3:1, 4:1, 4:5, *Keilim* 17:12, 27:11), and “familiar/intimate” (*Yevamot* 4:10, *Sotah* 1:6, *Gittin* 7:4, 8:9, *Eduyot* 4:7, *Avot* 4:7).

Rabbi Yaakov Emden (1697-1776) submits that *giss* in the sense of “brother-in-law” relates to the “familiar/intimate” meaning of the GIMMEL-SAMECH root, as it connotes closeness and familial intimacy. We may even argue that all the various meanings of GIMMEL-SAMECH in Mishnaic Hebrew are actually derived from the core meaning of “mixing.” An “army” is a mixture of various fighters and soldiers joined together for a common cause, “thickness” is a mixture of mass concentrated in one place, and “familiar/intimate” refers to the joining of two parties who grow close with one another. In light of this, it makes sense that *giss/gissa* is derived from this root because it denotes the intermarriage of families mixing together in matrimony. This explanation is reminiscent of Rabbi Pappenheim’s understanding of the root BET-MEM cited above.

What is quite fascinating is that the term *gassut* or *gassut ruach* refers to “haughtiness” (*Avot* 4:7 and Targum to Psalms 10:2, 10:4, 76:13, 101:5, Proverbs 16:18), with the arrogant person feeling “higher” and “more important” than others. This would mean that words related to *giss* are semantically similar to Rabbi Mecklenburg’s abovementioned understanding of the term *yibbum* as an expression of “elevation.”

In Talmudic Aramaic, the word *gissa* also means “side” (see also Targum to Lev. 3:4 and Isa. 60:4,

66:12). Perhaps this relates to the sibling-in-law as figuratively on the “other side” of a proverbial family tree.

Finally, Rabbi Yonah Ibn Janach (990-1050) writes that the Biblical Hebrew word *choten*, which usually means “father-in-law,” can also mean “brother-in-law.” He adduces this assertion from his understanding that Chovav ben Reuel was a son of Moses’ father-in-law Jethro/Reuel (Num. 10:29), and the Bible describes Chovav as Moses’ *choten* (Judges 4:11). However, Radak (1160-1234) disagrees with this position and clarifies that Chovav is another name for Jethro, while Reuel was Chovav/Jethro’s father. According to Radak, Chovav was Moses’ father-in-law (*choten*), so there is no proof that *choten* can mean “brother-in-law.” Ibn Janach and Radak seem to disregard the Midrashic position that both Reuel and Chovav are alternate names for Jethro.

Interestingly, there is precedent for Ibn Janach’s assertion in other languages, as the Akkadian cognate of *choten* can mean both “father-in-law” and “brother-in-law.” Similarly, we find a semantic parallel to this in Yiddish in which the words *shvugger* (“brother-in-law”) and *shver* (“father-in-law”) ultimately derive from the shared etymon *swehuraz* in proto-Germanic and *swekuros* in proto-Indo-European.

* NOTE: HaBachur actually vowelizes the word as *gass* instead of *giss*. However, Rabbi Yosef Teomim-Frankel (1727-1792), author of the *Pri Megadim*, points out that sometimes the word is written with a YOD in between the GIMMEL and SAMECH, which supports vocalizing the GIMMEL with a *chirik*, as is the common practice. In some versions of the Mishna (like that printed in the Jerusalem Talmud and the Kaufmann MS), the word is spelled with an initial ALEPH, making it *agiss*, instead of *giss*. In Modern Hebrew, ALEPH-GIMMEL-SAMECH, or *agas*, means “pear,” while in the Mishna (*Kilayim* 1:4, *Maasrot* 1:3, *Uktzin* 1:6) it certainly refers to some sort of fruit. Ironically, *agiss* has become the accepted way of spelling “Huggies” (like in the brand name of diapers) in Israel.

COUNTING OUR BLESSINGS

by Rabbi Reuven Lauffer

THE BLESSINGS OF THE SHEMA: INTRODUCTION

*The most beautiful things in the world cannot be seen or even touched
– they must be felt with the heart.
(Helen Keller)*

The Mishna (Tractate Brachot 11a) teaches that three blessings should be recited together with the Shema in the morning. Two are said before the recitation of the Shema and one is said afterwards. The Maharal writes (*Netivot Olam*) that Hashem employs three different “operating systems” to control the world. The first is via the laws of nature, following the ostensibly natural cycle of the world. The second is through the intellect, which can transcend the natural system. The third is through miracles that eclipse the natural order entirely. These three systems correspond to the three blessings of the Shema.

