



פרשת כי תצא
873
 ט' אלול תשס"ט • Aug. 28-29, '09



This Shabbat is the 334th day (of 354), 48th Shabbat (of 50) of 5769
אָבן שְׁלֵמָה וְצֶדֶק יִהְיֶה לְפָנָי... לְמַעַן יֵאָרְיִכוּ יְמֵיךָ עַל הָאָדָמָה...
PIRKEI AVOT: In Israel - 2nd perek; in Chutz LaAretz - 1st & 2nd perek

The Non-coincidences of Parshat HaShavua

The fact is that there is no direct correlation between the sedra we read each week and the dates on the calendar. That this is so can be seen by the special Torah readings for the Chagim: When Rosh HaShana falls on Shabbat, we don't read the sedra whose turn it is in the yearly Torah reading cycle of the 54 sedras - we read a special portion that our Sages selected for Rosh HaShana. So too for Yom Kippur and Sukkot and all the Chagim.

Candle Lighting
 (Earliest candle lighting - PLAG)
 and **HAVDALA** times
 Israel Summer Time

Ki Teitzei • Rabbeinu Tam (J'm) - 8:22pm

6:32 (5:47)	Yerushalayim	7:44pm
6:49 (5:50)	S'derot	7:46pm
6:48 (5:48)	Gush Etzion	7:45pm
6:49 (5:49)	Raanana	7:46pm
6:48 (5:48)	Beit Shemesh	7:45pm
6:49 (5:49)	Rehovot	7:46pm
6:49 (5:49)	Netanya	7:47pm
6:47 (5:49)	Be'er Sheva	7:45pm
6:48 (5:48)	Modi'in	7:45pm
6:32 (5:49)	Petach Tikva	7:46pm
6:32 (5:47)	Maale Adumim	7:44pm
6:48 (5:48)	Ginot Shomron	7:46pm
6:47 (5:47)	Gush Shiloh	7:44pm
6:48 (5:48)	K4 & Hevron	7:45pm
6:48 (5:48)	Giv'at Ze'ev	7:45pm
6:49 (5:49)	Yad Binyamin	7:46pm
6:50 (5:50)	Ashkelon	7:47pm
6:37 (5:47)	Tzfat	7:45pm

But that's not the whole story. There are many examples throughout the year of amazing connections between the calendar and the weekly sedra. It could be something specific like reading about the yahrzeit of Aharon HaKohen (Rosh Chodesh Av) on the Shabbat of or closest to that day. It could be something thematic, like the troubles between brothers in the sedras around Chanuka time.

We've pointed to the perfect choice of sedras for before and after Tish'a b'Av.

And a case can be made for Parshat Ki Teitzei being read in the month of Elul as we approach the Yamim

cont. p. 19

Shabbat Shiur 5:00pm
Yaacov Peterseil & co.
Mincha at 6:00pm



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 Headquarters: 11 Broadway, New York, NY 10004
 212-563-4000 • website: www.ou.org

Produced, printed*, collated, and folded in-house
 Phil Chernofsky • (02) 560-9124
 tt@ouisrael.org • www.ou.org/torah/tt

Advertising: Ita Rochel
 ttads@ouisrael.org • (02) 560-9125
 TT Distribution • 0505-772-111 • ttdist@ouisrael.org

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OTHER Z'MANIM
 Correct for Jerusalem
Ranges are 10 days, WED-FRI
6-15 Elul (Aug. 26 -Sep. 4)

Earliest Talit & T'filin	5:19-5:25am
Sunrise	6:12-6:17am
Sof Z'man K' Sh'ma	9:25-9:27am (Magen Avraham: 8:38-8:41am)
Sof Z'man T'fila	10:30-10:30am (Magen Avraham: 9:59-10:00am)
Chatzot (halachic noon)	12:41-12:38pm
Mincha Gedola (earliest Mincha)	1:14-1:10pm
Plag Mincha	5:49-5:40pm
Sunset	7:15-7:03pm (based on sea level: 7:10-6:59pm)

Word of the Month
 Minhag Yerushalayim people have already said Kiddush L'vana this month. 7 full day people have their first shot on Thursday night, but only after 10:42pm. **cont. p.3**

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22 Keren HaYesod • POB 37015 • Jerusalem 91370
 phone: (02) 560-9100 • fax: (02) 561-7432
 email: office@ouisrael.org • website: www.ouisrael.org

Torah Tidbits and many of the projects of OU Israel are assisted by grants from **The Jewish Agency for Israel**
Founders and initial benefactors of the Israel Center: George z"l and Ilse Falk

Ki Teitzei STATS

49th of the 54 sedras; 6th of 11 in D'varim

Written on 212.8 lines in a Sefer Torah (rank: 21)

44 Parshiyot; 2 open, 42 closed (rank: 1)

110 p'sukim - ranks 28th (5th in D'varim)

1582 words - ranks 23rd (5th in D'varim)

5856 letters - ranks 26th (6th in D'varim)

Slightly larger than average p'sukim; below average for D'varim. Overall, an average-sized sedra. But Mitzva-wise...

MITZVOT

74 of 613 mitzvot - 27 positives, 47 prohibitions

Ki Teitzei has the most mitzvot (12%), most positive mitzvot (10.9%), most prohibitions (12.9%), and most parshiyot of any sedra in the Torah.

WORD of the MONTH cont. from p.2
A weekly TT feature to help clarify practical and conceptual aspects of the Jewish Calendar, thereby enhancing our appreciation of G-d's gift to us of HaChodesh HaZeh Lachem...

This will probably mean their waiting until Motza'ei Shabbat for KL, which is the most popular time for KL.

Or... there are variations on the full 7 days after the molad opinion. Namely, that close enough is okay too, even if the exact time is a few hours away. This translates to KL on Thursday night after Maariv, even though it is short of the full 7 days.

No such leeway exists for the 3-day practice.

Many people do not strictly follow the three or seven day opinions, but will usually say KL on Motza'ei Shabbat. Motza"Sh is a favored time for KL since KL is considered a "Reception for the Sh'china" and one is appropriately attired for such an event on Motza"Sh.

Aliya-by-Aliya Sedra Summary

Numbers in [square brackets] are the Mitzva-count of Sefer HaChinuch AND Rambam's Sefer HaMitzvot. A=ASEI (positive mitzva); L=LAV (prohibition). X:Y is the perek and pasuk from which the mitzva comes.

[P> X:Y (Z)] and [S> X:Y (Z)] indicate start of a parsha p'tucha or s'tuma respectively. X:Y is Perek:Pasuk of the beginning of the parsha; (Z) is the number of p'sukim in the parsha.

Kohen - First Aliya 12 p'sukim - 21:10-21

[S>21:10 (5)] The "beautiful captive": A Jewish soldier must resist the "normal" temptations of battle, but is permitted to take a captive woman only according to the approved Torah procedures [532, A221 21:11].

Looking at this mitzva from both ends, we first see it as a "concession to the base inclinations of a man", in the heat of battle. On the other hand, it demands more of the Jew than is common of soldiers all over the world, who are notorious for immoral and atrocious behavior of all sorts.

If he decides after the one-month waiting period not to marry her, he must release her without abusing, humiliating, or selling her [533, 534; L263,264 21:14]. A Jew's marriage to a Y'FAT TO'R is also conditional on her conversion to Judaism. If she does not want to, he must release her. If she does

convert and they want to marry, then it is a full, regular Jewish marriage, with K'dushin & Ketuba...

[S>21:15 (3)] A man may not favor the son of his beloved wife over his firstborn from a "less-loved" wife. (Implication from the juxtaposition of these two topics is that marrying for the wrong motive is likely to lead to a "hated wife".)

This passage is the source of the firstborn's inheritance. Ramban counts two mitzvot here - the positive command to give the firstborn a double portion and the prohibition of not giving it to him. Rambam and the Chinuch include the rules of the firstborn as part of the laws of inheritance from Parshat Pinchas and not separately here. This is just one of many examples of different countings among the Sages who attempted to identify the traditional 613 mitzvot.

SDT: *The Vilna Gaon sees a hint to the double portion of the B'chor in the letters of the word B'CHOR: BET-KAF-RESH. Each letter is double the letter before it - BET (2) is double ALEF (1), KAF (20) is double YUD (10), REISH (200) is double KUF (100). (No other letter is double its predecessor.)*

[S>21:18 (4)] The "rebellious son" is warned by his parents to mend his ways. If he continues to defy them, violates certain mitzvot, engages in a specific sequence of actions, and if he is of a specific age and at a particular stage of physical development, and his parents are healthy, normal, and deemed to be on equal levels of character, then, and only then,

would it be possible to execute him as a "Ben Sorer U'moreh". Although it is (almost) impossible to reach that ultimate point - and sources indicate that there never actually was a case of "the rebellious son" - this portion of the Torah serves as a stern warning to wayward children AND their parents! Some mitzvot seem to be intended primarily as deterrent and Mussar.

Just as one example of the improbability of there actually being a BEN SORER UMOREH, the boy in question would have to be between 13 and 13¼ years old and would have to be at the beginning stage of puberty. If that three month window of time does not coincide with the onset of puberty, he cannot be an "official" rebellious son. There are so, so many other technical conditions that must be met that it seems obvious that we were not expected to actually execute a BEN SORER UMOREH...

