

*hmyls havprl lzyyr jb ,hrba dib llpthl an*  
**Please Continue to be mispalet on behalf of Avraham ben Raizel**

**Weekly Parsha :: KI TEITZEI**  
**Friday, August 28, 2009 :: Rabbi Berel Wein**

This week's Torah reading begins with all of the ills that can befall a domestic society – lust and exploitation of other human beings, especially women by men in a dominant male society; unhappy marriages, dysfunctional families and disputes over inheritances that wreck family life; and finally seriously troubled, rebellious and violent children that defy all authority, especially parental authority. We are all witness almost daily to these circumstances and occurrences in our general and specific societies.

The Torah in the parsha deals only with the treatment of the symptoms and not with the pathology that lies behind the problems. It attempts to protect the abused woman, to bring order into the rights and priorities of potential heirs and to punish the wayward son. Yet it does not directly comment on the underlying causes that generate such painful issues and heartbreaking problems.

It is not that the Torah is unaware of the causes of the problems that it describes. Rather it is that the Torah always “descends into the exploration of the human psyche” and thus always presumes that in spite of all of its warnings, commandments and values instructions human beings – good decent people – fall prey to weaknesses and do not wish to gaze at the consequences of their previous behavior.

If all of the preceding parshiyot of the Torah did not impress the reader to understand how to raise children, how to enter and conduct a marriage, how to treat other human beings with dignity and respect, then repeating these lessons now is almost useless. The Torah merely points out for us that the facts, the results of life and our previous behavior in it, speak for themselves in the results that now face and challenge us. We already know the causes for these problems. The Torah now wishes us to see the results of those causes for ourselves as they manifest themselves in our lives.

There is also an element present in our lives that always remains inexplicable to human reasoning and understanding. The greatest, smartest and most wonderful parents sometimes raise dysfunctional if not even monstrous offspring. The example of Yitzchak and Rivka with Eisav or of King David with Avshalom rise before us

And the opposite situations as well where people of dubious character and sinful behavior raise children of outstanding merit such as Terach with Avraham or Lavan with Leah and Rachel. In short, quick and easy judgments as to the causes of family behavior in these matters are not in place. There are too many variables and the freedom of choice entrusted to every human being for good or for better remains paramount in human behavior.

Therefore perhaps the Torah does not dwell upon the deeper causes of the dysfunctional and wrongheaded behavior that it describes in the parsha. Instead it concentrates upon the behavior itself and its resultant problems and consequences. The hidden things belong to an inscrutable Heaven but it is our task to do the best we can and follow the general principles and values as well as the specific commandments of the Torah and pray to God for success and achievement.

Shabat shalom.

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**Jerusalem Post :: GETTING READY**  
**Friday, August 28, 2009 :: Rabbi Berel Wein**

All of the holidays of the Jewish year require preparation. However, the preparation for Rosh Hashana and Yom Kippur differs in kind from the necessary preparations for the other holidays of the year. Those holidays

require strenuous physical preparation. Pesach brings with it thorough house cleaning and purchases of special kosher for Passover foods. On Shavuot we prepare by trying to store up some additional hours of sleep so that we can successfully participate in the all night learning sessions so currently popular in our society, and to get busy in the kitchen preparing for the traditional dairy foods that are so singular to this holiday.

Succot requires the construction of the sukkah and the purchasing of the four species that are the integral part of the holiday celebration. These are all physical acts of preparation that signal the advent of the holiday. However the preparations for Rosh Hashana and Yom Kippur are basically spiritual and private in nature. There are no special items for mitzvot that one must acquire. One shofar for the entire congregation will suffice. There are various foods that are traditional for Rosh Hashana but these are matters of custom and not halachic requirements.

Yet because of the difficulty of private introspection and spiritual preparation – they are far more difficult to accomplish than physical preparations for the other holidays – and the ephemeral quality of such preparation Jewish custom ordains that these preparations begin a month before the date of the actual holiday itself.

It takes time and consistency to work upon one's habits, traits and self. In reality a month to think about one's past, present and future is not a long time. But at least it is a minimum reminder that the effort to really think about one's true self must be made at least periodically and that is really the message of the High Holidays that are soon upon us.

All of us are beset by the problems of everyday life – children, family, finances, work and the pressures of time. In such a situation it is naturally difficult to deal with lofty spiritual matters and issues of self-improvement spiritual progression. In Eastern Europe great people would withdraw from their every day lives and spend the month of Elul in splendid isolation and contemplation.

For most of us this is an impossibility given our schedules and responsibilities. Nevertheless, it is important to know that such behavior was deemed necessary by people of impeccable greatness and piety. We can all afford at least a few moments a day for serious thought and contemplation.

Someone once asked the great rabbi Yisrael Lipkin of Salant, the founder of the Mussar movement in Lithuania in the nineteenth century that if one has only ten minutes a day to spare should one study Mussar or concentrate on Talmud. Rabbi Yisrael answered that one should study Mussar for then he will realize that he has more than ten minutes a day available for the study of Torah.

In brutal actuality, we all have sufficient time every day to think about our true selves and where we are headed. But since we are not trained or accustomed to think that way and are prone to give up on our spiritual growth rather easily we comfort ourselves to believe that we really have only ten minutes a day available for our souls. The month of preparation for the High Holidays is meant to allow us to climb out of this rut of hopelessness and life's pressures. We should attempt to truly exploit the opportunity for spiritual growth that this month presents to us.

Spiritual growth comes in small increments and rarely is it achieved through dramatic, sudden, unexpected leaps of faith or epiphanies. The fact that spiritual growth is a long range goal and a far journey oftentimes deters people from taking the first step on this road to personal growth and greatness. We are always interested in instant diets, quick fixes and simplistic solutions and this tendency prevents us from pursuing the only true path that can lead to a better life and better living.

We all have heard the famous maxim that a journey of a thousand miles begins with the first lone step taken toward the destined goal. This is certainly true regarding one's spiritual growth and the improvement of one's character traits. Our father Yaakov is represented in the Torah as a wrestler who contends with an angel. He also wrestles with himself, so to speak. The main struggle in life is really with one's self. The preparation

for Rosh Hashana and Yom Kippur lies in the recognition and acceptance of this lesson of life.  
Shabat shalom.

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**Ohr Somayach :: Torah Weekly :: Parshat Ki Tetzei**  
**For the week ending 29 August 2009 / 8 Elul 5769**  
**by Rabbi Yaakov Asher Sinclair - www.seasonsofthemoon.com**

#### Overview

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

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

#### Insights

##### **The Sin Of The Cheese Danish**

"An Ammoni or Moavi may not enter the congregation of G-d, even to their tenth generation, they may not enter into the congregation of G-d forever. The reason is 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 peoples 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 nation. 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, necessarily, the greatest 'catch' is someone who is always grateful.

An ingrate is impossible to make 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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#### **Peninim on the Torah by Rabbi A. Leib Scheinbaum** **Parshas Ki Seitzei**

##### **If a man will have a wayward and rebellious son... All the men of the city shall pelt him with stones and he shall die. (21:18,21)**

There was a young man in the city of Lublin, Poland, who led a life estranged from Judaism. As he became continuously worse, the famed Chozeh m'Lublin made a strong effort to distance him from the Jewish community. This greatly irritated the sinner, who wanted to "have his cake and eat it, too." When the Chozeh was asked why he applied such strict measures to this young man, he responded that he saw him becoming an apostate down the road. The sinner, nonetheless, continued to do everything to enter the good graces of the Chozeh, but it was to no avail.

One day, a Polish prince came to Lublin and asked to meet with the Chozeh. The meeting was granted, a gesture that raised the ire of the young sinner. How dare the Chozeh accept a gentile in his home, yet ignore him? He proceeded to the Chozeh and posed this question. If the Chozeh's fear was that he would one day drink of the baptismal font, he was still better off than the prince who was a gentile. At least, he was still Jewish. Why was the Chozeh "discriminating" against him?

