

OHRNET

Shabbos Parshas Ki Seitze • For the week ending 9 Elul 5756 • August 24, 1996 • Vol. 3 No. 40

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*

INSIGHTS

CLEARING THE LONDON FOG

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

While he still lived in London, Dayan Yechezkel Abramsky, *zt”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 Seitze*, 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...

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 impossi-

ble 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*

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 first-born 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

OVERVIEW

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 for 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 of Tzara'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 a mitzvah 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 INTO THE SHABBOS ZEMIRO'S

ברוך א-ל עליון "BLESSED IS G-D..."

"Whoever observes the Shabbos will find Hashem's favor like a meal-offering..."

The *shomer Shabbos* is compared to one who offers a *mincha* – a meal offering – on the altar of the Beis Hamikdash. Our Sages (Menachos 104b) explain that the Torah uses the term "*nefesh*" (life) in describing the one who voluntarily offers a *mincha* because it is the poor man, without the means to offer a sacrifice of animal or bird, who usually offers a *mincha*. It is as if Hashem declares that He will consider such a humble offering as if the poor man offered his very life. Observance of the Shabbos may also be viewed as a form of sacrifice, for the *shomer Shabbos* gives up the opportunity to increase his wealth by engaging in his worldly affairs. Although the poor man's sacrifice is considerably less than that of the prosperous one, it is considered by Hashem as if he gave up his very he honor of the Day of Rest.



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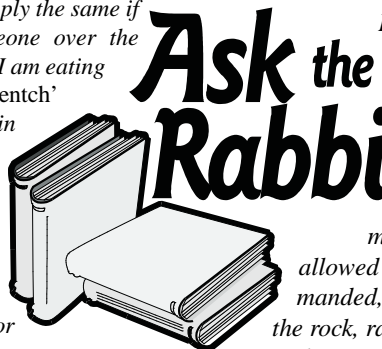
BENTCH LIKE A MENTCH

Sara Miriam Beck

<smiriam@panix.com> wrote:

Dear Rabbi,

I have a question. I know it is forbidden to stop in the middle of *birkat hamazon* [grace after meal, a.k.a. *bentching*] and talk to someone. Would that apply the same if I am 'talking' to someone over the computer? Many times I am eating at my computer, so I 'bentch' there. But I might be in the middle of a computer conversation (IRC) with someone when I remember that I need to 'bentch.' Do I need to stop typing in order to say *Birkat Hamazon* or not?



Ask the Rabbi

Dear Sara Miriam Beck,

Asik sdk jflp? Sloop blek kurdfurma!

OOPS! Sorry I made so many mistakes. I was talking to someone else while I was writing to you!

I'm kidding, of course. But you get the point: It's rude to write one person while talking to another. So too, it's wrong to thank Hashem for food while typing to your 'key-pal.'

During blessings and prayers your mind shouldn't wander, even to think about Torah ideas.

"If you walk with Me *casually*..." is the Torah's uncomplimentary description of casual, haphazard mitzva observance. Not only *Birkat Hamazon*, but **all** mitzvot should be done with full attention.

One way to help you focus during *Birkat Hamazon* is to read the words in a siddur, instead of rattling them off by heart.

In Yiddish, when you 'bentch' someone, you give him a blessing. In Baseball, to 'bench' someone means to take him out of the game. When you 'bentch' Hashem' after a meal, which one do you mean?

Sources:

- *Shulchan Aruch Orach Chaim* 191:3
- *Ibid.*, *Mishna Berurah* 5
- *Leviticus* 26:21

TWO HANDS ARE BETTER THAN ONE

Elisheva Appel from Postville, Iowa

<ELISHEVA@delphi.com> wrote:

Dear Rabbi,

Hashem tells Moses to "lay his hand" upon Joshua (27:18), then when Moses does, he puts **both** hands upon him (27:23). Rashi says he does even more than he had been commanded. Why in this case is he allowed to do more than he was commanded, as opposed to when he struck the rock, rather than just speak to it, and is then punished? Thanks!

Dear Elisheva Appel,

Here, Moses did **more** than he was told, whereas in the episode of the rock he did something **completely different**.