Levi - Second Aliya 9 p'sukim - 21:22-22:7

[S>21:22 (2)] Those executed by stoning were hung after death [535,A230 21:22] for a brief period before sunset. They were then buried [536,L66 21:23] (with the hanging post) to avoid extra embarrassment to the Divine image in which we were all created.

The hanging of the body after execution (which is done in some cases, not all) serves as a deterrent for others and is part of the

atonement process for the soul of the guilty party.

Using "Kal VaChomer" (if this is the respect shown the body of an executed felon, how much more so...), we are taught that burial, in general, and "as soon as is feasible", in particular, is the proper procedure for the dead **[537,A231 21:23]**. This is part of the Torah law.

[S>22:1 (3)] One is required to return identifiable lost objects to their rightful owners **[538,A204 22:1]**, even if doing so is difficult. One cannot ignore this responsibility **[539,L269 22:3]** even if it is easier to just leave the object alone.

Technically, the laws of LOST & FOUND apply to possessions of fellow Jews. However, with the potential for Kiddush HaShem and its opposite, depending upon what one does, it is important to go out of one's way to return a lost item to a non-Jew as well (and even more so!). This too is part of halacha, not just a nice thing to do.

[S>22:4 (1)] Nor may one ignore a fellow's beast of burden that has collapsed under its load **[540,L270 22:4]**. One is required to help his fellow load his animals **[541,A203 22:4]**.

Sefer HaChinuch points out that this mitzva-pair applies to other animals, not just donkey, and it applies to people as well, by reasoning a KAL VACHOMER. If you see a fellow human over-loaded with what he or she is carrying (or trying to carry), it

is a mitzva to help out. Furthermore, if you are approached by friend or neighbor who offers to help you carry some of your packages, you should consider letting him/her, rather than the typical, "It's okay, I got it." It allows your burden to be eased while the other person does a mitzva. Everyone benefits.

[S>22:5 (5)] Men and women may not interchange apparel **[542,543; L39,40 22:5]** nor do certain things that are specific to the opposite sex.

R' Yonatan b. Uziel in his Aramaic translation/commentary on Torah, "defines" the prohibition of a woman wearing a man's garb, as the mitzvot of Talit and T'filin. Not everyone agrees, but it's something to think about.

[P>22:6 (2)] When one happens upon a (kosher) bird's nest (in the wild), it is forbidden to take the mother bird alone or with her eggs or chicks **[544,L306 22:6]**, but one may (must? this is the subject of a dispute with a decidedly kabalistic flavor on the side that suggests it is an imperative rather than the assumed "if you want the eggs...") take the eggs/chicks if one first sends the mother bird away **[545, A148 22:7]**. This is an enigmatic mitzva that defies logic. It is shrouded in mysticism, more so than most mitzvot.

Although our Sages attribute kindness to animals as the reason (or part of the reason) for some mitzvot

The other Purim connection (besides Amalek)

- e.g. not muzzling an animal that is working with food, helping to unload a beast of burden, not plowing with an ox and a donkey together - they (our Sages) were more cautious with this mitzva of SHILU'ACH HAKEN. It can be argued that it is far kinder to leave a nest alone than to chase away the mother bird (which is simultaneously kind and cruel - one way of looking at it). This mitzva is more CHOK-like than other mitzvot involving animals.

Shlishi - Third Aliya 29 p'sukim - 22:8-23:7

[S>22:8 (2)] One is required to build a protective fence around one's (habitable) roof **[546,A184 22:8]**. It is forbidden to leave safety hazards on one's property **[547, L298 22:8]**.

Oral law defines these mitzvot as more inclusive than just one's roof. Rabbinic law, "taking the Torah's lead", extends "safety & health" rules further into many areas, e.g. secondary smoking. Rambam says that a person may not tell others: "Don't tell me what to do; if I want to risk my health or life, it's my business". Saying this can make a person liable to the punishment of MAKAT MARDUT. This is something to keep in mind when you decide to "talk to" your favorite smoker. With secondary smoking, it is most definitely your business too. But even primary smoking is your business - All Israel are responsible for each other.

One may not plant mixed grains in a vineyard **[548,L216 22:9]**, nor

may one eat the resulting products **[549,L193 22:9]**.

"Strangely", these two mitzvot - MAAKEH and Mixed Grain - share a single parsha. What connects them to each other more than other mitzvot?

[S>22:10 (2)] Plowing with ox and donkey together is forbidden, as is the tying together of any non-compatible animals (or humans) for any purpose **[550,L218 22:10]**. Rambam holds that the Torah prohibits any combination of a kosher and non-kosher animal, based on the fact that the Torah's example is one of each. Rambam says that combinations of two kosher or two non-kosher animals is forbidden by Rabbinic law. Many authorities challenge Rambam's distinction and say that it is all Torah law.

Do not wear Shaatnez (garments of wool and linen) **[551,L42 22:11]**.

Can a person wear linen pants at the same time he wears a wool jacket?

Yes, because each garment can be removed independently of the other.

But a linen shirt under a wool jacket is problematic because you cannot remove the shirt without first taking off the jacket. That makes the wool and linen "together".

[S>22:12 (1)] ...put tzitzit on all four-cornered garments that you wear. **[counted elsewhere]**

[S>22:13 (7)] It is a mitzva to marry according to Jewish Law and for the husband to write a K'TUBA for his wife with various promises and assurances **[552,A213 22:13]**.

The juxtaposition of tzitzit to marriage seems to be the source of the minhag of many Ashkenazi Jews of starting to wear a Talit when one marries (even though the Talit Katan is worn from early childhood).

If a man had falsely accused his (betrothed) wife of infidelity, he may not divorce her (unless she so desires) **[553,554; A219,L359 22:19]**. Penalties are also paid to the girl's family for the insult.

[S>22:20 (2)] If the betrothed maiden did, in fact, willfully, intentionally have relations with another man, and there are kosher witnesses and properly administered warning, and all the other rules of evidence. then she is an adulteress and can be executed (by stoning).

[S>22:22 (1)] If a man and married woman has relations (knowing full-well the married status of the woman), and neither was forced, then they are both subject to the death penalty for adultery. [This prohibition is counted from Commandment #7 in Parshat Yitro]

[S>22:23 (2)] The same applies if the woman is "just" betrothed (this is more than engagement in our time). The specific incident of stoning is generalized to the mitzva upon the court to carry out the punishment of "stoning" whenever required **[555, A220 22:24]**.

[S>22:25 (3)] Both consenting parties to a forbidden relationship are culpable. However, if it is possible to consider the woman an

unwilling partner, then she must not be punished. We must not punish anyone who might not be responsible for their actions **[556, L294 22:26]**. This is the source of giving people the benefit of the doubt. This does not mean that the person always deserves the benefit of the doubt. Maybe they actually sinned. The answer, it will have to be left to G-d to punish them; we are obligated to explain the situation as in this example - certainly the girl screamed but there was no one to save her.

[S>22:28 (2)] A man who forces himself on an unmarried maiden must pay a fine to her father. If the girl wants to be married to the man, he must marry her and never initiate divorce (she, of course, may insist that she wants nothing to do with him and then the court will force him to divorce her had they married) **[557,558; A218,L358 22:29]**.

[S>23:1 (1)] A man may not marry his father's former wife (even after his father's death).

[S>23:2 (1)] Castrated men (not all - it depends on how their situation happened) have marriage restrictions **[559,L360 23:2]**.

[S>23:3 (1)] A "mamzer" has marriage restrictions **[560,L354 23:3]**. Mamzer is the offspring of a union that is prohibited by the Torah, with a death penalty. This includes incestuous and adulterous relationships. A mamzer has marriage

Is this fruit required?

restrictions. He may, however, marry a mamzeret or a female convert to Judaism. And vice versa for a mamzeret.

[S>23:4 (4)] Amonite and Moabite males may not marry into the "Congregation of G-d" **[561,L53 23:4]**, because of the cruel, inhospitable behavior of those two nations towards Israel. And also because they hired Bil'am to "bless" us. Nor may we ever offer those two nations peace as an alternative to war, as is required of our other enemies **[562,L56 23:7]**.

Note that the Torah is giving a reason for a mitzva, something that it rarely does. (We are supposed to do mitzvot because they are G-d's commands, not for other reasons.) However, in this case, it is precisely the reason given for this mitzva that allowed our Sages to declare Ruth the Moavite able to marry into the Jewish Nation. It was the Moavite men who displayed that unforgivable behavior, not the women, who did not "go out" and confront Bnei Yisrael.

R'VI' - Fourth Aliya 17 p'sukim - 23:8-24

[S>23:8 (2)] OTOH, converts from Edom and Egypt are not to be discriminated against, but can fully integrate only from the 3rd generation on **[563,564 L54,55 23:8]**.

[S>23:10 (6)] A military camp must be kept spiritually and physically clean. Sanitary facilities must be provided outside the camp

and soldiers must be equipped with appropriate tools for maintaining proper sanitation **[566,567; A192, 193 23:13,14]**.