The holy sage gave the following explanation, citing as a precedent the punishment meted out to the ben sorer u'moreh, rebellious son. Chazal tell us that the death penalty which is imposed on the youngster is not due to the gravity of his present sins, but because his behavior is a clear indication that he will become a monster who will murder to satisfy his needs. What seems strange is the method of punishment: stoning. A murderer is executed with a sayaf, sword. At worst, the ben sorer will become a murderer, so his punishment should be a sword. Why is he stoned? The Chozeh explained that the ben sorer is plummeting downward in a spiritual freefall to infamy. Thus, his punishment is more severe than even the murderer, who has reached rock bottom. Likewise, the young sinner is rapidly digressing downward. One who is falling is in a worse position than he who has reached rock bottom.

The question still remains: Since after he plummets, he will end up at the same place as the murderer, or, in this case, the gentile, why does "falling" make the transgression that much worse? Perhaps the reason is that in the cases of the ben sorer and that of the young sinner, the decisions to digress were their own. They were not simply falling. They were jumping down! The momentum for their sinful behavior must be added into the equation. Their miscreant actions are committed with greater zeal, as a result of the impetus which is driving their sinful behavior. This makes their sinful activity that much worse, demanding a more severe punishment.

**You shall not see your brother's bull or sheep wandering and ignore them; you must return them to your brother. But if your brother is not near to you, and you do not know him, you must bring (the lost article) into your house. (22:1, 2)**

The above pasukim are redundant, and the meanings implicit in the repetitive wording are used by Chazal to derive a number of important halachos. In particular, the double clause, "if your brother is not near to you, and you do not know him," is especially cultivated for its halachic inferences. Simply, this means that one does not know his brother, because he does not live in his proximity. This denotes that the only reason that they share no social awareness is that the two are geographically apart. Horav Meir Bergman, Shlita, derives a compelling lesson from these words. The only reason he does not know his brother is that he does not live near him. If his brother would live in his vicinity, he would, by necessity, know him. After all, how could he not know him? He would be his neighbor! In other words, the fact that he is not in your line of business, does not share the same tax bracket as you, davens in a different shul, has

nothing in common with you, does not exempt you from knowing him. He is your brother, a fellow Jew. Certainly, you must know him!

Oh, how things have changed in contemporary society, when people can live in close proximity and still not know each other. What makes this reality even worse is that nobody seems to care. He does not daven in my shul; his children do not attend my school; he dresses differently than I; we simply have nothing in common. The fact that he is my fellow Jew, my brother, has no bearing. After all, why should it?

Rav Bergman suggests that it "might" do us well to change the yardstick we employ for determining relationships. If a Jew lives nearby, how could we possibly not know him? It is only if he lives far away that we may say, "I do not know him." There may be no greater melting pot of Jewish culture, background and perspective than what transpires at the Kosel HaMaaravi, where Jews of all stripes come together as brothers, united in a common bond. If someone could only figure out how to package this experience and incorporate it into the "return trip" from the Kosel, it would be nice. No, it would be more than nice; it would bring Moshiaich. After all, this is the kind of love and concern the Torah expects Jews to demonstrate for one another.

Rav Bergman goes on to teach us a powerful lesson concerning the prohibitive commandment of Lo sachamod, the last of the Aseros HaDibros, Ten Commandments. The accepted, but not necessarily correct, p'shat, explanation of this mitzvah, is that one should not covet anything that belongs to his neighbor, friend, fellow Jew. We should not pay the slightest attention to anything that belongs to our neighbor. It should not be our business what kind of clothing he wears, the house in which he lives, the car he drives. What is his is his, and it is not any concern of mine. Certainly, if one is unaware of what his neighbor owns, he really cannot be envious of his possessions. One cannot covet what he does not know exists.

The Torah is teaching us that this approach is not halachically correct. On the contrary, we should pay careful attention to everything that belongs to our neighbor. Indeed, we should know exactly what he owns and what each of his possessions looks like. What makes the difference is the reason that we do this. The Torah expects us to concern ourselves with our fellow's possessions, not out of a sense of idle ogling, which is the precursor of envy, but out of love, caring and the desire to "walk in the ways of Hashem," to do as He does and to act in the manner becoming a member of the am ha'nivchar, chosen nation. He is not trying to take, but rather to give, to make sure that if his friend loses his possession, he can help locate it, or if he notices it, he can immediately return it. It all depends on attitude. If an attitude is pure, if his intent is to follow Hashem's ways, he can be sure that he will never covet anything that belongs to his neighbor.

**An Ammonite or Moabite shall not enter the congregation of Hashem...because of the fact that they did not greet you with bread and water on the road when you were leaving Egypt, and because he hired against you Bilaam ben Be'or...to curse you. (23:4,5)**

The Torah details two reasons for not accepting converts from Ammon and Moav: they did not "welcome" the Jewish People as they were on their way to the Holy Land; they hired Bilaam, the pagan prophet, to curse the Jews. The second sin of hiring the evil Bilaam to curse the Jews seems to be a much more serious offense; they were acting as aggressors. In contrast, in the first reason, they simply did not act positively by not coming forward to greet the Jews. Should a single lack of human decency disqualify the Ammonites and Moabites from ever being accepted as converts? Egyptians are accepted after the third generation, and they enslaved, persecuted, and killed Jews day in and day out for hundreds of years! Why are Ammon and Moav so strongly censured, and why does a lack of mentchlichkeit, human decency, play such a critical role concerning their acceptance to the Jewish nation?

Horav Simchah HaKohen Shepps, zl, explains this anomaly from a practical point of view. In his explanation of the Torah exhortation not to hate an Egyptian, Rashi says that they were our hosts for many years. Does hospitality allow for the Egyptians to act with brutality to their guests? Rav Shepps feels that the mere fact that the Egyptians hosted the Jews is an indication that their cruelty and wickedness were not intrinsic to their

psyche. Their essence was not evil. Bad people do not act hospitably. They acted cruelly to the Jews because they felt threatened by them. Ammon and Moav were different. They had nothing to fear from the Jews. Our ancestors did not threaten them. The mere fact that they did not have the simple, basic human decency to offer the Jewish People some bread and water demonstrates that their essential psyche was warped. They are an evil people and should, thus, not be allowed to join the Jewish nation. Hiring Bilaam does not reflect their essence. Refusing to give bread and water does.

This explanation sheds light on the unique vidui, confession, made by the zekeinim, elders of the community, closest to the body of a murdered man found between two cities. An eglah, young heifer, is axed, followed by the vidui in which the elders declare, "Our hands did not spill this (innocent) blood; and our eyes did not see." Why do the elders say this? Was there ever a thought to blame the elders for the victim's death? What really is the reason that we must provide food for the person who is about to leave on a journey? Are the elders of the community to be in charge of this too? Is there some secret to giving food to the traveler that lends such overwhelming significance to this act?

The Alter, zl, m'Kelm explains why the elders had to emphasize that they did not allow the deceased to leave without sustenance. If they had ignored his needs, if they did not see to it that a man leaving their city was provided with food for his trip, they would, by default, be demonstrating that they did not care about the man. By providing him with food, they were indicating that: this man was not homeless; someone cared about him; he was connected to the community; he was not alone. Thus, anyone seeking to harm him would think twice. This man was connected. If something happened to him, people would care. This was a strong message to any would-be murderer. This is the significance of the elders' confession. They were making a profound statement.