- The first blessing: “Blessed are You, Hashem, our G-d, King of the Universe, Who forms light and creates darkness, makes peace and creates all” corresponds to the natural system.
- The second blessing, which begins with the words, “With an abundant love” and ends with the words, “Blessed are You, Hashem, Who chooses His people Israel with love” is referring to the Torah and corresponds to the intellect.
- The last blessing, which is said after the recitation of the Shema, ends with the words, “Blessed are You, Hashem, who redeemed Israel,” and it corresponds to the supernatural existence that encapsulates the history of the Jewish Nation.

Fascinatingly enough, the three blessings are also compared to the three main utensils that were found in the Holy section of the Temple: The Golden Table with its twelve loaves of bread, the Menorah, and the Golden Altar that the incense was offered on. The first blessing – speaking of light and darkness – corresponds to the Golden Table, which represents the physical dimensions of this world. The Menorah represents the wisdom and the insight that the Torah brings into the world, corresponding to the second blessing and the intellect that it symbolizes. And the third blessing – which is recited after we have reached the sublime moment when we accept upon ourselves Hashem’s Majesty – is analogous to the Golden Altar and the exquisite fragrance that it emits. A fragrance described as being comparable to the smell of the Garden of Eden.

Rabbi Moshe Chaim Luzzatto, the exceptionally brilliant eighteenth-century Kabbalist and philosopher universally known as the Ramchal (an acronym of his name), writes that the first blessing before the Shema emphasizes the physical continuity of the world. The second blessing focuses on its spiritual continuity. And, after having recited the Shema, the third blessing partially defines for us Hashem’s supreme powers

It is not by chance, therefore, that our Sages chose to begin the blessings of the Shema with one of the most fundamental tenets of Judaism: light and darkness both emanate from the One Divine Source. Our Sages teach that light is always synonymous with clarity and wisdom, with goodness and truth. Light symbolizes an open and recognizable relationship with Hashem. Darkness, on the other hand, represents the opposite.

Darkness is symbolic of ambiguity, of a lack of clarity that can cause despair and even a feeling of hopelessness. It is symbolic of an almost complete inability to discern Hashem within the evil that surrounds us. Yet, the blessing testifies that both light and darkness are created by Hashem. Our blessing categorically states that we do not believe that there are two disparate powers of good and evil constantly clashing with each other. Rather, everything is sourced from the One above.

Before we are able to begin contemplating Hashem's absolute sovereignty by reciting the Shema, we must first acknowledge that everything in this world is His. We should not make the mistake of imagining that what we perceive as being evil is an independent power that has no connection to the Absolute Source of all.

And this is where our journey into the blessings of the Shema begins. With the very first lesson that our Sages are teaching, that we owe our entire existence – what we perceive as the good, the not-so-good and also the bad – all to Hashem.

To be continued...

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by Rabbi Moshe Newman

Ki Teitzei: Succah 34 - 40

Tefillah and the Torah

Rava said, "There is no contradiction – lulav is a Torah mitzvah and tefillah (prayer) was enacted by our Rabbis."

This answer on our *daf* resolves the difficulty posed by the *gemara* between what our *mishna* states and what a *mishna* in Masechet Shabbat teaches. Let us explore the *gemara's* question, Rava's answer, and how his answer may shed light on the exact nature of the mitzvah of *tefillah*. The nature and status of this mitzvah are certainly matters of significant consequence in many ways.

The question: Our *mishna* states that if a person who was travelling without a lulav arrives to his place on Succot, he should find a lulav and fulfill the mitzvah that day as soon as possible. And if he did not have a lulav upon arrival, and he began his meal, if he receives a lulav in the middle of eating, *he must interrupt his meal* to fulfill the mitzvah. However, elsewhere we are taught that if a person began his meal before the time to *daven mincha*, he is not required to interrupt his meal in order to *daven mincha* when the window of time for *mincha* begins. Why, asks the *gemara*, does a person need to stop for lulav but not for *mincha*?