An offshoot of this mitzva: entry to Har HaBayit (referring to the area where the Beit HaMikdash and its courtyard DID NOT stand) by people with certain types of ritual impurity is forbidden **[565,L78 23:11]**. (The area where the Mikdash stood - or might have stood - is off-limits to all T'MEI'IM.)

Conceptually, we must realize that G-d's presence among us is affected by our moral behavior. Thus, these mitzvot have ramifications to Jewish society as a whole, and not merely in a military setting.

[S>23:16 (2)] A slave who runs from his master to us for protection, may not be returned. Nor may we abuse a slave who seeks haven in Eretz Yisrael **[568,569; L254, 255 23:16,17]**.

[S>23:18 (2)] Prostitution is forbidden **[570,L355 23:18]** and its revenues may not be used for sacred matters **[571,L100 23:19]**. (Some sources consider the prohibition sex between unmarried people as part of mitzva #570.)

[S>23:20 (2)] Although interest on personal loans may not be taken from a Jew, it is acceptable (and correct) to lend to non-Jews with interest **[572,573; L236,A198 23:20,21]**. This is so because society in general accepts the reasonableness of moderate interest on loans. Since a non-Jew can charge a Jew interest, the Torah gives us per-

mission to take interest from them. Usury, loan sharking, would be recognized as a "universal" wrongdoing; the ban against any interest at all is a special spiritual requirement of the Jew.

[S>23:22 (3)] Pledges to the Mikdash must be fulfilled within the cycle of the three festivals **[574, L155 23:22]**. (There is a partner positive mitzva to this prohibition - namely, to redeem a pledge by the next Festival. Note that if a person makes a pledge to the Mikdash in Elul, he has a mitzva to bring the offering on Sukkot. If he doesn't bring it until Pesach, he has not fulfilled the mitzva, but he has not violated the prohibition either. But if he misses Pesach and Shavuot, then he has violated the prohibition (Lav).

It is advisable to refrain from making promises, but once made, a person must keep them **[575, A94 23:24]**. (Hatarat N'darim provides an "out" for certain ill-advised promises, within limits. Consult a Rav for specific cases.)

Chamishi - 5th Aliya 6 p'sukim - 23:25-24:4

[S>23:25 (1)] Workers are entitled to eat of the food they are working with **[576, A201 23:25]**, but may not take extra (home) without permission **[577, L268 23:25]**.

[S>23:26 (1)] Workers mustn't eat while they are working **[578, L267 23:26]**. In other words, their right

אגרת הגר"א

to eat **[576]** is restricted to their breaks.

We see a beautiful balance in the area of Torah Law as it relates to boss-worker relations. On the one hand, the worker is allowed to eat from that which he picks. On the other hand, he cannot do this while he is actually working, as this would reduce his efficiency, thereby short-changing his boss. On the other hand, the boss must provide breaks during the day, when the worker is allowed to eat. On the other hand, the worker may not take any of the fruits home with him, without permission. Talmudic law adds to this list for both sides. For example, it advises a worker not to overdo the eating, although it is permitted, lest the word get out and people will stop hiring him. Boss may not take advantage of worker, and worker may not take advantage of their boss.

[S>24:1 (4)] If a married couple wants to end their marriage, it must be done with a proper "get" **[579, A222 24:1]**. If a divorcee has remarried, and is subsequently widowed or divorced, she cannot remarry her first husband **[580, L356 24:4]**.

Shishi - Sixth Aliya 9 p'sukim - 24:5-13

[S>24:5 (2)] A man is exempt from military service during the first year of his marriage **[581, L311 24:5]**, during which time he is to see to it that his wife is happy **[582, A214 24:5]**.

One may not take vessels used for preparing food as a security against a loan **[583, L242 24:6]**. We must be sensitive to the needs of the borrower.

Another example of two different mitzvot that share a parsha - noteworthy because Ki Teitzei has so many parshiyot, one wonders why these were not each in its own parsha. Again we ask, are they more connected than other mitzvot?

[S>24:7 (1)] Kidnapping and selling the victim is a capital offense. Kidnapping is already counted as a prohibition from Commandment #8, LO TIGNOV (i.e. stealing a person) in Yitro. That was the "warning"; this is the "punishment". Both are needed.

[S>24:8 (2)] We must not remove signs of "Tzora'at" **[584, L308 24:8]**.

A blemish is TZORAAT iff (if and only if) declared so by a kohen. If this happens, then using medicines or surgery to remove the affliction is forbidden, as well as counter-productive. A person's spiritual and religious growth is triggered by the NEGA. It needs not surgery or medication, but rather introspection and repentance.

Always remember what happened to Miriam. [Although Rambam and Chinuch do not count this ZACHOR among the 613, other mitzva-counters do.] What happened to Miriam is that she was punished for speaking ill of her brother Moshe and she was afflicted with Tzoraat; hence, the connection between these two p'sukim that share a parsha.

[S>24:10 (4)] We must not be overly forceful in the taking of a security from a poor person who has borrowed from us **[585, L239 24:10]**. We must not withhold that which has already been taken from him; if he needs it, we must return it to him **[586, 587; L240, A199 24:12, 13]**. Another positive-prohibition pair of mitzvot.

Think about this: We are commanded to lend money to our fellow Jew if he is in need and if we can afford it. We may not take interest on that loan. But, we may take something of value from him as security for the loan. There are certain types of things we may not take as security. And we must observe certain protocol when we take a security. AND we are commanded to return the security if the person needs it. Even though he hasn't repaid the loan yet. And even though the purpose of taking a security is to have something of value in case the borrower defaults on the loan. So why am I giving him back the security? It isn't logical. Right, it isn't logical. But mitzvot are G-d's commands, regardless of whether they make sense to our limited finite brains or not. Worried about the loan? Have some faith in G-d. You believe He created the world - you can believe He knows what He's doing with loans and everything else.

Sh'VII - Seventh Aliya 28 p'sukim - 24:14-25:19

[S>24:14 (2)] We may not take unfair advantage of our less-fortunate workers. A day-laborer must be

paid on time [588, A200 24:15]. The prohibition of delaying his wages is counted elsewhere. Another 2-sided mitzva.

[S>24:16 (1)] Close relatives may not testify against (or for) one another in criminal cases [589, L287 24:16]. There is also the implication here that a person will not be punished for deeds of his parents or children. This is an example (one of many) of a pasuk teaching us two or more quite different things. In this case, one is a mitzva among Taryag, the other is a teaching (for lack of a better word).

[S>24:17 (2)] One must not pervert justice even on behalf of an orphan [590, L280 24:17]. Securities for a loan must not be taken from a widow [591, L241 24:17]. Our experience in Egypt is to be remembered as the motive for many of these "sensitizing" mitzvot.

[S>24:19 (1)] That which is forgotten in the fields after harvesting must be left for the poor; one should not return for it himself [592, 593; A122, L214 24:19].

[S>24:20 (3)] The previous parsha set down the rules of SHICH'CHA; this parsha adds rules for proper kind behavior when picking olives and grapes. Again we are reminded of our Egyptian experience. Even though Egypt was unspeakably cruel to us, our experience there is supposed to make us kinder and more sensitive.

[S>25:1 (4)] The punishment of

makot (whipping) is to be administered by the courts to those found guilty of sins punishable thusly, but care must be exercised not to exceed the required number of lashes [594, 595; A224, L300 25:2,3].

The prohibition of not exceeding the approved number of lashes, also includes the more general prohibition of striking a fellow Jew.

Do not muzzle an animal when it is working with food [596, L219 25:4].

[S>25:5 (6)] The widow of a man without children is forbidden to marry anyone else [597, L357 25:5] until... She either "marries" her brother-in-law (Yibum) [598, A216 25:5] or the relationship is severed by chalitza [599, A217 25:9], in which case she may marry anyone else (but not a kohen).

The Torah speaks of a man dying without having had a BEN. Does that mean "son" or "child"? Is the word BEN in this context, exclusive or inclusive? This is a very important question. Sometimes (usually) BEN means male child and sometimes it includes sons and daughters. In the case of a man dying, the word BEN includes any offspring. If a man has no sons, only a daughter, and he dies, his widow is free to marry anyone except a Kohein Gadol. And she may not marry her late husband's brother. That is a high level prohibition. If the man had no offspring, his widow must* marry his brother (*or receive Chalitza). Total opposites, depending upon exactly what BEN means. How do we know? **Torah She'b'al Peh, the Oral Law.**

[S>25:11 (2)] If person "A" is pursuing "B" to kill him, we must save B's life even if it means killing "A" [600, A247 25:12]. We cannot show mercy to the pursuer, "A" [601, L293 25:12]. If it is possible to stop "A" without killing him, we must do so - to kill him in this case would be an act of murder.

[S>25:13 (4)] (Not only may one not use false measures, but) mere possession of false dry or liquid measures or weights is forbidden [602, L272 25:13]. Honest weights and measures is one of the pillars of society; G-d despises those who cheat in business.

[P>25:17 (3)] The final portion of the sedra is "Zachor". We are commanded to remember what Amalek did to us on our way out of Egypt [603, A189 25:17]. The Jewish People as a whole are commanded to destroy the remnant of Amalek from this world [604, A188 25:18]. We (each Jew) must never forget what Amalek did [605, L59 25:19].