Perhaps, we can add to the above by explaining the importance of welcoming the Jewish wanderer with bread and water. It is a simple act of chesed, kindness, but that is where we all err: there is no such thing as a simple act of kindness. Chesed is the foundation of the world. It should not be viewed as insignificant. As the Nesivos Shalom explains, all elements of chesed and love contribute to the development of the world, while all forms of cruelty catalyze destruction. In his Sefer HaChaim, the Maharal's brother asserts that things could have been different. Hashem could easily have built the world predicated on any other middah, attribute. It did not have to be chesed. He chose chesed, because it is closest to His will. Thus, when we are instructed to follow in Hashem's ways, Chazal limit this emulation to the middos of chesed, as opposed to any other. It is through chesed that we attach ourselves to Hashem.

There is another benefit which attaches itself to chesed. When a Jew conducts himself in the spirit of chesed, Hashem deals with him as well with the middah of chesed. The Baal Shem HaKadosh says that Hashem relates to people according to the middos with which they live their lives. If they act cruelly to others, then the attribute of strict justice is aroused against them. How important it is for us to never lose sight of this idea when it comes our time to deal with our fellow man. Last, the Rebbe of Kobrin taught that a day in which a Jew does not perform some favor or kindness for another is a day not really lived. Chesed is not only our opportunity to help others and, thus, be G-d-like, but it is also our umbrella of protection. One who ignores this opportunity lives his life as if he does not have a personal relationship with the Almighty - nor does he care.

With the above in mind, we understand why Ammon and Moav's disdain of the middah of chesed was the primary reason they greeted the Jewish wanderers with the curses of Bilaam, bent on destroying them. One who lacks chesed is a destroyer, because this world can only be built on the foundation of chesed. Their rejection of this G-dly middah sealed their fate. They could never be accepted into our nation.

**You should always remember what Amalek did to you on the way when you went out of Egypt, that they encountered you on the way...Wipe out (any) vestige of Amalek from beneath the heavens. You shall not forget. (25:17)**

None of Klal Yisrael's enemies are treated as harshly as is Amalek, and rightfully so. The Ramban explains that when the news of Klal Yisrael's

liberation from Egypt became public, the entire pagan world was stricken with fear - everyone, except Amalek. Only they, in their unprecedented audacity, had thechutzpah to travel from afar and brazenly defied Hashem in their attack against His nation. To compound the situation, Amalek was Eisav's grandson - our close relative. Yet his descendants came, unprovoked, with one objective: to destroy the Jewish People. His hatred was unparalleled in its intensity. What lies at the root of such burning animosity towards us?

Rashi sees Korach's act as cooling off the impact made by the Jews' release from Egypt. He interprets asher karcha ba'derech as "he cooled you off," with the word karcha as a derivation of kar, cold. This is compared to a man who enters a boiling, hot bath. While he has certainly burned himself, he has succeeded in cooling off the water somewhat for others. Amalek's actions diminished the veneration and awe that had been the result of the miracles and wonders associated with yetzias Mitzrayim, the Egyptian exodus. This does not, however, explain what Amalek did and the consequences. It does not give us a reason why his hatred expressed itself in this manner. Why did he want to decrease Hashem's impact on the world?

Chazal tell us a fascinating story about Amalek's pedigree, which sheds light on his actions. Timna was a woman of royal descent. Despite her distinguished pedigree, she strived for something better, something more noble and dignified. She wanted to convert. The Avos ha'kedoshim, Holy Patriarchs, determined that she was not a candidate for conversion, and they rejected her appeal. Not one to be turned away, Timna decided that if she could not become a Jewess, she would at least marry into the Abrahamic family. She became a pilegish, concubine, for Elifaz, Eisav's son. The product of this misguided union was none other than the Jewish nation's archenemy, Amalek. Chazal feel that Timna's rejection by the Avos led to such devastating consequences.

In his Chiddushei Aggados, the Maharal addresses the reason for Timna's rejection. After all, the Avos reached out to everyone. Teaching others was their reason d'etre. Why was Timna different? He explains that a prerequisite for conversion is total self-abnegation. In order to divest himself of his previous life, the individual must completely embrace his new Jewish identity. His old culture, lifestyle, attitudes must all be erased as he becomes a member of the Am ha'nivchar, chosen nation. The fact that Timna stemmed from royalty created a problem. Having royal blood course through her veins kept her from properly acclimating herself to this new lifestyle, which demanded subordination and total obedience. These were attributes that were antithetical to her previous upbringing. Thus, our Patriarchs felt that she was insincere in her desire to convert.

As Horav Mordechai Miller, zl, points out, our parsha depicts the devastating consequences of an insincere conversion. The yefas toar is a beautiful maiden, taken captive by the victorious Jewish soldier, who converts her in order to marry her. Chazal tell us that this marriage, which is predicated upon physical desire brought on by the uncertainty and trauma of battle, will produce a ben sorer u'moreh, wayward and rebellious son. Ulterior motives in conversion result in an evil which germinates with time.

Rabbeinu Bachya elucidates this idea further. Her marriage to the Jewish soldier is inappropriate because her conversion was based on self-serving motivation. She feared captivity: conversion was much easier. Judaism discourages conversion, unless it is sincere because of an individual's recognition of Hashem. Feeling the potentially grave consequences that might arise from an insincere conversion, our forefathers rejected Timna, because they sensed something amiss with her attitude.

They were right in their assumption. It might not have been manifest immediately, but her descendants developed a venomous, almost insane, hatred for the Jewish People which should probably be traced back to this rejection. The Maharal explains that Timna's extreme hatred towards the Jewish People was the result of an enthusiasm which was followed by a complete rejection. Had she not originally approached the Avos with her request to convert, the resulting animosity would not have welled up within her. It was her determination to fulfill a desire to come close to the Patriarchs that led her to Elifaz, Eisav's son.

We may add another dimension which led to her lack of acceptance as a convert. She wanted to become close to the Avos, because she saw something about their demeanor that attracted her to them. Becoming Jewish was only a means to this end. Her true purpose in becoming Jewish was not to be closer to Hashem, but rather to be closer to the Avos. It is much like someone who wants to become Jewish because he is stimulated by the rabbi's speech. The rabbi is the goal; becoming Jewish is the means. This is the wrong approach to Judaism.

Timna was willing to give it all up: her royal status; her pre-eminence; her nobility. She resigned herself to become a simple concubine of Elifaz. Her sacrifice was huge; her subsequent disappointment at her rejection was commensurate with her desire to be accepted. This caused the seeds of hatred to grow out of control, and it has been haunting our People ever since.

This is why Amalek's hatred expressed itself in an act of "cooling off." Timna's desire was passionate and it was cooled off with the rejection that she received. Her progeny paid back the "debt" by acting in a manner that would cool off whatever awe they felt for Hashem and His People.

Horav Chaim Shmuelevitz, zl, reiterated this concept, citing Timna's rejection as the reason for Amalek's venom. He felt that behind Amalek's cruelty, his murderous intent, lay the hopeless pain of a person rejected for eternity. Applying this approach, Rav Chaim explained what seems to be a strange incident in Tanach. Shmuel HaNavi had severely rebuked Shaul HaMelech, informing him that he had forfeited the monarchy. Shaul then entreated Shmuel to help him save some honor, some self-respect, by returning together with him to "honor him in front of the elders." Now Shaul was not one to seek glory. He might have erred, but seeking honor was not one of his traits. What was he trying to prove? Was a little bit of false honor going to make a difference after he had just lost everything?

The Rosh Yeshivah explained that Shaul had just been humiliated in a most overwhelming manner. He had once been the chosen one, the anointed king of Yisrael, the first choice of the people and Hashem. Now, he was nothing more than a rejected, discarded old relic, a has-been, who would probably be remembered historically in such a manner. It is pretty bad when people are disenchanted with you. It is entirely different when Hashem becomes disgusted with you. If Shaul were left to wallow in self-pity, and every bit of dignity forcibly removed from him, he would collapse under the weight of the trauma, and the opportunity for repentance would be lost. He was not trying to bolster himself with false glory. He begged only for a little dignity, so that he could salvage what was left of his life.