With one hand, Moses conveyed to Joshua political and military leadership, and with the other hand, spiritual grandeur. Hashem commanded Moses regarding the political and military leadership only. Moshe, on his own, blessed Joshua with the spiritual grandeur.

Jacob blessed his sons. Elijah blessed his student, Elisha. They weren't commanded to do so. Here too, Moses blesses Joshua with Torah greatness, though he wasn't commanded to do so. Since Moses was giving of his 'own' holiness and spiritual inspiration, he could give it as generously as he wanted.

Sources:

- *Baba Kama* 92, *Tosafot* and *Maharsha*

Yiddle Riddle

Last week we asked: In what non-life-threatening situation is there a positive mitzvah to eat the meat of a *neveilah* — i.e., something that died without *sh'chita* (kosher slaughter)?

- Riddle submitted by Reuven Miller <miller@ashur.cc.biu.ac.il>

Answer: *Chatat Ha'of*.

A bird brought as an offering in the Temple wasn't slaughtered with a knife. Rather, the bird was killed by a sharp thumbnail inserted in the back of its neck. If a non-Kohen ate it, he would be transgressing the prohibition of eating *neveilah*. Kohanim, however, were commanded to eat from this offering.

- Sources: *Rambam, Hilchot Ma'aseh Korbanot* 10:1,11:9

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THE SACRIFICE OF LEARNING TORAH

The term “**Torah**” is used by the Torah in a number of passages in connection with sacrifices. This association inspires three different interpretations by our Sages.

Rabbi Shimon ben Lakish focuses on the passage (*Vayikra* 7:37) which states: “This is the Torah...” and then goes on to mention virtually every type of sacrifice, obligatory and voluntary. The message is that one who learns any part of the Torah receives credit as if he were offering those sacrifices. The Sage Rava sees in this same passage the power of the general learning of Torah to guard man from sin, and therefore make it unnecessary for him to bring any sacrifice for atonement.

Rabbi Yitzchak, however, points to the passages (*Vayikra* 6:18 and 7:1) which specifically link Torah to the atonement sacrifices of *chatass* and *asham* in a manner which suggests that the learning is limited to the laws of those particular sacrifices. Not only is the voluntary study of the Torah laws concerning a voluntary offering considered as if you actu-

ally made that offering, but even in the case of an obligatory sin offering the voluntary study of the Torah laws concerning those sacrifices is considered as if you actually achieved this atonement.

• *Adapted from Maharsha, Menachos 110a*

Weekly Daf THE MAN FROM DAN

Shechita – the ritual slaughtering of animals and fowl – is the subject of the first section of our new *Mesechta*.

“Everyone is eligible to do *shechita*,” declares the opening



Insights, explanations and comments for the seven pages of Talmud studied in the course of the worldwide Daf Yomi cycle.

mishnah. Does “everyone” include women? Yes, say the commentaries, and thus rules the *Shulchan Aruch* (*Yoreh Deah* 1:1). They point out that it is so obvious that there is no reason for disqualifying women that the *mishnah* does not even deem it necessary to mention their eligibility as our Sages do in other situations where there is a cause for assuming a

different rule for women. Even the *Remah* (*ibid.*) who notes that it is not customary for women to practice *shechita* concedes that her *shechita* will be valid.

There is, however, one dissenting voice coming from a mysterious source. Rabbi Eldad ben Machli arrived from Eretz Yisrael about a thousand years ago with a claim that he was from the lost Tribe of Dan, and that he was in possession of a number of laws which his tribe followed on the basis of a tradition going back to Moshe. One of these “Laws of Eretz Yisrael” cited by the man who went down in history as “Eldad the Danite” was that women are ineligible for *shechita*. This opinion did not gain acceptance amongst

Jewish halachic authorities, just as a number of the other laws he reported failed to gain recognition. Amongst these were rulings that if one fails to make a blessing before *shechita* or performs the act bare-headed his *shechita* is invalid.

The position of the authorities was that even if there was a remote part of the Jewish people living according to these rules, they were not **laws** – since the indication from the Talmud is contrary to them – but only **stringent customs** which the Danites accepted upon themselves, but were not accepted by the rest of the nation.