Rava's answer: "There is no contradiction between the halachas taught in these two *mishnas* – the mitzvah of lulav is a Torah mitzvah, whereas the mitzvah to *daven mincha* (i.e. the mitzvah of *tefillah*) was enacted by the Rabbis but is not a Torah mitzvah." Therefore, a person must interrupt his meal to fulfill the Torah mitzvah of lulav but not to fulfill the Rabbinic mitzvah of *tefillah*.

Rava's answer appears to clearly teach that the mitzvah of daily *tefillah* is not a Torah mitzvah. Yet, if we learn the teachings of the Rambam, we see that

the mitzvah of *tefillah* is indeed a Torah mitzvah! The Rambam authored a classic work called *Sefer Hamitzvot*, in which he lists all of the 613 Torah mitzvahs – and his elaborate, precise and consistent methodology for determining what should be counted as a mitzvah on that list. *Mitzvah Aseh* number five (the fifth of mitzvah on the list that involves doing something) is the Torah mitzvah of *tefillah*. A proof to this ruling is a teaching in a *beraita* at the beginning of Masechet Ta'anit: "The verse states: 'To love Hashem and to serve Him with all of your heart' (Devarim 10:12). What service is done with the heart? You must say that this is *tefillah*."

However, the Ramban disagrees with the Rambam's ruling on this matter of the mitzvah of daily *tefillah* being a Torah mitzvah. His challenge is based on a number of Talmudic sources. The Ramban's position is that daily *tefillah* is a Rabbinic mitzvah, a position that appears to be supported by Rava's answer in our *sugya*. (Note: Although the Ramban does not count daily *tefillah* as one of the 613 Torah mitzvahs, he agrees that there is indeed a Torah mitzvah to pray to Hashem for help when there is an impending danger or enemy that faces the Jewish People, a mitzvah that he derives from a different verse. In fact, there are other mitzvahs that the Rambam counts in his list, which the Ramban does not, and, likewise, the Ramban omits a number of mitzvahs that he counts but the Rambam does not – to complete his own list of 613 Torah mitzvahs – a compilation that the Ramban euphemistically refers to as *Mitzvahs that the Rav (i.e. the Rambam) 'Forgot.'* Perhaps the most well-known example is what is commonly referred to as the mitzvah to live in the Land of Israel. It is not in the Rambam's list since he seems to understand

the verse mandating the Jewish People to conquer and settle the Land of Israel as referring specifically to the one time when it applied under the leadership of Yehoshua bin Nun. According to the Rambam's methodology, a mitzvah that does not apply throughout history should not be on the list of the 613 mitzvahs. The Ramban, however, says that it is a mitzvah not limited to the original settling of the Land of Israel, and therefore – even according to the Rambam's rules – should be counted as one of the 613 Torah mitzvahs. Of course, this subject is mentioned here in only the most superficial of manners, and very many great Torah writings address and expound on the topic of a mitzvah to live in Israel nowadays.)

Back to our *gemara*. Rava's answer – that *tefillah* is a Rabbinic mitzvah – seems to be a strong challenge to the Rambam's position that it is Torah mitzvah.

However, none other than the Ramban – whose position is that daily *tefillah* is not a Torah mitzvah – provides an answer to this question on the Rambam's position. The Ramban quotes the Rambam's teaching in the Rambam's *Mishneh Torah* (Hilchot Tefillah 1:1), which states that although daily *tefillah* is a Torah mitzvah, the time, the frequency and text of the daily *tefillah* or *tefillahs* are of Rabbinic origin and not a Torah mitzvah. Rava's answer in our *sugya* that *tefillah* is a Rabbinic mitzvah refers to the mitzvah for three daily *tefillahs* (on a normal weekday), a requirement that is not a Torah mitzvah, but rather a mitzvah enacted by the Rabbis.

• *Succah 38a*

PARSHA OVERVIEW

The Torah describes the only permissible way a woman captured in battle may be married. If a man marries two wives, and the less-favored wife bears a firstborn son, this son's right to inherit a double portion is protected against the father's desire to favor the child of the favored wife. The penalty for a rebellious son, who will inevitably degenerate into a monstrous criminal, is stoning. A body must not be left on the gallows overnight, because it had housed a holy soul. Lost property must be returned. Men are forbidden from wearing women's clothing and vice versa. A mother bird may not be taken together with her eggs. A fence must be built around the roof of a house. It is forbidden to plant a mixture of seeds, to plow with an ox and a donkey together, or to combine wool and linen in a garment. A four-cornered garment must have twisted threads *tzitzit* on its corners. Laws regarding illicit relationships are detailed. When Israel goes to war, the camp must be governed by rules of spiritual purity. An escaped slave must not be returned to his master.

