



Parshas Ki Seitzei

For the week ending 11 Elul 5757
12 & 13 September 1997

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 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

THE SIN OF THE CHEESE DANISH

“An Ammoni or Moavi may not enter the congregation of Hashem; even to their tenth generation they may not enter into the congregation of Hashem forever. The reason is that they did not come out to meet you with bread and water on the way, when you were leaving Egypt.” (23:4-5)

What was so terrible about Ammon and Moav not coming out to meet the *Bnei Yisrael* with bread and water on their way out of Egypt?

Just because they didn't rush out to meet the Jewish People with “cheese Danish and coffee?” Is that such a terrible sin?

Even an Egyptian may convert, and, after three generations, marry a Jew. And their ancestors used Jewish children for bricks in their palaces and mausoleums! Just because of a lack of hospitality, an Ammoni and a Moavi can *never* join the Jewish people?

The reason is that the Ammoni and the Moavi nations owe their very existence to the Jews. For it was Avraham Avinu — the father of the Jewish People — who rescued Lot from being killed when Sodom was destroyed. Lot was the father of Ammon and Moav. Were it not for Avraham, there would never have been an Ammoni or Moavi People. When the people of Ammon and Moav didn't come out to greet the Jewish People, the descendants of Avraham, they showed the *essence* of their character — lack of gratitude.

Ingratitude cannot be allowed to infiltrate the Jewish People, because to give thanks — to admit that one is beholden — is the *essence* of being Jewish. The word *Yehudi* is from the root to *give thanks*, to be *grateful*.

When looking for a spouse, this can be a yardstick for us: If chronic ingratitude makes a person unfit as a marriage partner, then the greatest ‘catch’ is someone who is always grateful.

It is impossible to make an ingrate happy. But someone who is always grateful, who sees everything as a gift — that's the easiest person in the world to make happy.

That's the ideal spouse.

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“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. His intent: 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 proteges.

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.

Haftorah: Yishayahu 54:1-10

TORAH AND KINDNESS

“...and My kindness shall not be removed from you...” (60:10)

The words *“shall not be removed”* appear twice in our tradition. Once here, and once in *Yehoshua 1:5* — *“This book of the Torah shall not be removed from your mouth.”* It is the merit of learning the Torah — its *not being removed* from our mouths — that gives us the merit that *“My kindness shall not be removed from you.”*

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.”*

Sources:

*The Sin Of The Cheese Danish - Ramban; Rabbi Moshe Carlebach
Only Connect - Rabbi Yehoshua Bertram in the name of Rabbi Yosef Tzeinvoort
Giving It All Away - Sifri and Mayana shel Torah
Reasons to Sing - Rabbi Mahari Hakohen, zt"l, in Mayana shel Torah*

Fatherly Advice - tidbits from the Ethics of the Fathers traditionally studied on Summer Sabbaths

How fortunate is she who gave birth to him.

Rabbi Yochanan ben Zakkai's praise of his disciple, Rabbi Yehoshua, Avos 2:8

Rabbi Yehoshua's mother was responsible for his becoming a great sage. When she was expecting, she visited all the houses of prayer and study in her city, imploring the rabbis to pray that the child to be born would become a scholar. From the day her son was born she did not remove his crib from the *Beis Midrash* so that no sound but the words of Torah should enter his ears. Rabbi Yehoshua's mother took extraordinary measures to achieve an extraordinary goal for her son. But all Jewish mothers throughout the centuries have followed her example in modified form, utilizing both prayer and environment to achieve the best for their children.