Technically, these mitzvot apply to the specific Amalek nation. The idea, however, must be extended to the Amalek-types that have plagued us throughout Jewish history.

These final 3 p'sukim of the sedra are reread for the Maftir.

Haftara - 10 p'sukim Yeshayahu 54:1-10

This is the 5th of the 7 haftarot of consolation. It prophesies an end to

the Exile, a reconciliation between the People of Israel and G-d. G-d is likened to the husband of His estranged wife, Israel. The couple will reconcile, so to speak. G-d says that the Exile is to Israel as the Flood was to No'ach. He promises no more exile. No more anger. The Exile was temporary. His Love is everlasting.

Divrei Menachem

Ki Teitzei teaches us that, *"You shall not pervert the judgment of a proselyte or orphan, and you shall not take the garment of a widow as a pledge. You shall remember that you were a slave in Egypt and that Hashem redeemed you from there; therefore, I command you to do this thing"* (D'varim 24:17-18).

The rationale for this prohibition is clear: Since we were once vulnerable slaves we need to be especially sensitive and refrain from acts that cause pain and injustice to the poor and needy.

The connection with the redemption from Egypt, however, is unclear. For the Torah does not further instruct us to actively support the orphan or widow. So we cannot make a useful analogy between Hashem's releasing us from our helpless servitude and the assistance we might now proffer to these unfortunate individuals.

Nevertheless, in recalling the remark in the Hagada that had Hashem not taken us out of Egypt, "we would still be slaves to Par'o", we begin to comprehend. The Hagada sees the redemption not as transitory, but as an event with eternal ramifications. So, too, we can now understand that in that

moment we desisted from tormenting the destitute, there was also a long-lasting positive outcome - not only for the poor souls we saved from suffering, but also for ourselves, and society as a whole (Divrei Sha'ul).

FROM THE VIRTUAL DESK OF THE OU VEBBE REBBE

Q *My son is buying a house and I said that, please G-d, I would give him a present of \$10,000 (= \$10K) to help, but he now needs another \$20K to complete the transaction. He is unable to get commercial financing, but I am. I understand that it is forbidden for me to take a \$20K loan in my name and have him pay the bank the interest or reimburse me. (Correct?). May I, instead, reduce the \$10K present to compensate for the losses on the \$20K loan, considering my pledge of the present was just an oral statement?*

A First, let us praise you for the halachic sophistication of the question. Indeed, there is an apparent prohibition for your son to pay the interest on a loan that you will take and transfer the money to him (Shulchan Aruch, Yoreh Deah 168:1). This is because actually two loans will exist. The bank will give you \$20K. Then you will be lending your son \$20K, and he will return to you \$20K plus interest, which is forbidden whether he pays it to you directly or to the recipient of your choice (e.g. the bank). (There is a possible avenue of leniency if matters can be arranged so that it is not viewed

halachically as his paying you interest but reimbursing the expenses you incur to getting the money for him. We have an unpublished tentative leniency along those lines, but the conditions are complicated enough that we prefer providing simpler solutions.)

First, we will deal with your excellent suggestion. Not only is it forbidden for the borrower to give money beyond the principal to the lender but it is forbidden for the lender to receive from him any extra service or benefit of even moderate value. A borrower certainly must not be mochel (relinquish rights to) money due to him from the lender in appreciation for the loan (see Bava Metzia 64b). The question is how to view the pledged \$10K present.

If one pledges to give a present to someone without doing an act of kinyan that concretizes the pledge, he cannot be compelled to honor his pledge. However, if it is a small present, he is considered to be mechusar amana (lacking in trustworthiness) if he does not do so (Bava Metzia 49a). Since authorities may take some steps to pressure him to fulfill this moral obligation (see Pitchei Choshen, Kinyanim 1:1), if the projected recipient waives the payment, this is considered doing a favor of monetary value. However, \$10K is not a small present. (The determination of big and small is likely subjective (B'tzel Hachochma V, 158) and should depend not only on the giver's wealth but also on the level of his relationship with the recipient. However, your question implies that a \$10K present to your son is something that you do not take lightly.) If you have

no obligation to pay, then even if you would have been embarrassed to back out, your son's forgoing of part of the present to receive the loan is probably not considered ribbit (implication of the Chatam Sofer, YD 135 regarding a lender to the community who was exempted from their rotation of taking in guests). If your son is considered poor, there is a problem because a promise of even a large present to an ani is binding as a vow (Shulchan Aruch, YD 258:12).

There are two ways to allow you to receive more than \$20K back from your son (allowing you to leave the present). 1) Make a heter iska, the standard solution for framing what might have been a loan into a (partial) investment. Your son will be required to give you profits (according to your written forecast, equal to what the bank is charging) from the investment of \$20K on your behalf unless he can bring corroboration that these profits were not achieved. 2) (Somewhat advantageous when the use of the money is known) Write a document whereby the \$20K makes you a part owner of the house. Your son's payments will be a gradual buying out of your partnership plus rent corresponding to your part (Igroh Moshe, YD II 62). For more details about such documents, see The Laws of Ribbit (Reisman), especially pp. 259-260, or get back to us.

Machon Puah

Ovarian Transplants

This week we are continuing our discussion of the experimental process of ovary freezing and fertility preservation. This technology has already been adapted for use in other circumstances with fascinating implications.

Ovarian failure is the cessation of the ovaries to function and produce eggs normally and is a natural outcome of menopause. However, premature ovarian failure occasionally occurs at a young age and renders such women infertile. However, in many cases they are not emotionally prepared to sacrifice their fertility at such a young age.

Standard medical advice in such cases was IVF (In Vitro Fertilization) using donor eggs. A human egg donated by a third party is fertilized and implanted in the woman's body, where it grows as would any normal pregnancy. Egg donation and its halachic implications are a matter of significant debate among Rabbinic authorities. We will IY"H discuss the donor egg issue in the future. Many couples are reluctant or unwilling to undergo IVF using donor eggs because of this halachic disagreement.

As was discussed extensively the last few weeks, Israeli surgeons have had success removing and reimplanting all or part of a woman's ovaries. The reimplanted ovaries were found to function normally. This development

led to research in ovarian transplantation. Ovarian transplantation involves the removal of a portion of a healthy ovary from a donor and grafting it onto the ovary of a woman suffering from ovarian failure. The grafted ovary was observed to generate eggs and the recipient eventually conceived naturally.

In most organ transplants, the recipient must take anti-rejection drugs for the remainder of their life. These drugs hinder the body's natural antibodies in order to prevent the antibodies from rejecting the transplanted organ as a foreign body. Anti-rejection medications are considered dangerous and transplants are normally only recommended for cases of life threatening illness.

Premature ovarian failure is not considered to be life threatening. Transplanting an ovary graft from a complete stranger which would require the prescription of anti-rejection drugs is not recommended. Transplanting an ovary graft from a family member often does not require the prescription of anti-rejection drugs. In this case, it could be recommended as an option.

The initial research in ovarian transplantation was conducted with identical twins. Identical twins genetically match and therefore anti-rejection medications are not required for transplantations between identical twins. Several sets of twins have undergone this procedure and the results are very promising. This procedure could also be offered with other family members or someone who is a close genetic match.

Ovarian transplantation has two distinct advantages over IVF with donor eggs as a treatment for premature ovarian failure. One benefit is the medical/economical savings. After successful ovarian transplantation, a woman should be able to get pregnant without further need for fertilization treatment. While the new ovary will not live forever, it should, however, generate eggs for several years, enabling the woman to have several natural pregnancies and childbirths.

The second benefit is halachic. As previously mentioned, there is a dispute as to the permissibility of egg donation. As we will discuss in a future article, ovarian transplantation may be more accepted halachically than is the use of donor eggs.

Rabbi Weinreb's Weekly Column:
The Person in the Parsha
for Parshat KI TEITZEI

Words Can Never Hurt Me?

For many of us, the first pieces of wisdom which we learned were from nursery rhymes and schoolyard jingles. Sometimes these childish lessons had value, but more often they were off the mark and had the effect of distorting a truer perspective on life.

Take, for example, this ditty: "Sticks and stones may break my bones, but words will never hurt me." The implicit message, which had some utility on the playground, is that we can safely ignore insults to our emotions and feelings, and need to only be

concerned about physical injury. The truth, however, is quite different.

Obviously, we want to protect ourselves from physical harm. The trauma of bodily injury is something which none of us wishes to bear. But we cannot minimize the harmful effects of psychological trauma, whether it comes in the form of insults, embarrassment, or shame.

During the years I spent as a psychotherapist, I dealt with quite a few victims of domestic violence. I saw the effects that abuse could have upon people, but I noticed that those who suffered emotional abuse were less amenable to successful treatment than those who were physically battered.

Let's face it. Words hurt.

The power that words have to do damage is something which is recognized by the Torah. That emotions can be grievously wounded, reputations ruined, and relationships damaged beyond repair through "mere words", is illustrated in biblical narratives, Talmudic tales, and Hassidic stories.

In this week's Torah portion, we are instructed to "remember what HaShem your God did unto Miriam, on the way out of Egypt." The Torah is referring to the fact that Miriam was punished by a leprous infection.