Taking interest for lending to a Jew is forbidden. The

Jewish People are not to make vows. A worker may eat of the fruit he is harvesting. Divorce and marriage are legislated. For the first year of marriage, a husband is exempt from the army and stays home to rejoice with his wife. Tools of labor may not be impounded, as this prevents the debtor from earning a living. The penalty for kidnapping for profit is death. Removal of the signs of the disease *tzara'at* is forbidden. Even for an overdue loan, the creditor must return the collateral daily if the debtor needs it. Workers' pay must not be delayed. The guilty may not be subjugated by punishing an innocent relative. Because of their vulnerability, converts and orphans have special rights of protection. The poor are to have a portion of the harvest. A court may impose lashes. An ox must not be muzzled while threshing. It is a mitzvah for a man to marry his brother's widow if the deceased left no offspring. Weights and measures must be accurate and used honestly. The Torah portion concludes with the mitzvah to erase the name of Amalek, for, in spite of knowing about the Exodus, they ambushed and attacked the Jewish People.

LETTER AND SPIRIT

Insights based on the writings of Rav S.R. Hirsch by Rabbi Yosef Herschman

A Rebel with a Cause

The law of the *ben sorer u'moreh*, the rebellious son who is put to death in his adolescence at the request of his parents, is unusual in many regards. Our Sages have taught that there never was such a disobedient and recalcitrant son in the past, and there will never be one in the future. Rather, it was and will remain only a theoretical “problem,” as the conditions stipulated by law can never actually be satisfied. It was written, then, not as practical law, but a rich source of pedagogic truths, whose study is of great benefit for the educational work of parents.

Rav Hirsch’s masterful explication of the laws of the *ben sorer u'moreh* spans many pages and distills several essential principles in education from the various details of the laws. We summarize here but a few.

The first aspect of the law that draws our attention is the age-span during which the death penalty is applicable – the first three months after a boy has reached the age of puberty, usually upon completion of his thirteenth year. We see that this period is regarded as a crucial phase in the formation of a child’s character. While this period is marked by an awakening of the latent sensual impulses and appetites, it can, and should, also be marked by the awakening of the moral strength that will guide the child away from vice and base passion. That latter awakening is characterized with the joy of discovering the truth and is fueled by the desire to adopt great and noble values – the discovery of a higher-self. Precisely when the struggle is born, the wherewithal to succeed is also born, and must be carefully cultivated as the child “comes of age.” This is when a child becomes a *bar mitzvah*, literally a “son of the commandment” and acquires the discipline and striving necessary to overcome temptation and commit to the law.

If, at the time when he is supposed to be developing seriousness and maturity, he displays such defiant conduct – *zollel v'soveh*, out-and-out gluttony and drunkenness – then we can be certain that any further effort at character training will only end in failure. The glutton’s desire for good food takes precedence over any moral considerations, such that he pilfers from his own parents. In addition, to be liable, not only must he have used the stolen money for his revelry, but he must have consumed it in the company of good-for-nothings.

To summarize: the *ben sorer u'moreh* must have displayed willful, perverse disobedience in general, excessive predilection for good food and alcoholic drinks, pilfering at home and keeping bad company. These sad criteria – which as defined have never and will never be met – should each engage our attention as parents and educators.

One of these traits in particular – gluttony – is one we sometimes unwittingly encourage. When cuisine is given high importance in the home – where the assortment of sushi or the price of wines and scotch is the gage of the happiness at a joyous occasion – we communicate base pleasure over refinement. Rav Hirsch encourages teaching and modeling moderate eating, including occasional finer cuisine, to help children discover on their own the limits of the happiness that a good steak or good wine can bring. When those limits are realized, an appetite can be developed for the finer joys of life.

Another requirement of the *ben sorer u'moreh* holds the key to child-rearing. This son can be liable only if his parents were of the same voice and heart. They must come to the judges declaring, *our child* does not listen to *our voice*. If this unity and consistency is lacking, then we fault the parents and not the child. To be successful parents, they must be equals, completely in agreement, of one heart and mind in their education of an influence over their child.