• *Chullin 2a*

1. The captive woman must change out of her ‘captivity garment.’ Why?
2. How do a first-born and his brother split three equal portions of land inherited from their father?
3. What does a ‘*ben sorer u’moreh*’ (wayward and rebellious son) do to incur the death penalty?
4. What will become of a ‘*ben sorer u’moreh*’ if his parents don’t bring him to court?
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?
8. When is it permitted to wear wool and linen?
9. Although the Egyptians enslaved the Jewish People, the Torah allows marriage with their third-generation converts. Why?
10. Why is it worse to cause someone to sin than to kill him?
11. If one charges interest to his fellow Jew, how many commandments has he transgressed?
12. What is the groom’s obligation to his bride during their first year together?
13. What type of object may one not take as security for a loan?
14. When is a kidnapper guilty of a capital offense?
15. “Remember what Hashem did to Miriam (24:9)” To what event does the Torah refer?
16. “Fathers will not be put to death because of their sons...” What does this mean?
17. If a poor person finds money, the one who lost the money receives a blessing. From where do we derive this?
18. Two people in this week’s parsha are required to speak in *Lashon Hakodesh*. Who are they?
19. How does the Torah describe those who cheat in business?
20. Which of the Jewish People were subject to attack by Amalek?



I Didn't Know That!

“He (the groom) will be **free** for his home for one year...(24:5).” The word **free** (*naki*) also means ‘clean.’ This hints that a groom is forgiven all his sins. Also, the last letters of these words spell Hashem’s name, hinting that the Divine Presence resides in a Jewish home.

• *Rshb”z*

Bonus Question ?

Why does the Torah forbid working with an ox and a donkey harnessed together?

Answers on back page

Answers to this Week's Questions!

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

1. 21:13 - Because it is a beautiful garment which she wears for immoral purposes.
2. 21:17 - The first born gets two portions and his brother gets one.
3. 21:18 - Stealing, and eating meat and wine gluttonously.
4. 21:22 - He will eventually rob and kill to support his physical indulgences.
5. 22:2 - Sell it, and save the money until you find out who the owner is.
6. 22:5 - It leads to immorality.
7. 22:8 - To teach that one mitzvah leads to another.
8. 22:12 - Wool *tzitzis* on a linen garment.
9. 23:8 - Because they hosted Yaakov and

- his family during the famine.
10. 23:9 - Murder takes away life in this world, while causing someone to sin takes away his life in the World to



- Come.
11. 23:21 - Three; two negative commandments and a positive commandment.
 12. 24:5 - To make her happy.
 13. 24:6 - Utensils used to prepare food.

14. 24:7 - If he works the victim as a slave and sells him..
15. 24:9 - Hashem punishing Miriam with *tzara'as* for speaking *Lashon Harah*.
16. 24:15 - Fathers will not be put to death based on the testimony of their sons. That is, relatives are invalid as witnesses.
17. 24:19 - From the mitzvah to leave the 'forgotten bundle' for poor people.
18. 25:8 - The *yavam* (brother-in-law) and the *yavama* (his childless brother's widow).
19. 25:16 - "An abomination (*to'evah*) to Hashem your G-d..."
20. 25:18 - Those who lost the protection of the *ananei kavod* due to their sins.

Recommended Reading List

RAMBAN
 21:18 Gluttony and Rebellion
 21:22 Hanging
 22:6 Reason for Mitzvos
 23:10 Wartime Morality
 23:20 Usury
 24:9 *Lashon Harah*
 25:17 Remembering Amalek

SFORNO
 21:16 The Birthright
 21:23 Hanging
 22:7 Torah Ecology
 23:20 Kindliness

SEFER HACHINUCH
 533 Avoiding Exploitation
 545 Compassion

550 Unnatural Combinations
 552 Marriage
 561 Ingratitude
 579 Divorce
 599 Filial Responsibility

In this *Parsha* there are
 • 27 Positive Commandments
 • 47 Negative Commandments

Bonus Answer!

When the ox chews its cud, the donkey will hear and start to feel hunger pangs.

• *Da'as Zekeinim Miba'alei HaTosafos*

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*

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