The full episode of Miriam's sin and its consequences appears in an earlier portion of the Torah, at the very end of Parshat B'ha'alot'cha, Bamidbar 12:1-16. There we learn that Miriam and Aharon spoke against

Moshe because of his Cushite wife. They went on to belittle Moshe's importance, and spoke condescendingly about him.

It seems from the context of the story that Miriam, as the instigator of this critique, did so privately and with the best of intentions. Nevertheless, the Almighty was angry with her and she was healed, ironically, only because of Moshe's prayerful intervention.

Thus, our Sages understand this command to remember Miriam as an injunction against speaking lashon hara, malicious gossip.

Much closer to our time, at the beginning of the last century, the sage and saint Rabbi Israel Meir Kagan of Radin, became convinced that the central evil of modern times was the abuse of words. So confident was he of the certainty of his diagnosis of the social ills of our time that he devoted a major work to the subject of lashon hara. The name of that work is Chafetz Chaim, "Desirous of Life", after the verse in Psalms, which reads, "Who is the person who desires life? Let him guard his tongue against speaking evil."

Recalling Miriam's misdeeds, and taking seriously the comprehensive teachings of the author of Chafetz Chaim, is especially valuable today. Because, you see, words have become even more powerful next page and potentially destructive than a rabbi living a hundred years ago could possibly imagine.

Nowadays, through the power of electronic instant communication, words can be sent to millions of people in microseconds of time. If

these words are negative, they can harm individuals instantly, without even the possibility of recourse or recall. The power of words has exponentially increased in scope and effect in our day and age.

Our tradition teaches that using words to offend another human being is akin to a snake and its venom. The snake's venom kills, yet the snake has no benefit from its fiendish action. So too, human beings usually benefit from every other sin imaginable, but gain nothing by harming others verbally. Because of this, lashon hara is the least justifiable of sins.

Not a day goes by when we do not receive emails or read internet reports which damage reputations of individuals, without due process and without the remotest possibility of defending themselves. This goes against both our Jewish heritage and our democratic ideals in a very fundamental way.

It is already the first week of Elul, the last month of the Jewish year. At this time, it behooves us to introspectively examine our faults. It is the season of T'shuva, repentance, which precedes and heralds the imminent High Holidays. We must give thought to how we have offended others with words and with deeds.

Although the unimaginable spread of verbal abuse that postmodern technology has instigated is beyond the capacity for any one of us to

correct, we have no option but to try individually to control the way we use words and the words which we use. None of us is innocent of lashon hara,

and none of us is exempt from sincerely addressing this weakness.

In conclusion, I call to your attention the rabbinic dictum that the power of Good exceeds the force of Evil manifold. Thus, if words have the ability to harm, they have the infinitely greater ability to soothe and to heal. The way to undo our sins of the negative use of language is to resolve to use language positively.

Imagine if emails were limited to complimentary statements and words of praise. Imagine if the blogs and websites were replete with stories of human accomplishment, altruism, and heroism. It would be a happier world for sure.

And it would be a world closer to that which the Almighty intended. Now, less than a month before Rosh HaShana, is the ideal time for each of us to commit, in a deeply personal way, to bring about that better world.

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WISDOM & WIT
by Shmuel Himelstein

R' Yosef of Tomashov was violently opposed to the chassidim of Kotzk, who often delayed their prayer time beyond the time specified by halacha. So opposed was he that when he heard that the son-in-law of the innkeeper where he was staying had become a Chassid of the Kotzker, he moved out of that inn and into another inn.


Later, when R' Yosef met the son-in-law, the son-in-law asked him why he was so opposed to Kotzk. "It's because they do not adhere to the prayer times," he replied.

"Yes, but you embarrassed me publicly by leaving the inn," said the son-in-law, "and in that you violated a Torah law, while the fixed times for prayer were only ordained rabbinically."

"You are right," said R' Yosef, "and I am hereby doing T'shuva for my actions."

"But how can one possibly do T'shuva in an instant like that?" asked the young man.

"This matter is addressed in the Talmud," said R' Yosef, "for we are told that if a man wishes to betroth a man woman 'on the condition that he is a perfect tzadik,' this is considered as a possible betrothal which would need a GET to release the woman, 'as he might - at the time he made the declaration -

 *A sobering Elul-time thought:*
Time must not heal (in our eyes) the wounds we have inflicted on others.
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have done T'shuva.' Thus we see that T'shuva can even come in an instant."

Later, the young man told this episode to the Kotzker, who told him: "The argument of R' Yosef is a weak one. The halacha is that when a person marries, all his sins are forgiven. Thus, even thinking about T'shuva is enough to make him a full tzadik. That, though, is not true in any other case, and in other cases there is no such thing as 'instant T'shuva'."

Spiritual and Ethical Issues in the Bamidbar Stories by Dr. Meir Tamari: **Korach & Co.** {4}

Korach's congregation added a claim of corruption and abuse of status to their revolt against G-d, His Torah and the prophecies of Moshe; "yet you seek to dominate us, even to dominate us further" (Bamidbar 16:14). This was a repetition of Korach's earlier question to Moshe and Aharon, "why do you raise yourselves above the congregation of G-d?" (17:3). The accusation was, that as leaders they had aggrandized themselves and were exploiting their status and power for their own personal and private enrichment, a common enough pattern of behavior of political, religious, and communal leaders in all societies throughout history.

"How could they accuse Moshe of arrogance and exploitation of power, when the Torah announces that he was the most humble of all men? Moshe was a king and a king may not waive any of the rights to honor or to power (Zevachim 120) so he ruled as such with all the power and majesty that the office demands. However, that was only the outer appearance that G-d grants to the righteous to garb their inner truths. In reality and inwardly he was humble and modest, but Israel saw only the outer shell that showed Moshe as royalty and as sovereign" (Sfat Emet). David too, was able to rule as a king while he was inwardly humble at the same time, whereas the humility of Shaul actually prevented

him from effectively ruling Israel.

Moshe's reaction is out of character for him and therefore conveys a special perspective. Usually this lover of Israel begs forgiveness and mercy for his people, but only here we read, "and Moshe was very wrath and said to G-d, "turn not to their offering; not one donkey have I taken from them, and not one of them have I hurt" (Bamidbar 6:5). This answer that Moshe gives to the claims of Korach is actually a Torah perspective guarding against the potential for abuse of power and of wealth. His answers are not directly related to the claims of the rebels, but rather a disclaimer of personal benefit from his position of power. Nedarim 31a and Bamidbar Rabba 8:10 flesh out this answer. They tell us that when he brought his wife and children to Egypt, in order to lead the Jews out of there, he transported them at his own expense. So too, every time his tent had to be dismantled or erected during the 40 years of the desert wanderings, he did not use the public service facilities to do so, as he was entitled to in view of his position.

"Who may ascend the mountain of the Lord? One with clean hands and pure heart, who has not sworn in vain by My soul nor has sworn deceitfully (T'hilim 24:4-5); Moshe who ascended Har Sinai had all these merits and could in truth say, 'not one donkey have I taken from them, and not one of them have I hurt'" (Shmot Rabba 4:1). "Rav Abba bar Kahana taught, see how abhorrent theft and robbery are that two of the greatest of men, Moshe and Shmuel, found it necessary to defend themselves and make their disclaimers perfectly clear. Why did Yirmiyahu (15:1) mention this pair of prophets?

This is because they both took no bribes; even when they did public service and labored for the good of Israel they did not benefit from the public funds. Thus they could stand up and upbraid Israel" (Yalkut Shimoni, part 2, 242).

When Israel demanded a King, Shmuel HaNavi made them bear witness to his own avoidance of the abuse of wealth. "Whose ox have I taken? Whose donkey have I taken? Whom have I oppressed? With who have I carried favor? Of whose hand have I received any bribe to blind mine eyes?" (Shmuel Alef 12:3). The sages, seeing the use of the singular in the people's answer, said that HaShem added; "I bear witness that Shmuel did none of these things even in secret, beyond the sight and knowledge of human beings".

When the text tells us that the sons of Samuel took bribes (Shmuel Alef 8:3), the Rabbis explained this in a number of ways that sounds amazingly modern and are prevalent in our own sophisticated economies. "Shmuel had been a circuit-judge reaching every corner of Israel, to render justice in each town. His sons, however, remained in Be'er Sheva and increased the wages of their clerks and lawyers" (Shabbat 56a). Thereby they increased the cost of justice, in effect a perversion of justice. Furthermore, by forcing the people to come from the far corners of the land, they made justice expensive and cumbersome, in effect a travesty. The same source continues to tell us that they took more than their share of the tithes, or forced businessmen to co-op them as partners thereby using their power to obtain personal benefit from the profits or they took by force the priestly gifts, that halakhically can

be given at the owners discretion. All these were forms of the abuse of power and therefore considered as bribery.