- Sources: *Commentary, Devarim 21:18; Collected Writings VII, p.333 ff.*

PEREK SHIRA – The Song of Existence

by Rabbi Shmuel Kraines

Introduction

Every human heart naturally appreciates the beauty of the world. Yet not all are aware of its songs. To the attentive listener, the entire universe is singing in concert to its Creator.

The blazing sun illuminates the darkness, basking the world in its warmth and nourishing all plant life. Man cannot even gaze at its brilliance, and he certainly cannot fathom the greatness of its Creator, about Whom it sings without pause.

Yet the sun is but one instrument in the comprehensive orchestra of the universe. Equal wonder can be found in a rain drop, a breath of air, or slice of bread. The simplest living organism depends on a precisely balanced life support system of unfathomable complexity. Consider the nutrient rich soil, the temperate and oxygenated atmosphere, the perpetual water-cycle, the ingenious internal workings of all flora and fauna by which they feed, function, and reproduce, and the continuous, interconnected food chain. On top, intelligent mankind is enthroned in grandness, and all testify to the greatness and the kindness of the Creator. The masterly designed world is entirely filled with His glory. Even the sea is populated with colorful fish, the sky decorated with melodious birds, and the endless outer space is bejeweled with stars and planets, dancing in their orbits.

Every element of the natural world sings of a different aspect: some sing of the Creator's grandeur, some of His salvation, some of His greatness, some of His awesomeness, some of His supremacy – and all sing of His kindness. In addition to telling of His glory, the beings also teach of His virtuous ways that we are to emulate. The Sages teach that if the Torah would not have been given to us as a guide, we would have learned modesty from the cat, avoidance of theft from the industrious ant, and marital loyalty

from the dove. The same is true about each of His magnificent creatures.

The universe's songs were compiled into a collection called "Perek Shira," which is said to be authored by King David and King Solomon. Even though animals and inanimate creatures have no mouths with which to sing, their natures and functions are expressions of Divine praise.

However, the full manifestation of these songs is only when we – as intelligent mankind – comprehend them and voice them. Our praise is one of the primary reasons for the universe's creation, as the Midrash relates: Hashem fashioned man with a mouth, saying, "If not for the praises and songs that the Jewish nation say before Me every day, I would not have created the heavens and the earth." Moreover, the Kabbalists teach that each creature – even every blade of grass – has its own angel in Heaven, and only when we recite the world's songs is each angel empowered to sing in harmony. The beings themselves are sustained only in the merit of these songs.

Therefore, when one recites Perek Shira it is as if he is conducting an unfathomably powerful orchestra of cosmic proportions, creating Divine music too beautiful for the human ear to hear. Understandably, the Sages speak at length of the immense reward for its recital. Many have a custom to recite it every morning, at the same time that the world awakens and begins its song anew.

Perek Shira opens up a new way to look at the world. You will perceive that birds chirp not only to mark their territory. They are singing sweetly to the Creator, incessantly reminding us that every day is filled with goodness and pleasantness. Perek Shira will also illuminate your view of other people, and of yourself. You will obtain the tools to contemplate

how each person has his or her own unique purpose and an immutable song in Hashem's universe. A person sings not only through specific life-accomplishments, but even with day-to-day life, with all of its ups and downs, like the rising and falling of a beautiful melody. This Song of Existence has been playing since the dawn of time, adding layer upon layer of meaning, converging steadily towards its climatic culmination, with the coming Redemption.

When King David completed writing his book of Tehillim, he felt prideful and asked Hashem, "Is there a creature that You created in Your world that praises You more than I do?" Thereupon, a frog told him, "David, do not feel prideful, for I recite more songs and praises than you."

King David's praise was limited to his waking hours, and only when he was not busy with matters of his kingdom, but the frog's ceaseless croaking can be

heard day and night. Whether the story of the frog speaking to King David was a literal occurrence or a figurative portrayal, it certainly alludes to deeper mystical matters. Yet, its principle teaching is clear. Even King David, the sweet singer of Israel, ought not to feel arrogant about his Divine praises, since he was only fulfilling his expected role for which he was created. Moreover, even the mindless natural world, including the humble frog and countless other creatures, sing to the Creator constantly, no less than mankind. However, their latent songs remain unsung until man appreciates them and recites them – with Perek Shira.

Every morning, when the world rejuvenates and its multitudes of beautiful creatures awaken to sing anew, listen! They are beckoning to each of us to follow their lead and sing to our Creator – Who is waiting for our praise.

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