There is a famous story concerning an agunah, a woman whose husband had abandoned her for over twenty years, thereby preventing her from obtaining a get, divorce, relegating her to a life of loneliness and misery. She was a bitter, tormented person who lived near the Mirrer Yeshivah. When the 1967 War in Israel broke out, everybody in that area was instructed to come to the yeshivah dining room which served as the neighborhood's bomb shelter. The bomb shelter was for real - especially when the shells began striking dangerously close to the yeshivah. Finally, the yeshivah took a direct hit. An explosion shook the wall, and everyone began to prepare for the worst. In unison, with heightened passion borne of fear for their lives, instinctively they all began to recite Shema Yisrael in loud, wailing voices.

At that moment, amid the cacophony of fervent sound, the agunah's voice was heard above all the others. She cried out, "My husband left me abandoned for twenty years. Ribbono Shel Olam, I have suffered so much, but, nonetheless, I forgive him. Please, You too, forgive the Jewish People for all they have done wrong!"

Rav Chaim would often recall this story to emphasize the concept of rejection. As he would relate it during a shmues, ethical discourse, he would pause and cry, because he felt her pain. Then he would say, "Her prayer saved us all!" A woman who had suffered so much, but still found place in her heart to forgive, had an enormous z'chus, merit. It was this merit that made the difference. Why?

The Rosh Yeshivah explained that her travail lay not in her dismal situation - without a husband, with the responsibility of raising a family without a father, without a decent livelihood. No, that was not it. Rather, it

was the compelling awareness that she was dismissed - totally - by the very person who was supposed to be her life's companion. It was this repudiation that would accompany her every moment until the day she died. It was this evaluation of her plight that granted such credence and power to her act of forgiveness.

At this point, I usually focus on the lesson we should take for ourselves. I think each and every one of us knows the role which rejection plays in our personal and communal lives. For some, it might be the subtle rejection of a spouse's needs, a child's hopes, a friend's plans. For others, it involves a student or it may even be the feeling of a rebbe. Yes, rebbeim also have feelings, and rejection hurts them. People not only like to be appreciated; they need to be appreciated. Amalek provides only a single lesson. Why should we be responsible for more?

**Harofeh, lishevurei lev, u'mechabesh l'atzvosam.**

**He who heals the broken-hearted, and He dresses their wounds.**

Those of us who are happy, our hearts satiated with joy, must never forget that this emotion is a gift from Hashem. He is the rofeh lishevurei lev, healer of the broken-hearted. Without His healing touch, we would be morose and sullen. How does Hashem process the healing of the broken-hearted? Horav Avigdor Miller, zl, explains that there are two aspects to this process of Hashem removing the causes for their grieving. This is called rofeh lishevurei lev, whereby Hashem heals and soothes the broken-hearted. Alternatively, He is mechabesh l'atzvosam, dresses their wounds, without effecting any change in their circumstances. The reason for the grief is still there, but, through the wondrous gift of "forgetting," one is able to cope with misery, loss and pain. The erasure of unpleasant memories is not random, but a purposeful and complicated gift. The wonder of this process is underscored when we note how it cooperates with the faculty of memory. The details of yesterday's tragedy are registered in the mind, but the poignancy and related emotions have faded overnight, while the facts have now become more tolerable. This is the gift of forgetting.

Sponsored in loving memory of our dear cousin, Amy Gluck Malka Feiga bas Yaakov a"h niftar 3 Av 5769 t.n.tz.v.h. By: Mr. and Mrs. Moshe Schillet

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**Drasha Parshas Ki Seitzei**  
**by Rabbi Mordechai Kamenetzky**  
**Hide and No Seek**

This week's parsha is replete with a potpourri of commandments, all encompassing both negative and positive directives that affect our dealings with fellow humans as well as our Creator.

Among the directives is the mitzvah of hashavas aveidah, returning the lost items of your fellow Jew.

"You shall not see the ox of your brother or his sheep or goat cast off, and hide yourself from them; you shall surely return them to your brother. If your brother is not near you and you do not know him, then gather it inside your house, and it shall remain with you until your brother inquires after it, and you return it to him. So shall you do for his donkey, so shall you do for his garment, and so shall you do for any lost article of your brother that may become lost from him and you find it; you will not be able to hide yourself" (Deuteronomy 22:1-3).

The Talmud spends a great amount of time and effort detailing this mitzvah in the second chapter of Tractate Bava Metziah. But the last few words of the commandment needs clarification.

The Torah tells us to return lost items and not to shirk our responsibility. But it does not tell us you are not allowed to hide, rather it tells us, "lo suchal, you will not be able to hide." Why not? Who is stopping you? Surely Hashem does not intervene in our free choice to shun our responsibilities?

The Chofetz Chaim travelled across Poland to distribute his works. Throughout his travels, he came across a variety of characters and experienced many incidents that he retold in his many lectures on Lashon Harah, and fear of Heaven.

He recounted that once he was going in a wagon, when the driver saw an orchard with delicious fruit trees. The driver turned to his passenger and

schemed. Listen, my friend. I am making a short detour. I am going into the field to help myself to some of that fruit. If anybody is watching me, let me know immediately. I don't want to get in trouble here!"

The man parked the wagon on the side of the road and stealthily moved toward the orchard with a small sack in his hand. He was about to fill it with the fine, pilfered fruit when the Chofetz Chaim shouted from the wagon, "Someone is watching!"

The man quickly ran back to the carriage and meandered around as if he were just taking a rest.

A few moments later, he snuck back into the orchard, and slowly made his way toward the fruit-laden trees. Once again, as he was about to snatch the fruit off the tree, he heard the old man shout! They're watching! They're watching!"

This time the man dropped his sack and looked all around. He saw no one. Hands on his hips, he approached the wagon.

"I don't see anyone! Who's watching?" he demanded.

The Chofetz Chaim, shrugged, smiled, and rolled his eyes heavenward as he pointed his finger upwards.

"He is!" he replied.

As the saying goes, "you can run, but you can't hide." The Torah is telling you more than dos or don'ts. It is telling you what you can do, and what is virtually impossible for you to do. When you want to look away, and make it appear as if you do not see, the Torah, in addition to a prohibition, reminds him of the simple fact. Not only are you prohibited from making it appear as if you did not see, but in fact, "you cannot hide! You cannot look away." We sometimes forget that Hashem is everywhere and his vision is ever peripheral. We think He is focused on one place and is not interested in the tiny details of a man and a lost object.

Such thinking is as silly as the story of the kids at a Bar-Mitzvah, when the rabbi stacked a bunch of apples on one end of a table with a sign saying, "Take only one apple please G-d is watching." On the other end of the table was a pile of cookies where a friend of the bar-mitzvah boy had placed a sign on saying, "Take all the cookies you want - God is watching the apples."

When it comes to involving ourselves in communal responsibilities whether it is returning lost souls or lost items, we may try to appear as if we do not know what is happening around us. We may act lost ourselves. But we are hiding from no one. Because if we play the fool, "the only thing we have to fool is fool ourselves."

Good Shabbos!

Rabbi M. Kamenetzky is the Associate Dean of the Yeshiva of South Shore.

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**Rabbi Yissocher Frand on Parshas Ki Seitzei**

**Marriage and Divorce Laws Fit Well Into Sefer Devorim**

This week's parsha contains the basic Biblical source material for three Talmudic tractates: Masechtos Gittin, Kiddushin, and Yevamos (dealing with laws of divorce, marriage, and levirate marriage respectively) all stem from Parshas Ki Seitzei. Rav Yaakov Kaminetsky (in his sefer Emes L'Yaakov) asks an interesting question.