Abuse of power and wealth is not limited to public officials, elected or appointed, but pertains to everyone in the marketplace and in business. The economically weaker partner can be easily abused, insulted and exploited in many different ways. Employers have great power over their employees regarding wages, labor conditions and downsizing. Sexual harassment, of unwilling or even willing partners, is in reality an expression of abuse of power, of authority or wealth, since employment or advancement can be dependent on sexual favors. Our sages taught, "it is not the mouse that steals but the hole". The giver of a bribe is as guilty as the one who accepts it. So too, citizens of a country or community, or the shareholders of a corporation who do not vigorously protest the abuse of power by their elected or appointed officials and do not actively work for their removal, are simply the hole referred to by our Sages.

Moshe and Shmuel typify Torah's criteria of leadership and authority that rejects Korach's allegations and validates the divine authority of what they teach. "The messengers of G-d must be unsmirched. G-d sends no one whose characters have even the trace of a tendency towards improbity or tyranny. Purity of character is the first of the credentials of His messengers" (S. R. Hirsch).

Lead Tidbit cont. from front page

Nora'im. There are two parallel feelings of "time is short and running out". First is Moshe Rabeinu - the whole book of D'varim takes place in the last 37 days of his life. He is doing his best to prepare the people for their entry into Eretz Yisrael and their lives as Torah-observant, G-d fearing Jews. It is Parshat Ki Teitzei that gives us the strongest feeling of a mitzva-frenzy. As if Moshe feels that the end is near and he has so much to review with the people.

And we, as Elul proceeds and Rosh HaShana gets closer and closer - we too feel that time is too short.

What's our agenda? Torah and Mitzvot and T'shuva of all types - concerning our relationships with G-d and those between and among ourselves. The sheer number of mitzvot in Ki Teitzei gives us that same mitzva-frenzy. And the range and variety of mitzvot brings the point home even stronger.

Every mitzva is a reminder to do serious introspection to determine if we follow the particular mitzva - and/or its ramifications, in letter and in spirit. And if not - then to do something about rectifying the situation.

Quick zero in on one are of mitzva from the sedra. Mitzva for the courts to punish with MAKOT those who violated any of many prohibitions. Which of us hasn't?

And the prohibition of not giving more lashes that one is supposed to get. But this prohibition applies to us all because it forbids striking and hurting someone. It all speaks to us.

We must listen... take heart... and act properly.

Our Task as Jews – Unity, not Uniformity

Guest article by Rabbi Ephraim Sprecher Dean of Students, Diaspora Yeshiva

At the Sinai Revelation, the people all responded with a single voice, "We will keep every word that G-d has spoken" (Sh'mot 24:3). Was this one-time phenomenon, in which every Jew was identical to every other in his conduct and thought, an ideal situation? Alternatively, might it not be that beyond every Jew's obligation to fulfill the 613 mitzvot and to believe in the tenets of Judaism, he has a variety of options regarding how to live a life of faith? Seemingly, Israel's division into tribes and the differences between the activities of each are the proof that there exist a variety of options for how the Jewish People must conduct themselves in Eretz Yisrael. Amongst the various tasks is that of serving G-d exclusively, and that task was assigned to the tribe of Levi. As Rambam wrote (Hilchot Sh'mita 13:12):

"Levi was set apart to worship G-d and to serve Him, and to teach His upright pathways and His righteous laws to the masses, as it says, 'They shall teach your law to Jacob and your Torah to Israel' (D'varim 33:10)."

But Rambam adds that this tribal role does not prevent any individual on earth who is so motivated, from following in Levi's path and dedicating his life exclusively to learning and teaching Torah. The tribal "togetherness" mentioned in D'varim 33:5 is referring to unity, not uniformity. In B'rachot 35b, Rabbi Yishmael and Rabbi Shimon Bar Yochai debated regarding the respective roles of work versus Torah learning. Rabbi Yishmael

derived from the verse, "Gather your grain" (D'varim 11:14) that a person must combine work with Torah learning. In response, Rabbi Shimon bar Yochai asks, "[If everyone performs all the seasonal agricultural tasks required], what will be with the Torah?" In his opinion, the ideal person must trust that his agricultural tasks will be done by others. The Talmud then quotes Abaye, "Many followed Rabbi Yishmael and were successful. Many others followed Rabbi Shimon bar Yochai and were unsuccessful."

Rabbi Tzadok HaKohen of Lublin, in his book, "Tzidkat HaTzadik" links the debate between Rabbi Yishmael and Rabbi Shimon bar Yochai, and Abaye's conclusion, to the differences between the first two paragraphs of the Sh'ma. The first paragraph is in the singular, the second is in the plural. The first parsha says that we must love G-d "with all our might" (D'varim 6:6) which the Talmud explained to mean all our wealth. The second paragraph has no such phrase.

Rabbi Tzadok derives from this that the first paragraph of Sh'ma is addressed to special individuals who receive a divine calling, such as Rabbi Shimon bar Yochai. That is why they are required to love G-d "with all their wealth." Such individuals are required to abandon even their livelihoods for the sake of serving G-d.

By contrast, the second paragraph was worded in the plural, makes no mention of sacrificing one's wealth, and referred to one's "gathering in his grain". As

Rabbi Tzadok explained, this was because the masses "must work, and they must supervise their wealth and worry about earning a living and supporting themselves." According to Rabbi Tzadok, the reason that many followed the path of Rabbi Shimon bar Yochai unsuccessfully was that "such is not G-d's will. In this world, G-d wants man to cultivate the world and not to leave it desolate." From here we see that there is one demand made of the elite Torah Scholar, and still another from the general public.

In Parshat Ekev (10:12), the Torah asks a question: "Now, Israel, what does HaShem your G-d want of you?" Netziv, Rabbi Naphtali Tzvi Yehuda Berlin, in his commentary, "Ha'amek Davar" explains that the Jewish people comprise four groups and G-d asks something different of each group.

The first group are Israel's heads and communal leaders. The second are the Torah scholars, who are called "the elders of Israel". The third are the people who work for a living, and the fourth are the children.

Regarding the four groups, the Netziv writes: "Each of these four groups differs from the rest in what G-d asks of it. G-d does not ask of all of Israel, but rather of each individual Jew in accordance with his stature... That which G-d asks of one He does not ask of another. And sometimes what He asks of one group is almost forbidden to the second group.

There the Netziv elaborates on what is demanded of each individual group. He states: "As far as laymen working for a living, they must keep the mitzvot in the time available to them and their business must not nullify any mitzva.

Yet it is impossible to ask of someone preoccupied with his business affairs to envelop himself in the love and fear of G-d. You can only ask practical mitzva fulfillment, and that is what G-d asks of them."

Regarding the principle that there can be separate but equal pathways to serving G-d, the Chafetz Chaim derives this from Ta'anit 31a: "In the future, G-d will hold a dancing circle for the righteous, and He will sit in the middle of them in Paradise [see Rabbenu Gershon]. Each of them will point with his finger, saying, 'This is our God, for whom we waited.' (Yishayahu 25:9)."

The Chafetz Chaim comments: "If one uses a compass to make a circle, then from any point on the circle, the distance to the center will be the same. Likewise, there are many pathways to serving G-d. Any pathway by which one truly and sincerely longs for G-d and seeks Him out will be the equal of any other. Thus, in G-d's dancing circle, the righteous will dance around G-d from different sides and each will point at G-d with his finger. Each righteous person will be equidistant to G-d."

The Chafetz Chaim was addressing those righteous people and those scholars that think that they alone are close to G-d. In the Messianic Era, it will become clear that many approaches are equidistant to G-d.

LOST & FOUND

When on vacation I found a pen and was happy because I needed a pen since I had lost my pen that I keep in my purse. I picked up the pen and noticed that it had someone's name and phone number on it. I took the pen and had in mind to call the owner, but I misplaced the pen and so I couldn't return it.

When packing up to leave I noticed that there was coffee that looked like the kind that my sister-in-law drinks -- I called her and asked her if she had left her coffee behind -- she said yes and asked me to bring her favorite tea bags that had been forgotten as well.

When I finally returned home I found a huge golden blanket on top of one of my kids' bikes.

I had no clue where to start looking for the owner. I asked my niece, who stayed in our house while we were away, but it wasn't hers. Now I don't know where else to look.

One of my daughters returned from sleep-away camp with a package of clothes that the camp asked her to return to a neighbor who had left camp early and who they thought had forgotten these clothes. My daughter brought it to the girl but they were not hers. Now what. Who is responsible for this MITZVA of HASHAVAT AVEIDA returning lost objects - the camp or us?

And this Shabbat, walking home from the Kotel we saw a pair of glasses that had been left on a ledge in the Jewish quarter. My son wanted to pick them up and try to find the owner - but I said that

maybe the person would go back to that place to look for his glasses. We had no idea where to start looking but the person might remember where he left his glasses.

As demonstrated by the true accounts above, lost objects are all around us - so we shouldn't find it strange that the Torah discusses such a phenomenon. In this week's portion (Bamidbar 22: 1-3) as well as in the portion of Mishpatim (Shmot 23:4), we are instructed what to do if we find someone else's belongings. The verse says: "If you see your brother's ox or sheep going astray, you must not ignore them. You must return them to your brother." It isn't always convenient to take on the responsibility to find the owner of a lost object. Sometimes we might just want to "ignore" the object and leave it there. But we are told that we should not run away from this opportunity to do a mitzva. We must try to find the owner. The laws pertaining to lost articles are complex and a Halachic authority should be consulted whenever any questions (such as some in the cases mentioned above) arise. A lot of these laws are discussed in the Tractate of BAVA METZIA - just finished by those learning DAF HAYOMI - mazal tov.