Rav Yaakov's question is based on the premise -- which he discusses several times in his work -- that the laws of the Book of Devorim deal with the Jewish people as a national entity (tzibur). Sefer Devorim was addressed to Klal Yisrael at the end of the lifetime of Moshe Rabbeinu. Moshe is aware that he will not lead them into Eretz Yisrael. He wants to tell the people as a community how they will have to live.

The first three parshiyos (Devorim, V'Eschanan, Ekev) are basically mussar lectures, chastising the people for all their shortcomings and their misdeeds during the desert sojourns. Time after time, Moshe warns about not following the sinful ways of the people of the land whom they will displace. However, the following parshios -- Parshas Re'eh, Shoftim, and Ki Seitzei -- virtually entirely contain laws that affect the Jewish people as a whole. Re'eh contains the laws of Ir HaNidachas [the City that worships idolatry], the laws of (both true and false) prophets, the law of the enticer (meisis). Parshas Shoftim contains the laws of judges, police, and monarchy -- the judicial and executive branches of government, the essence

of communal infrastructure. Parshas Shoftim also contains the laws of going to war, the cities of refuge, the laws of murder – all societal matters. Ki Seitzei continues the laws of war.

It is in fact the opinion of Rav Yaakov Kaminetsky (based on a Rashi in Sefer Yehoshua) that the second Sefer Torah which a king is responsible to write (as described in Parshas Shoftim) is not the entire Torah (as is the opinion of many Rishonim), but rather is only the Book of Devarim. This second Sefer Torah is the Sefer Torah that was to accompany him at all times and which he was supposed to study all the days of his life. Sefer Devorim thus becomes the manual of the monarch, the scroll that deals with the national laws of the Jewish people.

[Rav Yaakov notes in a footnote that he once knew a Shochet who would review all the laws of slaughtering every 6 months. He studied the first three chapters of Tractate Chullin followed by the Tur, Beis Yosef, and Shulchan Aruch sections in Yoreh Deah relating to the laws of Shechitah. He would say "This is my profession. I need to know Hilchos Shechitah cold!". Rav Yaakov applied the pasuk "For in the Torah of Hashem is his desire and in his Torah he will contemplate day and night." [Tehillim 1:2] to that Shochet. Rav Yaakov interprets – that the righteous person ideally wants to learn the entire Torah but he must constantly study "his Torah" – that which relates to him and his profession. He must know that section cold! Sefer Devarim is the King's manual, which he must review constantly.]

Based on this premise, Rav Yaakov Kaminetsky asks what the laws of marriage and divorce are doing in the Book of Devarim? The laws of Gittin, Kiddushin, and Yevomos belong in Parshas Achrei Mos in the Book of Vayikra. That is the source of the laws of who one can and can't marry. Likewise the laws of excluding a Mamzer [illegitimate birth], Egyptians, Moavites, Ammonites, and so forth that are in this week's parsha all belong in Achrei Mos! What are they doing in Ki Seitzei?

Rav Yaakov Kaminetsky answers, perforce we must say: Marriage is not just a matter affecting an individual man, an individual woman, and their families. Marriage affects the Jewish nation as a whole. Klal Yisrael is nothing more than a group of families that are married. This is the old adage – a chain is only as strong as its weakest link. The links that make up the chain of Klal Yisrael are families.

Who a person marries and whom he is and is not allowed to marry and all the associated laws correctly belong in the Book of Devarim. We speak about "building a faithful house IN ISRAEL". The people who we are not allowed to marry are called "pesulei kahal" [those invalidated from becoming part of the community]. The restrictions of marriage are all about maintaining the sanctity of the kahal. We cannot have Ammonites, Moavites, and Mamzerim among us.

The Halacha reflects this principle.

If a Chosson comes to synagogue during the Seven Days of Festivity following his wedding, Tachanun is omitted. The groom is celebrating a personal Yom Tov. Tachanun is not recited on Yom Tov, so we don't say Tachanun when a Chassan is present. A mourner also does not recite Tachanun. If a mourner needs to be present in the synagogue the rest of the congregation does recite Tachanun. Only the mourner privately omits it. The mourner's Aveilus (mourning) is a private matter. It does not impact the prayers of others. However, the rejoicing of the groom is a communal simcha. We all rejoice in the establishment of a new Jewish household.

For this reason the laws of marriage and divorce belong in Sefer Dvorim. They have national impact!

#### **A Bar Mitzvah Drasha To Remember**

The following is the story of a Dvar Torah that was said in McKeesport, Pennsylvania, some 68 years ago this Shabbos:

Rav Simcha Schepps was a disciple of the Brisker Rav, a student at the Mirer Yeshiva, and a student in the Yeshiva of Baronovich. He eventually became a Rosh Yeshiva in Yeshivas Torah Vodaath in New York. During the war he made it to Japan with the Mirer Yeshiva and in 1941 was able to come to the United States. Like many who came at that time, his main focus was to try to get other Jews out, particularly those Yeshiva students who were still stranded in Shanghai.

As it happened on Parshas Ki Seitzei 1941 Rav Schepps was in McKeesport, Pennsylvania. He asked the Gabboim of the two shuls there

for permission to make a financial appeal on Shabbos on behalf of the Yeshiva bochrim stranded in Shanghai. The Gabboim refused and explained that Succos time they always conducted an appeal for the Federation and they were afraid that an appeal now for the Yeshiva bochrim would negatively impact that appeal.

As it turned out, there was a Bar Mitzvah in one of the two shuls that Shabbos with a big Kiddush. Rav Schepps asked permission from the father of the Bar Mitzvah bochur to speak at the Kiddush and was given permission to do so.

At the Kiddush, Rav Schepps asked the following question: The Torah states that we are not allowed to marry an Ammonite or a Moavite because they did not greet us with bread and water when we were on the road after leaving Egypt. However, when countries are at war, we understand that there will be an embargo. We all understand, he said, that there is currently no trade between the United States and Japan because we are at war. What then, is the Torah's complaint against the Ammonites and Moavites for not providing the Jews with food and drink – there was an embargo! No commerce was taking place. The government did not allow any trade to go on between countries at war!

The answer is that during war one does not trade between countries, but refugees – stateless people who do not belong to any country – are different! Governments are not at war with refugees, they are at war with countries! Therefore, the Torah is upset at the Ammonites and Moavites for ignoring the needs of the stateless refugees! That should have had nothing to do with politics or the protocols of states. It is downright wickedness and cruelty for which there is no room in the Jewish nation.

At this point Rav Schepps said, "My friends, there are refugees in Japan without country, without family, without food, without anything! If you do not give them money, the Torah will record about the people of McKeesport that they are like Ammonites and Moavites who refused to contribute to stateless people. Do you want that to happen?"

At which point the response was "G-d forbid!" An appeal was made and they raised money which allowed them to bring over 3 extra young men from Japan.

Most boys do not remember what the Rav said at their Bar Mitzvah, but I'm sure that this Bar Mitzvah boy remembered what Rav Schepps said at his Bar Mitzvah for his entire life!

Transcribed by David Twersky Seattle, WA; Technical Assistance by Dovid Hoffman, Baltimore, MD

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#### **Haaretz.com**

#### **Portion of the Week / Ignoring 'I,' focusing on 'you'**

**By Benjamin Lau**

In describing Judaism's commandments as jewelry that enhances the beauty of the one wearing it, midrashic literature cites Proverbs (1:9): "For they shall be an ornament of grace unto thy head," and comments: "The commandments accompany you everywhere" (Deuteronomy Rabbah). The Torah's commandments fill our lives with color; indeed, life without them would be boring. Sometimes these ornaments are pleasant, sometimes burdensome. These directives demand that we engage in constant introspection, which can be beneficial, provided we do not follow them as a mechanical routine.

One particular verse exemplifies the message of this week's Torah portion: "... and with any thing of thy brother's, which he hath lost, and thou hast found, shalt thou do likewise: Thou mayest not hide thyself" (Deuteronomy 22:3). Here the Torah disturbs our routine, as it were, by telling us how to act concerning the return of items lost by another person.

The "lost and found" section in this reading actually begins two verses earlier: "Thou shalt not see thy brother's ox or his sheep go astray [nidahim], and hide thyself from them: Thou shalt in any case bring them again unto thy brother." Nahmanides interprets the word "nidahim" literally: "They fled their owner, straying far away."

The Torah is referring not to a neighbor's ball falling into our backyard, but to an animal that has wandered away from its owner and whose return will

require certain effort. Moreover, we are commanded: *hashev teshivam la'hikha* - thou shalt in any case (literally, surely) bring them again unto thy brother. The exegetical ear comprehends the immense burden that is embodied in this directive: "You must return the animal, even if you must do so four or five times" (Midrash Halakha).

It is tempting to ignore a stray, and perhaps to adopt the approach suggested by poet Robert Frost in "Mending Wall": "Good fences make good neighbors." I can easily say, "I live in my own world; you live in yours. I respect your desire for dignity and freedom, but, please, don't enter my space." However, the Torah does not permit us to hide in our castles, and declares: "Thou mayest not hide thyself" - i.e., we must not look the other way. This is a wide-ranging commandment, one that demands that we strive constantly to create a more just society. The Torah is urging us to leave our homes and to shoulder the burden of improving society.

Rabbi Abraham Ibn Ezra offers this interpretation of "Thou mayest not": "You cannot simply refrain from doing so, as you are also commanded in other verses." He is referring to 10 verses in the Torah that also include the words "Thou mayest not." For example, "Thou mayest not eat within thy gates the tithe of thy corn, or of thy wine, or of thy oil, or the firstlings of thy herds or of thy flock, nor any of thy vows which thou vowest, nor thy free-will offerings, or heave offering of thine hand" (Deut. 12:17). Similarly, "Thou mayest not sacrifice the passover within any of thy gates, which the Lord thy God giveth thee" (Deut. 16:5). Ibn Ezra thus believes that we must return the animal to its owner, irrespective of how difficult that might be.

Rabbi Moshe Alsheikh, a scholar who lived in 16th-century Safed, thinks differently: "God wanted to grant Israel the privilege of performing the commandment ... 'Thou shalt love thy neighbor as thyself' [Leviticus 19:18], and gave us specific commandments where that principle is exercised. We find it difficult to exert ourselves for others. If we see our neighbor's stray ox or donkey, how many of us will drop everything we are doing and run to return the animal?" We can understand Alsheikh's message; the Torah's demand seems almost illogical in expecting us to return the stray, possibly even more than once.

Alsheikh suggests another reading of "*hashev teshivam la'hikha*": "*Hashev* refers to the initial instance of returning the stray animal; *teshivam* refers to all subsequent occasions. The first time we return the animal, we do so because the Torah commands it; later on, we return the animal because we want to, because we fervently desire to carry out God's wishes. When we obey this commandment the first time, our hearts are uplifted so that we will obey it again ... The commandment will be so firmly rooted in us and we will be so well versed in it, that we will be unable to look the other way when we see a lost item belonging to our neighbor."

According to this pedagogical approach, human nature can be changed when we internalize new habits: When we abandon "I" and focus on "you" the first time, for example, we do so because we have been commanded - because the Torah imposes its teachings upon us. A new habit turns what has been imposed on us into something that we freely desire for ourselves. Thus, "Thou mayest not hide thyself" must be read: "You will not want to hide yourself, or look the other way."

Next week, our children will return to school. Determining goals for our educational system is still high up on our social agenda. Should one objective be to provide knowledge, or educate youngsters in the broadest sense of the term? Can our schools teach fundamental values that will serve as a beacon for our society? Their motto should be: "Thou mayest not hide thyself." We should teach children the importance of caring for others. The minimal demand should be that explained by Ibn Ezra - for us to emerge from our own private context, and to understand that we are part of society. Alsheikh's view is that we should live according to a higher standard: Thus, our school system should teach children to give to others, to sense the distress of the "other" and, like the Scouts' creed, to be prepared to fulfill our duties and undertake any mission, any volunteer task.

If we train them to think this way from an early age, our children will adopt that approach and internalize it. They will become adults who contribute to society, who cannot see injustice without seeking to correct it.

When children enter kindergarten for the first time and find a strange child sitting next to them, they naturally want to hold on to their property. Our schools must bring out the good in children, so they will welcome their classmates and make them feel at home. Our children will then learn to give to others and to assist them until such behavior becomes second nature, and they will internalize the commandment "Thou shalt love thy neighbor as thyself," which is the basis of a truly just society.

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**Hama'ayan - Parshas Ki Seitzei**  
**Elul 5769 - August 29, 2009**  
**Edited by Shlomo Katz (torah.org)**  
**"If your enemy is hungry . . ."**

Sponsored by the Sabrin family in memory of mother Bayla bat Zev a"h (Bella Sabrin)  
Dr. and Mrs. Irving Katz on the *yahrzeit* of father Moshe Aharon ben Menashe Yaakov Reiss a"h

King Shlomo writes in *Mishlei* (25:21-22), "If your enemy is hungry, feed him bread; if he is thirsty, give him water to drink--for you will be 'choteh' coals on his head, and Hashem will reward you." R' Yehoshua ibn Shuiv z"l (Spain; 14th century) initially rejects the popular translation of the word, "choteh," i.e., "scooping." He writes: G-d forbid that King Shlomo would suggest that one perform kindness for his enemy for the purpose of taking revenge on him. Rather, the word means, "removing." One who performs acts of kindness for his enemy "removes" burning coals-- i.e., anger--from the enemy's heart and promotes peace. Alternatively, if the word does mean, "scooping," the intention would be that one may perform acts of kindness for his enemy so that his enemy will be ashamed to continue hating him.

We read in our parashah (22:1), "You shall not see the ox of your brother or his sheep or goat cast off, and hide yourself from them; you shall surely return them to your brother." In Parashat *Mishpatim* (Shmot 23:4), this same mitzvah is worded differently: "If you encounter the ox of your enemy or his donkey wandering, you shall return it to him repeatedly." The commandment in our verse, writes R' ibn Shuiv, is of general applicability, while the commandment in *Mishpatim*, i.e., to return the lost animal of one's enemy, is an act "lifnim m'shurat ha'din" / beyond the letter of the law, applicable to a person who wants to conquer his *yetzer hara*. R' ibn Shuiv adds that the "enemy" spoken of here is a person that a righteous Jew hates because of the other's sinful deeds. Otherwise, it is forbidden to hate another Jew. [See page 3.] Even so, Hashem does not completely despise even a wicked person, and there is therefore a mitzvah to assist him, for one should not try to be "more religious" than G-d Himself. (Derashot R"Y ibn Shuiv)

"When you will go out to war against your enemies, and Hashem, your G-d, will give him into your hands . . ." (21:10)

Why does the verse begin with a plural noun ("enemies") and then use a singular pronoun ("him")? R' Aryeh Leib Zunz z"l (Polish rabbi and prolific author; died 1833) explains:

Many commentaries explain that our verse, besides its plain meaning, alludes to man's battle with his *yetzer hara*. Our question may be answered in this light. Our Sages teach that when one performs a mitzvah, he creates an angel who defends him in the Heavenly court. On the other hand, if one sins, G-d forbid, he creates an angel who accuses him in the Heavenly court.