The SEFER HACHINUCH says that this mitzva is good for society because people's animals tend to run away and people are always forgetting their things.

(We see that forgetting has been a human problem throughout the ages. If you want to improve your ability to remember you can sign up for a course on memory improvement at Melabev's Institute for Studies in Aging 02-655-5198, www.melabev.org, leaha@szmc.org.il or for a workshop at Brainspa 1-700-700-132 www.braispa.co.il)

THE RECIPE THIS WEEK is for "Lost Bread" or what the French call "Pain Perdu". We call it French toast. If you don't like making French toast because you have to stand over the frying pan, try this oven-fried method that makes it easier to prepare for a crowd. It's a nice recipe for MELAVE MALKA.

LOST BREAD

6 large eggs (to reduce cholesterol leave out some of the yolks)

1½ cups milk (or for parve, soy milk)

1½ tsp vanilla

2 Tbsp sugar

½ tsp ground cinnamon

10 to 12 thick (1-1.5cm) slices dry bread

1-4 Tbsp oil

Toppings: Powdered sugar, Maple syrup, honey

Serve with your favorite topping.

[Ed. favorite: natural peanut butter]

THE JERUSALEM INSTITUTE OF JEWISH LAW

Rabbi Emanuel Quint, Dean

Lesson # 489

Torah Matrimonial Law

As can be seen from the number of this lesson, there have been almost 500 lessons that Phil has been kind enough to print as part of Torah Tidbits. Most of those lessons dealt with Torah/Rabbinic Civil law concerning monetary matters. A few lessons ago these lessons have changed and are dealing with Torah/Rabbinic Matrimonial law. A few

Mix together eggs, milk, vanilla, sugar, and cinnamon. Arrange the bread in a large shallow baking dish, layering or slightly overlapping the slices, if necessary. Pour the egg mixture over the bread and let stand for at least 30 minutes. Rearrange the pieces in the middle to make sure all the pieces are evenly moistened.

Position one oven rack in the upper third of the oven and one in the lower third and preheat the oven to 400°F (200°C). Put 2 tablespoons of oil on each of two baking sheets with sides and place in the oven until the pans are hot, about 5 minutes. Tilt the pans so the oil covers them evenly. Remove from the oven.

Space 5 to 6 slices of the soaked bread evenly on each of the hot pans. Bake for 15 minutes. Take the pans out of the oven and turn each piece of bread over with a wide spatula. Return the pans to the oven, switching rack positions, and bake until the bread is puffed and evenly browned, 15 to 20 minutes more.

provisions of Shulhan Aruch Even haEzer were discussed. I thought that it would be best if we interspersed some actual cases that were decided in this field of halacha.

One of the outstanding decisors of the 20th century was Rabbi Moshe Feinstein. I would like to present one of the cases that he decided in this area of halacha in the year 1952.

A Jewish man married a Gentile woman in a civil marriage, and openly resided with her for many years. A son was born

to them. She recently converted to Judaism. He now wants to marry her with a Jewish wedding. In setting forth the question addressed to him by a rabbi from the Pittsburgh area, Rabbi Feinstein cites a passage from the Talmud which discusses this type of matter. The Talmud there states (in a Mishna T. Yevamot 24b) "If a man is suspected of having had sex with a slave, who was later emancipated, or with a heathen who subsequently became a proselyte, he may not marry her; but if he did marry her, they need not be parted." Rabbi Feinstein goes on to explain that this may not be determinative of the question because in explaining the Talmudic passage it may mean that the person was suspected of these activities, but not that we know he was actually guilty of such activities, as may be the case here. And also a sin must ordinarily not be made public. Which might apply if they were living what they thought was in sin and wanted to hide their relationship. But in our case, everyone knows that they were openly living together especially since they had children that they treated as children of a marriage. This is the type of sin which people can publicly confess since it is probably known by so many people. Based on all of these considerations, Rabbi Feinstein held they could get married.

Also the question addressed elsewhere where a person may not be converted if it seems that the only reason is that they can live together not as husband and wife also does not apply here since they are getting married openly to live as husband and wife. And especially that they always held themselves out to be husband and wife. Even if she did not convert,

everyone knew them to be husband and wife. And if she did not convert everyone would continue to consider them husband and wife. Thus her conversion is not to prevent people from talking, since everyone considers them husband and wife.

Another question was raised and that is when a woman converts, she cannot get married for a 90 day period, to determine if she was pregnant when converted. This will determine if the child she is carrying was conceived in a Jewish marriage or in a prohibited marriage. Rabbi Feinstein held that this was a case of having to wait the 90 day period, and that they should live apart during this 90 day period.

Rabbi Feinstein raises a more fundamental problem. How do we get her to accept all the commandments and prohibitions of the Torah? And this includes all the enactments of the Rabbis over the centuries, and if one does not so accept to become a proselyte, then the entire conversion procedure is of no avail. And although it is now more than 8 years that she is his wife and she knows that he will not divorce her if she does not convert, perhaps she has some other reason to convert. If it is for some particular reason and not because she wants to accept all of the mitzvot, then her conversion is of no avail. And this is especially so since it is known that the Jewish husband is a Sabbath violator and does not follow the laws of nida and the chances are that she will not be any more observant than her Jewish husband. And also it does not seem that the husband wants the wife to accept more mitzvot observance than he observes, which is minimal. Rabbi Feinstein advises the rabbi who sent the problem to him that

perhaps he can explain to the woman that she must accept all of the commandments of the Torah and particularly the observance of Shabbat, and not pay attention to her husband not observing all of these mitzvot, and if she does not so accept then the conversion is of no value. Rabbi Feinstein discusses how she can see her husband and all his Jewish friends who are not observant and thinks it would not be possible for her to overlook the action of all these friends and become observant. However, if she so promises to be observant then perhaps she can be relied upon to be sincere in her conversion. This is not an ideal situation of conversion and Rabbi Feinstein says the Rabbis are not happy with this type of situation where the conversion is not done for the sake of heaven, but some rabbis who see the entire situation as it comes to them, do accept converts in similar circumstances. If they hear all of the foregoing and wish to continue the procedure to have her converted, then the rabbi who made the inquiry should go to a senior rabbi in Pittsburgh who will re-engage the entire procedure.

There are many rabbis who will not enter into this type of procedure with these types of facts. And there are communities where this type of conversion is not done by the rabbis who reside there. Rabbi Feinstein adds that he could have taken a stringent way out and said the procedure is not valid, and left the rabbi with the dilemma of what to do, and perhaps the rabbi could not cope with this situation in this case. But the rabbi should impress it upon the woman that she must accept to bide by all of the mitzvot of the Torah. And if she says that she does, then the rabbi should convene a Beit Din of senior rabbis to convert her.

ParshaPix

- ☉ Starting in the upper-left: An Xed out noose. Nooses are for hanging, as in one of the different methods of execution for capital offenses in the U.S. and elsewhere. The mitzva in Ki Teitzei of hanging the body of one who was executed already is very different, which is why the noose is Xed out.
- ☉ Soldier in a tank, represents the many times "army" issues are mentioned in the sedra - The Beautiful Captive, the cleanliness of an army camp, exemption from service for a groom for the first year of marriage...
- ☉ Warning lights are to prevent someone getting injured from a hazard in one's property. This is the flip side of the mitzva of MAAKEH
- ☉ Boot is for CHALITZA and the whole subject of YIBUM
- ☉ Nest with eggs is the scene immediately after someone has fulfilled the mitzva to send away the mother bird
- ☉ Couple under the CHUPA stands for several topics related to marriage
- ☉ Hands holding the wallet, taking out money is for the different monetary mitzvot in the sedra - not to borrow with interest. To pay a laborer on time. To fulfill one's pledges...
- ☉ Cluster of grapes on top of a stalk of wheat to represent K'LAI KEREM
- ☉ Garden shovel is the YATEID, digging tool, that is required of soldiers to have and use for proper hygienic "bathroom" (when there is none available) situations
- ☉ Toilet is for requirement of having sanitary facilities outside an army camp

- ⊙ The string around the finger is for the various mitzvot to remember - what happened to Miriam, being in Mitzrayim, Amalek
- ⊙ The grave-marker is for the mitzva to bury our dead, and reasonably quickly
- ⊙ The donkey is for the many references to either donkey or other animal. The donkey gets lost, he is overburdened, he cannot pull a plow together with an ox...
- ⊙ The barbells with different weights on each end represents false weights and measures. Forbidden to use to defraud someone, and even forbidden to possess
- ⊙ The aardvark and giraffe are tied together. That is a Torah violation of plowing with an ox and a donkey together
- ⊙ There is a timeclock representing paying the worker on time, and also the mitzvot related to workers' rights and employers' rights, as well
- ⊙ There's a Purim grogger in the lower right corner. Stands for ZACHOR and especially wiping out Amalek. This is the origin of making noise when Haman's name is read.
- ⊙ KEY = KI, the word that starts the sedra off and appears 48 times in the sedra. That's a lot
- ⊙ The apple tree can be for the rules of SHICH'CHA or the location of a nest, or for the rules to allow apple pickers to eat during their breaks
- ⊙ Ki Teitzei is NOT one of the five places in the Torah where the mitzva of T'filin is mentioned. Here it refers to the prohibition of a woman's wearing K'LEI GEVER, men's apparel. Targum Yonatan Ben Uziel defines this prohibition (do

we poskin this way?) as referring to the mitzvot of Tallit and T'filin, "worn" by men who are commanded to do these mitzvot.