One who wants to succeed in judgment on the upcoming High Holidays needs to have more mitzvot to his credit than sins, more defending angels than prosecuting angels. And, our Sages teach that when one repents, his sins become mitzvot. Thus, his accusing angels become defending angels. Our Sages teach, also, that one should always view himself as neither righteous nor wicked, but rather half-and-half. If so, then a person who wants to succeed in judgment needs to change one prosecuting angel to a defending angel. Paraphrasing our verse, when one goes to war against all of his enemies -- the prosecuting angels who represent his sins -- he really

only needs one enemy to be given into his hands in order to succeed. (Kometz Ha'minchah)

"When you will go out to war against your enemies . . . and you will see a beautiful woman among the captives . . ." (21:10-11)

This parashah teaches us the Torah's attitude toward beauty, says R' Joseph B. Soloveitchik z"l (1903-1993). "When you will go out to war against your enemies and you will see a beautiful woman among the captives"--when you fight your enemies--Canaanites, Persians, Greeks, Romans, or Germans--you will undoubtedly see beautiful aspects of their cultures. Therefore, you should know: You are permitted to bring home everything beautiful that you see, but don't be fooled by external beauty. This is symbolized by the Torah's demand that the captive woman change out of her foreign clothes. The Torah demands a waiting period after the captive woman is brought into the home--i.e., examine this newfound culture very carefully. Is it really something that you want in your home? (Yemei Zikaron p.125)

"You shall not see the ox of your brother or his sheep or goat cast off and hide yourself from them; you shall surely return them to your brother . . . you may not [literally: 'You will be unable'] to hide yourself." (Devarim 21:22-23)

R' Avraham Shaag z"l (1801-1876; Hungary and Eretz Yisrael) asks why these verses repeat themselves. What is added by the last phrase, "You may not hide yourself"?

He explains: Even a person who was born with negative character traits can acquire good traits in their place. This is done by behaving in a way which is contrary to one's natural tendencies. For example, if one is disposed to hate another person, one can conquer those feelings by going out of his way to do kindness for that person.

Chazal learn from the phrase, "You shall surely return them to your brother," that you must return a lost object even if its owner has already lost it, and you have already returned it, 100 times. If you perform this act of kindness repeatedly, says R' Shaag, "You will be unable to hide yourself"; it will become natural to do a kindness for the person that you once hated.

R' Shaag adds: Particularly in this month of Elul, when the shofar is blown to awaken us to return to Hashem, we must remove the hatred of others from our hearts, stop lording over others, eradicate lashon hara, and cease other infractions that we commit against our fellow men. Maybe, just maybe, by the time Yom Kippur has passed, the good behavior that we adopted during Elul will have become second nature. (Derashot Ha'Rash Vol. I, No. 25)

"Do not observe your brother's donkey or his ox falling and turn yourself away -- you shall surely help it up." (22:4)

In Parashat Mishpatim, the same mitzvah is given, but there the Torah refers to the animal of "your enemy." Why this difference?

With regard to the verse in Mishpatim the Gemara asks: How does one have an enemy? Is it then permitted to hate another Jew? The Gemara explains that "your enemy" refers to one whom you have witnessed sinning. If he refuses to repent, you are obligated to hate him.

However, writes R' Meir Simcha Hakohen z"l (rabbi of Dvinsk; died 1926), that was only before the sin of the Golden Calf, which is described in the Torah after Parashat Mishpatim. Before that sin, all Jews were on such an exalted level that they were able to hate someone merely because he had sinned. But today, who can make such a claim?! Rather, we are all brothers. (Meshech Chochmah)

R' Yaakov Yosef Hakohen of Polnoye z"l (student of the Ba'al Shem Tov; died 1785) interprets this homiletically: "Do not observe your brother's donkey or his ox falling"--it is better not to see your brother in a state of spiritual decline (becoming like a donkey or an ox). "Turn yourself away." But if you do see, "You shall surely help [him] up." (Toldot Yaakov Yosef)

## Rav Kook on the Torah Portion

### Ki Tetze: Remembering Miriam's Punishment

"Remember what God did to Miriam on your way out of Egypt." [Deut. 24:9]

Six Zechirot

Six times the Torah commands us to remember certain events. The six zechirot (rememberances) are listed after the morning prayers:

The Exodus from Egypt.

The Torah's revelation at Sinai.

The attack of Amalek and the command to destroy him.

The rebellious acts of the Israelites in the desert.

The Sabbath day.

Miriam's punishment for slandering Moses.

The first five are clearly important for us to remember, as they are major events or fundamental principles of faith. Yet the last one, Miriam's punishment for slandering Moses, doesn't seem to fit with the rest of the list. Can we consider Miriam's mistake in judgment on par with historical milestones such as the Exodus from Egypt or the revelation of Torah?

In order to appreciate the fundamental lesson of Miriam's punishment, we must understand the essence of her error.

Moses' Prophetic Level

The Torah relates (Num. 12:1-15) how Miriam spoke against her younger brother Moses for neglecting his wife. Miriam felt that the fact that Moses was a prophet was not an excuse for his behavior. "Is it only to Moses that God speaks? Does He not also speak to us?" Even though we - Miriam and Aaron - are also prophets, we still maintain normal family relations.

God responded to this accusation by appearing suddenly to Miriam and Aaron:

"Listen carefully to My words. If someone among you experiences Divine prophecy, then I make Myself known to him in a vision; I speak to him in a dream. This is not true of My servant Moses.. With him I speak face to face.. so that he sees a true picture of God."

Far worse than her sin of slander, Miriam erred in her evaluation of the nature of Moses' prophecy. Had Moses been just a regular prophet, Miriam would have been correct in her criticism. But in fact, Moses' prophetic vision was on a higher plane than common prophecy. Moses' vision was not distorted and murky, but crystal-clear - he saw through an *aspaklariah me'irah*. As a result, the Five Books of Moses are on a higher level than the other books of the Bible. No prophet may challenge or contradict Moses' prophecies.

It is for this reason that we are admonished to remember Miriam's punishment for speaking against Moses. By recalling her mistake, we are reminded to appreciate the unique nature of Moses' prophetic vision.

[adapted from Olat Re'iyah vol. I, p. 334]

Comments and inquiries may be sent to: RavKookList@gmail.com

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## YatedUSA Parshas Ki Setzei 8 Elul 5769

### Halachah Discussion

by Rabbi Doniel Neustadt

#### Amounts of Food that Require Blessings

The minimum amount of any food that obligates one to recite Birkas ha-Mazon or a berachah acharonah is a *k'zayis*, an amount of food that equals the size of an olive. But how to measure and determine the precise amount of a *k'zayis* is the subject of heated debate. For the purpose of *hilchos berachos*, we follow the view of the *poskim* who hold that that a *k'zayis* is the amount of food that fills a cup which holds one fluid oz., or 29.5 cc. l

To give us a better sense of what a *k'zayis* of bread is in reality, consider the following: There are about ten *k'zayis* in a bagel or in an onion roll, nine in a challah roll, four in a middle slice of a 2 lb. loaf of rye bread or in a pita bread, three in a slice of white bread, and a little more than two *k'zayis* in a piece of machine matzah.

In the following pages we will discuss some of the halachos that pertain to the amount of food that is required for Birkas ha-Mazon and Al ha-Michyah.

When eating bread:

Washing hands is required before eating at least a k'zayis, and is strongly recommended when any amount of bread is eaten.<sup>2</sup>

Al netilas yadayim, the blessing over washing hands, is recited when eating at least two k'zaysim.<sup>3</sup> Some poskim hold that a blessing may be recited even for a k'zayis,<sup>4</sup> and one may follow this view if need be.<sup>5</sup>

Ha-motzi is recited before eating any amount of bread, regardless if one washed or recited Al netilas yadayim.<sup>6</sup>

Birkas ha-Mazon is recited after eating a k'zayis of bread<sup>7</sup> within a time-span of no longer than 3-48 minutes. One who is unsure whether or not he ate a k'zayis of bread within 3-4 minutes should not recite Birkas ha-Mazon.<sup>9</sup>

When eating baked goods as a snack:

Mezonos is recited before eating any amount of baked or cooked food made out of any one or combination of the five species of grain.

Al ha-michyah is recited when a k'zayis is eaten within a time-span of no longer than 3-4 minutes.<sup>10</sup> The k'zayis must be composed entirely of flour (the other ingredients do not count towards the minimum).<sup>11</sup> Many people, however, are not accurate in ascertaining the exact amount of flour they ate and some poskim find a source to excuse their inexactitude<sup>12</sup> if at least the majority of the mixture is pure flour.<sup>13</sup> Fillings such as cream in a seven layer cake, apple filling in a pie, or cheese in a cheese cake, are certainly not counted as part of the k'zayis.<sup>14</sup>

Liquids:

When it comes to liquids, a berachah acharonah is not recited unless at least a revi'is is consumed. For the purpose of hilchos berachos, we follow the view of the poskim that a revi'is is the amount of liquid that fills a cup which holds three fluid oz.

Shehakol [or Borei pri ha-gefen] is recited before drinking any amount.

Borei nefashos [or Al ha-gefen] is recited only after drinking at least 3 oz. However, there are poskim who require a berachah acharonah after drinking as little as 1 oz. To satisfy all opinions, one should not drink an amount between 1 oz. and 3 oz. l'chatchilah.<sup>15</sup>

Many poskim hold that the 3 oz. must be consumed within shiur shesias revi'is,<sup>16</sup> which is a very short time period.<sup>17</sup> L'chatchilah, therefore, the amount required should be drunk in one or two sips. One who took longer to drink the 3 oz., which can happen when drinking piping hot beverages, should not recite Borei nefashos unless he left at least 3 oz. to cool off and drank it within a few seconds.<sup>18</sup>

Frozen or jelled foods:

We have seen that there are two basic differences between solid food and liquids regarding their blessings: 1) The minimum amount of solid food that requires a berachah acharonah is 1 oz., while the minimum amount of liquid that requires a berachah acharonah is 3 oz.; 2) Food may be consumed within a time span of up to 4 minutes, while liquids must be drunk within a very short time period.

There is a debate among the poskim<sup>19</sup> about how to classify foods which are solid but do not need to be chewed in order to be swallowed, such as ice cream, frozen yogurt, and ices. Contemporary poskim, too, are hesitant<sup>20</sup> and divided on this issue. Some rule that these items are considered as solid foods, since at the time of consumption they are solid.<sup>21</sup> Accordingly, as long as 1 oz. is consumed within a time-span of up to 3-4 minutes, the correct berachah acharonah is recited.

Other poskim, however, consider these items as liquids, since they will melt in the mouth without being chewed, and thus cannot be classified as solid foods.<sup>22</sup> Accordingly, unless 3 oz. of the item is consumed within a very short time period, no berachah acharonah is recited.<sup>23</sup>

Some authorities differentiate between ices — which are frozen water and therefore more of a drink than a solid food — and ice cream, which contains ingredients which are solid food.<sup>24</sup>

Several poskim<sup>25</sup> make a distinction between the amount of frozen and jelled food which necessitates a berachah acharonah, and the time in which it must be consumed. According to this opinion, we view these items as solid food in determining the amount necessary for a berachah acharonah; thus, 1 oz. will suffice. Concerning the time-span within which they must be consumed, however, we view frozen and jelled foods as drinks. Accordingly, if 1 oz. was consumed within a short time period, a berachah acharonah is recited.

All poskim agree,<sup>26</sup> however, that food which is not in solid form at the time of consumption, such as "liquid" leben, is considered a drink, and a berachah acharonah should not be recited unless 3 oz. are consumed within a very short time period, which is not the rate at which such foods are commonly consumed.

In the past we have reviewed the halachah that a Borei pri ha-gafen recited over wine or grape juice exempts all other beverages from a shehakol and Borei nefashos. The poskim agree, however, that only true beverages are included. Frozen or jelled foods would require their own blessing even if eaten after a Borei pri ha-gafen was recited.<sup>27</sup>

Footnotes

1 Based on the calculations of Halachos of K'zayis, pg. 17-20; 86-88.

2 Mishnah Berurah 158:10.

3 Mishnah Berurah 158:9.

4 Beur ha-Gra quoted in Sha'ar ha-Tziyun 158:9.

5 Igros Moshe, O.C. 4:41; Rav Y.S. Elyashiv (quoted in Vezos ha-Berachah, pg. 15 and pg. 347).

6 Shulchan Aruch Harav 168:7.

7 O.C. 184:6. This is a Rabbinic obligation. Biblically, one does not recite Birkas ha-Mazon unless he has eaten a meal which satiates him.

8 The exact amount of time is in dispute, so l'chatchilah three minutes should be the limit. B'diavad, however, many poskim permit reciting Birkas ha-Mazon if a k'zayis was eaten in four minutes.

9 Mishnah Berurah 184:15. It is proper, however, to wash and eat more bread so that Birkas ha-Mazon can be recited; ibid.

10 O.C. 208:9.

11 See Igros Moshe, O.C. 1:71; E.H. 1:114; Divrei Yoel 1:13; Rav Y.S. Elyashiv (quoted in Vezos ha-Berachah, pg. 46). This is also the ruling of the Brisker Rav (quoted in Teshuvos v'Hanhagos 1:132).

12 Mishnah Berurah 208:48; Chazon Ish, O.C. 26:8.

13 Rav S.Z. Auerbach (quoted in Vesein Berachah, pg. 530).

14 Minchas Shlomo 1:91-4. See also Halachos of K'zayis, pg. 134 and Yalkut Yosef 3:491.

15 O.C. 190:3 and Mishnah Berurah 9 and 14.

16 See O.C. 612:10 and Sha'ar ha-Tziyun 210:12.

17 See Aruch ha-Shulchan 202:6-8; Sha'ar ha-Tziyun 210:11.

18 Mishnah Berurah 210:1. Many poskim, however, allow reciting Borei nefashos over hot tea or coffee, and one who follows that custom, may continue to do so; see Vezos ha-Berachah, pg. 42 and pg. 200, who quotes several contemporary authorities who follow this custom.

19 See Rambam Ma'achalos Asuros 14:9 and Radvaz 1518 (145). There is also widespread dispute concerning raw eggs: Are they a solid food or a drink? See Sedei Chemed (Yom Kippur 3) and Har Tzvi, O.C. 1:101.

20 See Nishmas Avraham, O.C. 612:6 who quotes a written responsum from Rav S.Z. Auerbach as questioning the halachic definition of sour cream and ice cream.

21 Rav Y.Y. Kanievsky (written responsum published in Mekor ha-Yoledes, pg. 110). See also Mishnah Berurah 158:14,16 who rules that churned butter is a food, not a liquid.

22 Rav Y.S. Elyashiv (quoted in Vezos ha-Berachah, pg. 44); Be'er Moshe 1:11.

23 In practice, however, one may rely on a s'feik s'feika and recite the blessing: Maybe the item is considered a solid food, and even if it is a liquid, maybe the halachah is like the view quoted earlier that liquid, too, may be drunk in 3-4 minutes; see Mishnah Berurah 210:1.

24 Teshuvos B'tzeil ha-Chochmah 3:114-4.

25 Kol Eliyahu 7 (partially quoted in Kaf ha-Chaim 202:63); Zera Avraham, O.C. 1:3; Ohr l'Tziyon 14:18-19; Yalkut Yosef 3:177-10; Nishmas Avraham, O.C. 612:6.

26 See Vezos ha-Berachah, pg. 44 and pg. 261. See also Toras ha-Yoledes 52:5 who maintains that yogurt and leben are considered liquids, especially if they are stirred.

27 Oral ruling from Harav N. Karelitz (quoted in Kol ha-Torah, vol. 44, pg. 102).