- ⊙ Pawn is for its homonym "pawn" as in "Something given as security for a loan; a pledge or guaranty", which we find in the sedra.
- ⊙ Bottom of the ParsrshaPix is an Xed out cat-o-nine-tails (A whip consisting of nine knotted cords fastened to a handle, used in flogging). MAKOT, whipping, is a punishment for the violation of many prohibitions in the Torah, but this kind of whip would not be allowed. The "halachic" whip was a broad strip of leather meant to hurt but not cut the skin.
- ⊙ Goldfish in a bowl and a dog on a leash. This makes a pair of pets or parapets meaning MAAKEH, the protective fence one must construct around his roof.

TTTRIDDLES

Prizes for best solution sets (when awarded) are furnished by Noam Productions and/or Big Deal.

Last issue's (R'ei & Shoftim) TTtriddles:

[1] Sort of like Heckle & Jeckle

Heckle and Jeckle are cartoon magpies. Magpies are birds in the crow and raven family and are probably included in the list of non-kosher birds are OREIV. But we'll take Heckle and Jeckle as rhyming birds, with their counterparts in Parshat R'ei among the non-kosher birds being the AYA (possibly, black vulture) and DAYA (possibly, kite).

[2] For Shabbat Parshat R'ei, what some say at night does not apply during the daytime.

Between Kabbalat Shabbat and Maariv, Nusach Ashkenaz says BAMEH MADLIKIN. Towards the end

we find a DRASH: Don't read it BANAYICH, rather BONAYICH. That pasuk is in the haftara of R'EI. The Maftir cannot read the change in BAYAYICH.

[3] When does the hawk wake up?

One of the non-kosher birds is the NEITZ, possibly the hawk. NEITZ is also a term for sunrise. So that is when the hawk wakes up.

[4] Ginny the cheerful giraffe

According to some opinions, the ZEMER (one of the 7 "wild" kosher mammals mentioned in R'ei) is the giraffe. Targum for ZEMER is DITZA, which is similar to the Hebrew word for cheer.

[5] Sept. 13, 1990 to date... and beyond

On of the longest running drama series on TV in the States is Law & Order, which debuted in 1990 and is still running. Law & Order = SHOFTIM V'SHOTRIM

[6] coming to Israel or the last row

The Torah tells us that when we come to Israel, we shall place a king over us. When your checkers reach the last row, they are crowned as kings.

[7] Sing the sunflower seeds song

In the Haftara of Shoftim (Yeshayahu 52:9) we find PITZCHU RAN'NU YACHDAV, break forth joyously, sing together... PITZCHU sounds like PITZUCHIM, the main one being GAR-INIM, sunflower seeds.

[8] Our two national birds

The national bird of Israel is the DUCHIFAT, hoopoe. No offense meant to the president, but he too is a national "bird", the PERES, falcon.

[9] See & speak: Equal but two-to-one

R'EI (see), REISH-ALEF-HEI has a gimatriya of 206. So does DABEIR (speak). This makes them equal, but we have two eyes and one mouth, so they are 2 to 1 also.

[10] MazalPic

A sheaf of wheat is called a SPICA. Which is the alpha (and brightest) star in the constellation VIRGO, the BETULA, the mazal of Elul.

Parsha Points to Ponder

KI TEITZEI

1) Why does Moshe use the extra words ON THE THING (AL DVAR) when explaining that the Amonites and Moabites cannot join the Jewish people (23:5)?

2) Why does the Torah say AND TO YOUR VESSELS DON'T PLACE THEM with the seemingly extra VAV (=and) when forbidding a worker from placing crops of the field into his own, personal vessels?

3) Why are the parshiyot of Yibum (25:5) and the woman defending her fighting husband (25:11) placed next to each other in the Torah?

Parsha Points to Ponder

is prepared by

Rabbi Dov Lipman, who teaches at Reishit Yerushalayim and Machon Maayan in Beit Shemesh and is the author of "DISCOVER: Answers for Teenagers (and adults) to Questions about the Jewish Faith" (Feldheim) and

"TIMEOUT: Sports Stories as a Game Plan for Spiritual Success"

a recent release by Devora Publishing

ppp@ouisrael.org

Answers are somewhere else in this issue
Look for them, but only after a good pondering

אָוֹד לְזוֹפְאֹת וְאוֹד לְעֵלָה... (ר"ת אלול)

Two types of sacrifices for different kinds of sins.
The Chatat is for violation of prohibitions; the Olah for non-fulfillment of positive mitzvot.
Both failings must be on our Elul agenda!

chute-roleum / bola-rify

Remember the first Jewish doctor of Scotland

Electricity = חשמל
 An outlet is a שקע, but a socket (that into which a bulb is inserted - many people call an outlet a socket, but it isn't) is a גוברתה.
 A fuse is a נתיך (plural: נתיכים)
 A circuit breaker is a מפסק-זרם or a מתג-מעגל. Ground (elec.) = הארקה



Its gimatriya is really 590, not 600 - but this time it's only 87

totally on Shabbat; partially on weekdays

Come, Carry, Go

What the teacher repeatedly said to the misbehaving student

Parsha Points to Ponder

Questions are on page 34

SUGGESTED ANSWERS

- 1) The Kli Yakar answers this question with another question - why the harsh consequence of not being allowed to become a Jew for simply not bringing bread and water? He explains that the reason why they did not bring bread and water was to make the Jews hungry to entice them to eat the food of their idolatrous sacrifices and drink their wine which would lead to immorality. This plan certainly shows a viciousness and rebellion against G-D which warrants banishment from the Jewish people. ON THE THING refers to the reason behind why they did not greet the Jews with bread and water.
- 2) The Ohr HaChayim explains that this VAV is what teaches us that this prohibition is actually the second prohibition in that verse and there is a first prohibition as Rashi teaches for the worker to only eat his fill (SAVECHA). Without the AND, one would have learned that there was only one prohibition in the verse, to to put crops into a vessel, as the simple reading seems to yield.
- 3) The Seforno answers that after learning the parsha of Yibum which includes her disgracing her husband's brother for not having compassion on her husband, one might think she also has the right to disgrace a person who is fighting with her husband. Thus, the Torah immediately dismisses this idea by explaining that she is punished for doing so.

CHIZUK AND IDUD (for Olim & not-yet-Olim respectively)
KI TEITZEI

When speaking about aliya, Diaspora Jews sometimes say, Certainly we are planning to live in Israel. But with all the fighting there, we can't go now. We will go as soon as the situation becomes more peaceful.

The message of this week's Torah portion is different. The opening verse, "When you go forth to war against your enemies", teaches that war is an integral part of our Divine national mission. Seven out of the 613 mitzvot of the Torah deal with war. God Himself is called "The Master of War."

Ramban explains that the commandment to wage war, milchemet mitzva, is part of the mitzva of dwelling in the Land of Israel and keeping it under Jewish sovereignty. Establishing national Jewish life in Eretz Yisrael is the way that we perform this mitzva, to be actively pursued by the Jewish People at all times. We do this with the Israel Defense Forces and with the aliya of every Jew to the Land of Israel. Not only with tanks and airplanes, but with every new Jewish house, stroller and washing machine.

The Torah's commandments dealing with war teach us that even when enemy nations dispute our right to the Land, we must call up our inner fortitude and courage, and summon our readiness to sacrifice for the sake of our Land, our nation, and our God. We must take active steps to enter the Land of Israel, dwell in it, and establish God's Kingdom on earth, even at the price of personal hardship and war. The precept of defending the Jewish nation in the Land of Israel and developing Jewish settlement in all of its borders is the Divine command which beckons to all of world Jewry today, just as it did in the time of Joshua. As the Haftora says, "And your seed shall possess nations, and make desolate cities to be inhabited. Don't be afraid."

Rabbi David Samson, Jerusalem

There is a Talmudic discussion as to what pasuk typifies all of Torah. We all know the verse based on Rabbi Akiva's opinion: Love thy neighbor... And there are several other suggestions, each with an explanation as to what makes it so important.

Here is our candidate for one of the most significant p'sukim in the Torah, based on the concepts it contains... and "recommended" by a Gimatriya Match.
 לֹא תִטֶּה מִשְׁפַּט גֵּר יְתוֹם וְלֹא תוֹזְבֵל בְּגֵד אֶלְמָנָה: זבדים כדו (מפרשת כי תצא)
 "You shall not pervert the judgment of the stranger, nor of the orphan; nor take a widow's garment as a pledge." Certainly, these high standards of social behavior give the pasuk its importance. This pasuk shares a gimatriya with the dramatic and beautiful opening of Moshe's farewell song: האזינו השמים ואדברה ותשמע הארץ אמרי פי: