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From weeklydt@torahweb2.org date Wed, Aug 18, 2010 at 2:30 PM subject Rabbi Yaakov Neuburger - The Elul Shofar

Rabbi Yaakov Neuburger

The Elul Shofar

Is there a more sobering and even disquieting sound in our tradition than the Elul shofar, announcing that Rosh Hashana is upon us once again and then marking the march of time as we get closer and closer? It is in this two step fashion that the Rosh (at the end of Maseches Rosh Hashana) presents the history and observance of the Elul shofar. The earliest source of this practice presents it as a rabbinic legislation but sees it limited to blowing the shofar on rosh chodesh Elul alone. A medrash (Pirkei Derabi Eliezer, chapter 46) records that on our very first Rosh Chodesh Elul, a few months after matan Torah and the calamitous chet haeigel, we were, understandably, a shaken and spiritually diminished people. As Moshe was invited to ascend Har Sinai to accept the luchos one more time, we grew concerned that we would err once again in calculating Moshe's return, and despair over his absence. Therefore we decided to sound the shofar as Moshe left us. The medrash concludes that as the Rabbis realized that Hashem was greatly honored by this shofar sound, they legislated its reenactment every rosh chodesh Elul. The Rosh further comments that we then continue to sound the shofar every morning of the month to remind us to do teshuva.

What impressed our sages so, that they decided to memorialize that one sounding of the shofar of rosh chodesh? Moreover, did the Rosh record a second and independent practice which happens to dovetail with the rabbinic enactment of rosh chodesh? Are we to continue memorializing that event throughout Elul, and if so, why?

I would suggest that the shofar of Elul reminds us of the avoda of Elul, the spiritual responsibilities and challenge that we face throughout our preparation for the yomim tovim. I believe that the decision to sound the shofar as Moshe ascended added a voluntary but often time indispensable dimension to the teshuva process. Perhaps that is why

Hashem himself was honored in an unparalleled fashion at that moment. Let me explain.

It is well known that the mitzvah of teshuva prescribes that we must respond to our flaws and errors through admission of our lapses, expression of regret and shame at our lack of compliance to Hashem, and articulate our further commitment to do better going forward. Rambam teaches that our thought process must be earnest enough to win the nod of Hashem himself, and further teaches that the process is completed once it is tested and we err not again (Hilchos Teshuva chapter 2).

However Moshe's generation adopted a new behavior to bolster their pledge for the future and thus introduced a new concept to the teshuva process. The halachos of teshuva are fully satisfied by a genuine and deep cheshbon hanefesh - soul searching introspection and commitment. Yet we know that we often have trouble following through, especially if we are repeat offenders and have unsuccessfully tried with all the seriousness we can muster, to improve. Many of us find ourselves honestly mentioning the same misstep in the al cheits year after year.

The shofar reminds us of a technique that we established long ago when we experienced deep remorse of the past and profound fear of our frailty in the future. Sometimes even deep seated regret may simply not be enough. Action may be required. In halacha and in the mussar seforim it is called making a "geder - fence", a protective measure.

In practice the person who has trouble arousing himself for minyan makes a geder to learn with someone else before davening adding extra pressure on himself when he is still half asleep. The person who finds the days roll by without learning will establish the geder of setting his time to learn immediately after dinner or maariv. Similar gedolim may aid the individual who never finds the time to exercise or to make the all important phone calls. Self awareness and creativity will help one find a protective move or act that will forestall compromising another's privacy or dignity, and maintaining the standards of interpersonal conduct for which we strive.

The decision to sound the shofar that rosh chodesh Elul signaled the deepest remorse, the insightful realization of human weakness, and launched a form of tikun that deserved eternal observance. Later generations understood this and established the daily shofar so that we would consider this tikun over and over again as part of our avodah throughout the month of Elul.

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From genesis@torah.org reply-to: genesis@torah.org to weekly-halacha@torah.org date Tue, Aug 17, 2010 at 5:05 PM subject Weekly Halacha - Parshas Ki Seitzei

**Weekly Halacha
by Rabbi Daniel Neustadt**

Preparing Cholent for Shabbos

Question: What must be done in order to properly prepare cholent for Shabbos?

Discussion: Preparing cholent for Shabbos on top of the stove or inside the oven (crock pots are addressed in a separate discussion) is susceptible to the following Shabbos violations:

The Rabbinic prohibition of putting food on a heat source before Shabbos and leaving it on during Shabbos. The reason for this prohibition is to prevent one from inadvertently "stoking the coals," whose modern equivalent is adjusting the knobs or dials to raise the temperature.

The Rabbinic prohibition of returning — on Shabbos — food to a heat source, since then, too, one would be inclined to adjust the temperature. In addition, this is prohibited because it appears to be “cooking.”

To avoid these potential violations when preparing cholent on a stovetop, the following guidelines must be adhered to: Although not halachically mandated, many poskim recommend that the fire be covered by a blech, even if the cholent is fully cooked before sunset.[1] If the cholent is less than half-cooked [or under extenuating circumstances, only a third cooked], a blech is halachically required.[2] Whether or not the knobs, dials or computerized number pads need to be covered as well is a subject of debate among contemporary poskim: Some require it[3], others strongly recommend it,[4] while others do not consider it important at all[5].

To remove a cholent pot from the fire on Shabbos with the intention of putting it right back on, e.g., to add water to it or to serve it at a kiddush before a meal, the following conditions must be met. These conditions are known as the “conditions for returning”:

1. The fire (and knobs[6]) must be covered with a blech. A blech may be placed over the fire on Shabbos[7]. 2. The cholent must be completely cooked and still warm when returned to the flame.

3. The cholent pot should not be put down on any surface. B'diavad, if the cholent pot was put down on a table or countertop[8] (not on the floor[9]), it may still be returned to the blech[10].

Question: What must be done in order to properly prepare cholent for Shabbos on a hotplate?

Discussion: Most poskim rule that even cholent which is less than half-cooked may be placed before Shabbos on a hotplate, even without a covering, since a hotplate has just one temperature setting that cannot be adjusted[11]. Returning food to an uncovered hot plate, however, is debatable: Many poskim forbid doing so[12], while others are more lenient[13]. In order to satisfy the views of all poskim, cooked hot food should only be returned onto a hotplate if it is covered with a thick layer of aluminum foil.

Question: What must be done in order to properly prepare cholent for Shabbos inside the oven?

Discussion: It is advisable that the cholent be fully cooked before Shabbos begins. If it was not, or b'diavad, as long as the cholent is half cooked [or under extenuating circumstances, a third cooked], it may be left in the oven. If the cholent is not cooked to even this extent, then the cholent may not be left inside the oven — unless an oven insert is placed inside it.

In the opinion of many poskim, if the cholent was removed from inside the oven on Shabbos it may not be returned to the oven — unless there is an oven insert inside[14]. Even though in some ovens no fire is visible, still there is nothing that distinguishes the oven from its regular weekday appearance; it still looks like someone is cooking and the chance of their adjusting the temperature is still very real. [A minority opinion maintains that if the stove knobs etc., are covered or removed, and a piece of silver foil is placed underneath the pot, the cholent may be returned to the oven as long as it is completely cooked, still warm and was not put down on any surface, as detailed earlier.[15]]

This prohibition poses a problem to those who want to eat some of their Shabbos cholent on Friday night. They cannot remove the cholent from the oven, since, as we just explained, it is forbidden to put it back in. They cannot dish cholent out of the pot while it is still inside the oven, since it is a Rabbinic prohibition to dish out food while it is still on the fire, even if the food is completely cooked[16].

A possible solution to the problem is the following compromise: The oven rack should be slid part-way out of the oven so that the pot is not directly over the flame. The other part of the pot should remain inside the oven in an area which is yad soledes bo (at least 110° F). In this

manner the cholent is not really being removed from the oven, and “returning” it would be permitted.

1. Based on Rama 253:1, as explained by Beirur Halachah, s.v. v'nahagu. Chazon Ish, O.C. 37:3 disagrees, and holds that a blech is not necessary when the cholent is at least half cooked. 2. Although Chazon Ish, O.C. 37:11 disagrees and does not permit placing a less than half-cooked cholent on the fire even if the fire is covered with a blech, most poskim do not agree with his view; see Kaf ha-Chayim 253:11; Maharshag 2:50; Eidus l'Yisrael, pg. 119; Igros Moshe, O.C. 1:93; Rav Y.Y. Weiss (Kol ha-Torah, vol. 42, pg. 14); Tzitz Eliezer 7:15; Shevet ha-Levi 1:91. 3. Rav A. Kotler (quoted in Sefer Hilchos Shabbos, pg. 338); Rav Y.Y. Weiss (Kol ha-Torah, vol. 42, pg. 14); Shevet ha-Levi 1:93. 4. Igros Moshe, O.C. 1:93; Be'er Moshe 7:3-4; 5. Rav S.Z. Auerbach (Shulchan Shlomo 253:5-3); Rav Y.S. Elyashiv, quoted in Orchos Shabbos 2:9, note 14. 6. According to the various views quoted earlier. 7. Igros Moshe, O.C. 1:93; 4:74-29; Rav S.Z. Auerbach (Shemiras Shabbos k'hilchasa 1, note 60); Rav Y.S. Elyashiv (Otzros ha-Shabbos, pg. 96); Shevet ha-Levi 1:91. Chazon Ish, O.C. 37:11; 50:9, however, holds that a blech may not be put on Shabbos if the metal will heat up to yad soledes bo, which is almost always the case. 8. Rav S.Z. Auerbach and Rav Y. S. Elyashiv (Shevus Yitzchak, pg. 155). 9. See Sha'ar Hatziyun 253:50. Placing the pot in a place where one would usually put the pot once one is finished with it would be the same as placing it on the floor. Therefore, one may not return a pot to a stovetop even b'diavad once it was placed in the fridge (even if it is still hot).. 10. Mishnah Berurah 253:56; Igros Moshe, O.C. 2:69. 11. Har Tzvi, 1:136; Igros Moshe, O.C. 4:74; Shevet ha-Levi 5:30. [A minority opinion disagrees and maintains that the halachos of a hot plate are no different than those of a stovetop; see Orchos Shabbos 2:13, quoting Rav Y.S. Elyashiv.] 12. See Chazon Ish 38:2; Igros Moshe 4:74-35; Shevus Yitzchak, pg. 102-103, quoting Rav Y.S. Elyashiv. 13. Rav S.Z. Auerbach, quoted in Shemiras Shabbos k'Hilchasa, third edition, 1, note 83. 14. Igros Moshe, O.C. 4:74-26, 27; Minchas Yitzchak 3:28; Rav Y.S. Elyashiv (Otzros ha-Shabbos, pg. 98). 15. Rav A. Kotler (quoted in Sefer Hilchos Shabbos, pg. 354); Shevet ha-Levi 3:48. 16. Mishnah Berurah 318:117; Igros Moshe, O.C. 4:74:9. See Chazon Ish 37:15, who is somewhat more lenient. Weekly-Halacha, Weekly Halacha, Copyright © 2010 by Rabbi Neustadt, Dr. Jeffrey Gross and Torah.org. Rabbi Neustadt is Rav of [Detroit]. He may be reached at 216-321-4635. Questions or comments? Email feedback@torah.org. Join the Jewish Learning Revolution! Torah.org: The Judaism Site brings this and a host of other classes to you every week. Visit <http://torah.org> or email learn@torah.org to get your own free copy of this mailing. Need to change or stop your subscription? Please visit our subscription center, <http://torah.org/subscribe/> -- see the links on that page. Permission is granted to redistribute, but please give proper attribution and copyright to the author and Torah.org. Both the author and Torah.org reserve certain rights. Email copyrights@torah.org for full information. Torah.org: The Judaism Site Project Genesis, Inc. 122 Slade Avenue, Suite 250 Baltimore, MD 21208



Rabbi Yissocher Frand

from Rabbi Yissocher Frand
<ryfrand@torah.org> date Thu, Aug 19, 2010
at 11:05 AM subject Rabbi Frand on
Parshas Ki Seitzei

Rabbi Frand on Parshas Ki Seitzei

These divrei Torah were adapted from the hashkafa portion of Rabbi Yissocher Frand's Commuter Chavrusah Tapes on the weekly portion: Good Shabbos!

Yefas Toar: The Exception Proves The Rule

Parshas Ki Seitzei begins with a Torah law that is one of the most difficult to understand: the "beautiful woman" (yefas toar). The Torah says that when we go out to war, we will be victorious and take the spoils of war, including the captives. "And you will see a beautiful woman and you will lust for her and you will take her for yourself as a wife." [Devarim 21:11].

The Talmud discusses the sequence of the permitted relationship in terms of whether it precedes or follows conversion, but at least according to some opinions, the Torah did permit a Jewish person to cohabit with a non Jewish woman (at least one time) prior to her conversion. This leniency is mind-boggling and seems to fly in the face of everything we

know about the Torah's requirements for sexual morality. This is even more mind boggling when we consider it in the context of the Rabbinic teaching at the end of last week's parsha. There the pasuk says, "Who is the man who is fearful and soft of heart? Let him go and return (from the battle front) to his house" [Devorim 20:8]. Our Sages say that this refers to people who were afraid that their sins might stand in the way of their success in battle. If all who were the least bit afraid that their sins might be the cause of their downfall were entitled to a draft deferment, the remaining soldiers must have been extremely pious. How can it be, given such a righteous army, that the Torah needs a law such as Yefas Toar?

War is an environment the likes of which we should never know. It is a dehumanizing experience, which does crazy things to people. One has only to read the paper and listen to the news about abuses that have taken place in recent times, in and around situations of war and conflict. War has a pernicious and corrosive effect, even on people who are spiritually elevated. That is how such a thing can happen, as "you will see her in captivity and lust for her".

Rashi, quoting the Talmud [Kidushin 21 b], uses the expression "The Torah is speaking here only as a concession to the evil inclination. Would the Torah not allow the relationship to go forward in a permissible fashion, the soldier would take her in a forbidden fashion."

I saw a very interesting observation from Rav Chatzkel Abramsky, zt"l. The Talmudic expression is "Lo Dibra Torah ela K'NEGED yetzer harah" (literally, the Torah only spoke OPPOSITE the evil inclination). If the intent is that the Torah here was making a concession to the evil inclination, should it not be phrased as "Lo Dibra Torah ela B'AD (for the benefit of the) yetzer harah"? Rav Abramsky answers that this law is really AGAINST the yetzer harah. Sometimes in life, we are faced with situations which present us with extreme temptation to succumb to our evil inclination. There is a little voice that goes off in the back of our head that says, "Listen, this is impossible. No man can withstand the temptation you are confronting. Do it, because it is just too hard to resist." The little voice tries to convince us that G-d understands that it is too hard to resist such a temptation and He will therefore overlook our shortcomings.

This parsha confronts that little voice and speaks OPPOSITE it. This parsha tells us that there is ONE situation and ONLY ONE situation in life that presents a temptation that is so hard to resist that the Almighty recognizes that impossibility and therefore tolerates and even condones behavior that would normally be forbidden. Only in the situation of "Yefas Toar" in the time of war does the Torah recognize that there may be a need to "bend the rules" so to speak and allow for surrender to the evil inclination. G-d Himself, envisioning every single scenario that could possibly befall a human being, tells us that this is it. Yefas Torah is the ONLY exception to the rule.

When Jews came to America in the 1920s and 1930s they were faced with the challenge that "You either work on Saturday or don't bother showing up on Monday." These were the days before food stamps, HUD, and welfare. If they would not work, would literally not be any food to put on the table. If they were not able to pay their rent, the landlord could evict them onto the street. The Yetzer Harah came to so many people and told them "It is impossible. You cannot let your family starve."

We can imagine situations where people are confronted by spiritual challenges that seem beyond their human capability to withstand. The Yetzer Harah comes to us and tells us "This situation is different. Here you ARE allowed to violate the law. It is too hard to comply."

It is for such situations that the Talmud explains that the case of Yefas Tohar speaks AGAINST the argument of the evil inclination. The Torah is speaking against the evil inclination in all these other scenarios. Only by Yefas Tohar it is too hard. This argument cannot be used anywhere else.

The Hidden Lesson of Ben Sorer U'Moreh

The parsha of Ben Sorer U'Moreh (the wayward and rebellious son) contains the laws for handling a very particular case of a child who shows signs of rebellion. By today's standards, this is quite a mild form of rebellion – he steals a little money from his parents, he consumes a little meat and drinks a little wine. The parents bring him to court and testify that he refuses to listen to them. The fate of this child – at most a few months past the age of Bar Mitzvah – is that he is publicly stoned and everyone comes to watch and observe his execution.

There is a Talmudic opinion that this case never happened and never could happen. At most it would happen extremely infrequently. The main purpose of its inclusion in the Torah is so that we might homiletically expound upon it and gain reward thereby (d'rosh v'kabel sechar).

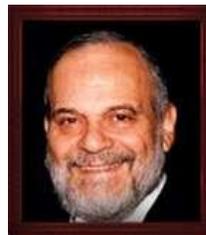
The Kli Yakar notes that the Torah's exhortation of "and let all Israel hear and fear" [Devorim 21:21] (regarding the execution of the wayward and rebellious son) is itself an uncommon expression. If ben sorer u'moreh is in fact a case that happens rarely if ever and if the primary function is just to serve as a theoretical lesson, then why does the Torah go out of its way to say "and let all Israel hear and fear"?

The Kli Yakar explains that this mitzvah serves as a great lesson to the Jewish people, who are called "sons of the Almighty" [Devorim 14:1]. The underlying message of the laws of Ben Sorer U'Moreh is that as "sons of the Almighty" we should not become overly confident that Hashem will always overlook our sins and tolerate our misbehavior. It is not true that fathers are always indulgent and always let their children get away with disobedience. We should not take it for granted that He will always overlook our sins.

The Kli Yakar comments on the pasuk in HaAzinu "lo banav mumam" (His children's is the blemish) [Devorim 32:5] that the fact that we are His children is our blemish. It causes cockiness on our part as we tell ourselves that we can get do whatever we want and get away with it. We rely too much on the fact that we are His children.

To impress upon us that sometimes a child can go too far and not get away with it, the Torah writes the chapter of the wayward and rebellious son. When we go too far, even our father drags us into court and has us executed! Even children cannot cross beyond a certain line. That is the lesson that "all Israel must come to hear and fear."

This week's write-up is adapted from the hashkafa portion of Rabbi Yissochar Frand's Commuter Chavrusah Torah Tapes on the weekly Torah portion. A listing of the halachic portions for the weekly parsha from the Tapes or a complete catalogue can be ordered from the Yad Yechiel Institute, PO Box 511, Owings Mills MD 21117-0511. Call (410) 358-0416 or e-mail tapes@yadyechiel.org or visit <http://www.yadyechiel.org/> for further information.



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<info@jewishdestiny.com> reply-to
info@jewishdestiny.com
tointernetparshasheet@gmail.com date Wed,
Aug 18, 2010 at 1:14 PM subject Weekly
Parsha from Rabbi Berel Wein - Parshat Ki
Teitzei

RABBI BEREL WEIN DISAPPOINTMENT

Friday, August 20, 2010 Printer Friendly

One of the truly major challenges of life is dealing with disappointment. In fact one can state that a great percentage of our living experience is taken up with dealing with the omnipresent feelings of disappointment that we experience in our social, family and national life. The Talmud teaches us that no human being leaves this world having even half of one's hopes and desires completely fulfilled.

This is not merely meant as a testimony to our insatiable feelings of greed and acquisitiveness. It expresses the fact that we are doomed to

disappointment in our lives and that this feeling of frustration and disappointment is unlimited. It extends to every facet of our life's experiences. It also expresses the deeper disappointment that we feel in ourselves for our past errors of commission and omission. It is really this sense of disappointment that exists within our psyches and souls that creates the field of mental health therapy and makes it almost a necessity for so many of us. Disappointment spawns depression on one hand and anger, aggression and violence on the other hand. Because of this stark fact, the great task in life is how to deal with disappointment and this is true again at every level of life – family, profession, the work place, government and international relations. Wars are born out of uncontrolled disappointment with the status quo. Witness the debacle of World War I and the havoc that it wreaked on humankind. Sometimes the feelings of disappointment are justified but in most instances it is the frustration that disappointment engenders that drives individuals and nations to behave wrongly, irrationally and eventually destructively. In my long decades of rabbinic experience I have noticed how children are disappointed in their parents, parents are disappointed in their children, and spouses are disappointed with each other. This even extends to synagogue members who are disappointed with their rabbi, rabbis disappointed with their congregations, in-laws disappointed with other in-laws - and the list is endless. Part of the reason for this prevailing sense of disappointment is the result of excessively high expectations. In counseling young couples trying to get past the rough patches at the beginning of marriage, I have always noticed the presence of a disproportionate sense of expectation as being the root of the problem. Life should be approached with high optimism but also with minimal expectations. The Talmud in one of its famous statements teaches: "Why should humans complain and be disappointed? Is it not sufficient that one is still alive?" Reality will always clash with our hopes, plans and feelings of entitlement. The great current Hebrew phrase *zeh mah sheyesh* – this is the reality of the situation that we face – is the touchstone of Jewish survival and accomplishment over the ages. If there ever is a people entitled, so to speak, to feel cheated and disappointed it is the Jewish people - hated, hounded and persecuted for centuries on end. Yet, the feeling of disappointment, in its unrealized destiny and the Jewish fate and situation generally, never was allowed to take hold in Jewish life. And this resistance to allowing the emotion of disappointment to overwhelm our lives extended to the Jewish home and family as well. The Jew was born with lofty ambitions and hopes for spiritual greatness coupled with a lowered level of expectation in worldly matters. Divorce was much rarer in Jewish society than it is today though that does not necessarily mean that all marriages were happy, smooth relationships. But minimizing expectations helped build homes and families on solid foundations. The drive for excessive wealth was also tempered – and though poverty was and is not a virtue in Jewish life and thought – the standards of living were moderate even when one had the money to live in a grander style. The differences in wealth and grandeur were minimized in Jewish society and this helped squelch a general feeling of disappointment in one's self or in life generally. Judaism always preached that less is more in all facets of life. Such an attitude will undoubtedly minimize disappointments, which will, nevertheless, always occur as that is the stuff that makes up our lives. The month of Elul is a good time for us to deal with our disappointments in life and help minimize, if not even dissipate, many of them. Forgiveness of others and of ourselves is the entry gate to true repentance, mental health and ultimate salvation. Forgiveness is a way to deal with disappointment. It does not eliminate the feeling but it allows one to move on in a more positive fashion. This is an important Elul idea to keep in mind and to attempt to implement it in our daily lives year round. Shabat shalom Berel Wein

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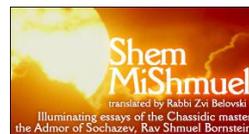
RABBI BEREL WEIN

Weekly Parsha

KI TEITZEI

Friday, August 20, 2010 Printer Friendly

The parsha of Ki Teitzei contains the second most numerous count of mitzvot in the Torah, topped only by the count of mitzvot in the parsha of Kdoshim in Chumash Vayikra. The commentators to the Torah discuss why these mitzvot that first appear in Ki Teitzei, all of whom are ultimately derived from the granting of the Torah at Mount Sinai almost forty years earlier, find their place in the Torah here in Moshe's final oration to the Jewish people. Their approach to the issue differs. Some are of the opinion since many of these mitzvot are related to war, settling the land, domesticated human life and the like they appear here because of the impending life altering change for the Jewish people. from a miraculous existence in the desert to a more natural and normal society living They were now in their own land with all of the changes and problems that such a radical shift of circumstances implies. Others merely say that this is an example of the Talmudic dictum that the Torah is not bound in its teachings and text to any narrative time line; there is no chronological order to the Torah. Even though these mitzvot appear to us in writing here for the first time in the Torah text, they were essentially already taught to the Jewish people in the desert long before by Moshe. There are other explanations to the placement of these mitzvot here in our parsha advanced by many of the great commentators to the Torah. All possible explanations are valid and they are not mutually exclusive. If I may be bold enough to add my insight to this matter as well, I would say as follows: The Jewish people are now about to become a nation and to establish their own government in the Land of Israel. They will have to fight many battles, bloody and painful, to establish their right to the Land of Israel and to establish their sovereignty over the territory that it encompasses. They will need an army, a civil government, a judicial system, an economy and labor force and all of the other necessary trappings that accompany nation building and establishing a territorial entity and effective government. In the face of these demands it will be likely that they will think that they may discard the spiritual yoke of the mitzvot imposed upon them at Sinai. It will be easy to say that mitzvot were necessary in the Sinai desert where no other demands on our time, energy and service existed for us. But now we have more pressing business at hand and therefore the punctilious observance of mitzvot is no longer required of us. Moshe comes in this parsha, in the midst of his valedictory oration to the Jewish people, to remind them that mitzvot and Torah are the only effective guarantee of Jewish success and survival even while engaged in building and defending Jewish sovereignty in the Land of Israel. Moshe in effect says to them: "Here are some more mitzvot that will help you succeed in building the land and your sovereignty over it." Moshe's message is as germane to our time as it was to the first Jews who arrived en masse to settle in the Land of Israel thirty-three centuries ago. Shabat shalom. Rabbi Berel Wein



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**Shem MiShmuel - Admor of Sochazev,
 Rav Shmuel Bornstein
 Reward in the Next World by Rabbi
 Zvi Belovski**

Rabbi Abba bar Kahana said: "God says, 'Do not sit and weigh the mitzvos of the Torah...Don't say, "Since a particular mitzvah is significant, I will do it because its reward is great, and since another mitzvah is less significant, I won't do it." ' God did not reveal to His creations the reward for any particular mitzvah, so that they should perform each mitzvah with perfection... God did not reveal the reward

for any mitzvah except for two: the hardest and the easiest. Honoring parents is the hardest, and its reward is long life, as the verse say:

Honor your father and your mother so that your days may be lengthened... (Shemos 20:12)

The easiest is sending away the mother bird. What is its reward? It is long life, as the verse says:

Certainly send away the mother and take the chicks for yourself, in order that it will be good for you and you will have lengthened days (Devarim 22:7)." (Devarim Rabbah 6:2)

One of the many mitzvos in this week's Torah portion is that of shilu'ach hakein, sending away the mother bird, and it is for this reason that this rather general midrash is recorded here. The midrash actually promotes some difficulty. Is it really true that mitzvos have equal reward in order to prompt us to devote equal time to each? This appears to be contradicted by the following mishnah:

Ben Hey Hey says, "According to the effort, so is the reward." (Avos 5:26)

Apparently, the more effort that goes into mitzvah performance, the greater the reward that will be reaped. How may we reconcile these two statements of our Sages?

In order to do so, we must first address another problem: the nature of the reward for mitzvah performance. Our Sages tell us:

There is no reward for mitzvos in this world...[The Gemara then relates a story of a person who died while sending away the mother bird at the behest of his father, thus performing both mitzvos, which should have given him long life.] Where was this person's long life? Rather, these promises refer to "days" which are eternally long [in Olam HaBa, the Next World]. (Kiddushin 39b)

It is obvious that Olam HaBa is completely unlike anything which a mortal has experienced. It is utterly impossible to describe it or depict it in any way. Just as it is impossible to describe colors to a blind person or music to a deaf person, so too, it is impossible to depict Olam HaBa in human terms. In reality, one may explain this issue quite simply. It is clear that Olam HaBa is an entirely intellectual or spiritual environment completely hidden from the physical, revealed world which we inhabit. These two worlds are incompatible in the extreme, and thus the reward which one receives in Olam HaBa for actions carried out in Olam HaZeh (this world) cannot be revealed to mere mortals. It is therefore necessary to reinterpret the reward which appears to be offered by the Torah for observing the mitzvos of honoring parents and sending away the mother bird. The long life which is promised cannot possibly describe the actual nature and quality of the life in Olam HaBa, for the reasons which we have already mentioned. Instead, God guarantees that as a reward for these mitzvos, one will merit to receive a share in Olam HaBa, which is a world of infinite length and goodness. But the nature of the reward which is available there cannot be depicted in human terms.

Of course, this does not preclude the possibility (and indeed great likelihood) that the quality of the reward received there differs from mitzvah to mitzvah. In fact, it seems only reasonable that the nature of a mitzvah's reward should alter according to the exact circumstances of its performance. Many factors, including the level of intellectual and emotional involvement with the mitzvah and the quality of one's love, fear, and attachment to God at the moment of action, will determine the standard of the final product. This is discussed by the mishnah in Avos, which states that the reward is commensurate with the effort invested in the mitzvah. But the fact that a reward (at least of some sort) in Olam HaBa follows from mitzvah observance is indeed equal - performing any one has this advantage.

This enables us to return to our original midrash. Our Sages warn against weighing the relative values of mitzvos in order to decide which to do and which not to do. Every mitzvah, as we have seen, provides a portion in Olam HaBa, whether "significant" or less so. But since the

actual reward will always be dependent upon the quality of one's intellectual involvement in the performance of the mitzvah, it is utterly impossible, and indeed futile, to calculate the merit which will accrue to it. For if one performs a "major" mitzvah with little enthusiasm, little merit will accrue, whereas the performance of even a "minor" precept with tremendous passion and a great measure of love for God will produce a magnificent reward in Olam HaBa. While we know that every mitzvah produces Olam HaBa, the observance of any one may generate a great or small reward. As such, we ought not to consider the relative merits of mitzvos but instead perform every one with gusto and joy.

Excerpted from Shem MiShmuel by the Sochatchover Rebbe, rendered into English by Rabbi Zvi Belovski, published by Targum Press. Click here to order.



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to ravhirsch@torah.org date Thu, Aug 19,
2010 at 3:05 PM subject

The Timeless Rav Hirsch - Parshas Ki Seitzei

Parshas Ki Seitzei Xtreme LawI

"Hard cases make bad law." So goes a familiar legal

adage. Laws do best when they apply to the colorless, boring, uncomplicated cases that make up ordinariness. The wisdom of a law sparkles when it addresses the quotidian; special circumstances crowd out that wisdom, and make it seem inadequate.

Torah, as might be expected, works quite differently. The Torah seems to make a point of introducing important laws in the context of the extreme, not the ordinary. Perhaps it is only law of human manufacture that breaks down when the going gets rough. Divine law can take the heat. Its principles owe to their connection to a Truth more permanent than the vicissitudes of human experience. They remain true and applicable over a greater range of circumstances.

At the beginning of our parshah, we find the Torah moving away from the themes of Shoftim. Those dealt primarily with the general affairs of the Torah nation. Those affairs had to be put on sure footing, because the people were about to enter the Land and settle it. Now the Torah moves to affairs of family and interpersonal relationships. Until this point, Bnei Yisroel had lived a largely artificial existence, with all their needs miraculously addressed by Hashem Himself. The community was centralized, answering to the authority of Moshe, who received direct instruction from HKBH. Fewer problems arose, and Moshe was around to put out small fires.

This would all change. The people would fan out across the Land. They would have to tend to the needs of sustenance, while putting together a national and community framework. These dramatic changes would place great stress on families, and remove them from the positive influence of neighbors and community. (On the other hand, taking charge of family life is one of challenges that Hashem designed into the normal and expected course of every Jew's life. That challenge had been artificially suppressed until now. Coming into the Land, each head of a household would now have the opportunity to live the life Hashem designed for us as "normal" human beings.) It was now crucial to educate the people concerning the values and institutions that the Torah provides to guide the Jewish family. Our parshah therefore addresses family life itself, the relationship between the genders, marriage, the relationship between parents and children, and children to parents. All of these are put into the context of the Torah's expectations that we deal with all important matters through fealty to the demands of mitzvah-observance, to justice, to brotherly love, and to living on an elevated moral plane.

How does the Torah introduce this mega-topic? Through an example in the extreme. The parshah begins with a consideration of the most

vulnerable woman of all – the woman captured in battle. If the captive is not taken as a wife – after a long process that aims at cooling the Jewish soldier's passions and restoring some common sense to his decision – she must be set free. The Torah assures that she will not be kept around as an object to be trifled with. Effectively, the Torah proclaims the bodily and sexual integrity of every woman against the passions of men – and makes this statement by picking extreme circumstances.

The Torah acted similarly in Parshas Mishpatim, when it first set down the laws that crafted a stable society, bound and restricted by civil rules that would make social cohesion possible. The very first example that the Torah chose to present concerned the marginalized and forgotten members of society: the criminal (forced into long-term servitude to make restitution for his theft), and the poorest of the poor (the Jewish servant girl, apprenticed to a more well-off family in desperation by a father who cannot provide for her.) Here, too, by focusing on the extreme and unusual, the Torah makes a powerful point about the need for consistency in justice and compassion.

In the neighborhood of our parshah, two other examples fit into the same pattern. The Torah prohibits wanton destruction and even wastefulness. We are to cherish the utility of all things, and take nothing for granted. The Torah chooses to plant this lesson in the context of unusual and extreme circumstances – warfare[2]. Cutting down fruit trees on the front becomes the instructional modality for teaching us about general destructiveness.

Similarly, the Torah later on will tell us about the need to keep our general conduct, dress and speech modest, free of provocative attraction and suggestiveness. We are to keep our immediate environment free of human wastes and spiritual contaminants when we turn to holier pursuits such as prayer and Torah study. Here, too, the Torah chooses to use the extreme example of the military camp[3] – where such niceties are often ignored – to convey these laws.

The Torah chooses extreme cases to tell us that it will allow no compromise with its principles. It will not abandon those principles even in unusual circumstances. From this we are to understand how demanding it is of us in ordinary and usual circumstances. The Torah is demanding - in the extreme.

1. Based on the Hirsch Chumash, Devarim 21:10 2. Devarim 20:19 3. Devarim 23:10

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from Shlomo Katz <skatz@torah.org> reply-to skatz@torah.org, genesis@torah.org to hamaayan@torah.org date Thu, Aug 19, 2010 at 10:05 AM subject HaMaayan / The Torah Spring - Parshas Ki Seitzei mailed-by torah.org

Volume 24, No. 44 11 Elul 5770 August 21, 2010

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

Today's Learning: Tanach: Ezra 9-10 Pe'ah 5:7-8 O.C. 529:1-3 Daf Yomi (Bavli): Avodah Zarah7 Daf Yomi (Yerushalmi): Terumot 6

The Midrash Rabbah cites the verse in our parashah, "If a bird's nest happens to be before you," and asks: What is the halachah regarding a boy who is born circumcised? Must he be circumcised? The midrash answers: Our Sages taught, "If a boy is born circumcised, blood must be let from the place of circumcision because of the covenant with Avraham Avinu." The midrash continues: Why is a baby circumcised on the eighth day? Because Hashem has compassion on him and waited until the baby has gained some strength. And, just as Hashem has compassion on mankind, so He has compassion on animals, as it is written (Vayikra 22:27), "When an ox or a sheep or a goat is born, it shall remain under its mother for seven days." Further, it is written (Vayikra 22:28), "An ox or a sheep, you may not slaughter it and its offspring on the same day." And, just as Hashem has compassion on animals, so He has compassion on birds, as we read here, "Send away the mother and take the young for yourself if."

Why is a halachah regarding brit milah mentioned here? R' Yitzchak Ze'ev Yadler z"l (1843-1917; Yerushalayim) explains: Since the midrash is going to expound at length on the mitzvah of sending away the mother bird before taking her offspring, the midrash wanted to open by mentioning Hashem's compassion on humans, i.e., that He instructs us to wait until the baby gains some strength before circumcising him.

Why is the midrash uncertain whether a boy who was born circumcised requires further circumcision? R' Yadler explains that the inquiry is whether the purpose of brit milah is simply to remove the impurity of the orlah / foreskin--which this child does not have--or to perform an affirmative act to enter the covenant. The midrash answers that the latter is correct. (Tiferet Zion)

"If a man takes a wife . . ." (22:13, 24:1 and 24:5)

Our Sages frequently use a "wife" as a metaphor for the Torah. R' Yitzchak Isaac Chaver z"l (1789-1852; rabbi of Suvalk, Lithuania, and a prolific author in all areas of Torah study) explains that just as one creates physical progeny together with his wife, so one creates spiritual progeny - Torah novellae and good deeds - through his Torah study. Moreover, just as one's wife is an "ezer k'negdo" - i.e., she is supportive when her husband is meritorious and is an obstacle when her husband is not meritorious - so the Torah is an "elixir of life" to those who study it with pure motivations, but a poison to those who misuse it.

Shlomo Ha'melech wrote (Mishlei 5:18), "Rejoice with the wife of your youth." R' Chaver comments: The real wife of one's youth is the Torah, for it was his companion in the womb. The Gemara (Sotah 2a) teaches that forty days before a child is conceived, a heavenly proclamation announces, "The daughter of so-and-so is destined for so-and-so." This also is a metaphor for Torah. Just as the Torah was given to Moshe Rabbeinu over a period of forty days, so preparations are made for forty days to give each person his true portion - the Torah that he will learn over his entire lifetime. (Quoted in Otzrot Rabbi Yitzchak Isaac Chaver p.9)

"You shall not see the donkey of your brother or his ox falling on the road and hide yourself from them; you shall surely stand them up, with him." (22:4)

Rashi z"l explains the last two words of the verse to mean that you are not obligated to assist the falling animal if its owner sits idly by. You are only obligated to help "with him." R' Yehoshua Horowitz z"l (the

Dzikover Rebbe; died 1912) explains this verse and Rashi's comment allegorically as follows:

The future redemption will be brought about as a result of our teshuvah / repentance. It will come about through what kabbalists refer to as "Itaruta de'le'tata" / "awakening from below." On the other hand, our Sages teach that if Hashem did not help us to overcome our yetzer hara, we could never do it on our own.

Our Sages say there will be two meshichim (messiahs) to herald the redemption--one from the tribe of Yosef, the other from the family of King David. The ox in our verse alludes to Mashiach ben Yosef (see Devarim 33:17); the donkey to Mashiach ben David (see Zechariah 9:9). "You shall surely stand them up," our verse says. Do your part to support the arrival of Mashiach ben Yosef and Mashiach ben David.

However, your actions must be "with Him." Hashem must help us overcome the yetzer hara, thus doing His part to bring mashiach. (Ateret Yeshuah)

"Beware of a tzara'at affliction . . ." (24:8)

R' Yisrael Isser of Ponovezh z"l (Lithuania; mid-19th century) writes: One of the forms of tzara'at is manifested by skin that appears healthy on the surface, though underneath the area is full of pus. The Torah (Vayikra 13:11) says of a person who has such a blemish, "The kohen shall declare him contaminated." This teaches that a person who acts as if his motivations are pure, though in reality they are not, is tamei. For example, when one is offended and he reacts negatively, he may say, "I am not angry for my honor, but rather for the honor of the Torah that I have studied. Of course, I am not so vain as to think that I am a Torah scholar, but compared to the person who offended me . . ."

How can a person who lashes out "for the Torah's honor" measure whether his motivations are pure? Let him examine how he reacts when he sees a Torah scholar other than himself being offended. Also, how does he react when he sees a volume of a Torah work being treated disrespectfully? Finally, does this person who considers himself a minor Torah scholar defame the honor of the Torah by acting inappropriately himself? (Menuchah U'kedushah p.83)

"[W]hen you were faint and exhausted, and did not fear G-d." (25:18)

R' Yitzchak Eliyahu Landau z"l (Vilna; 19th century) writes: One who truly has yirah / fear and awe of G-d is happy to perform mitzvot. The more the effort that is required and the greater the expense, the greater pleasure he feels from the mitzvah. Such a person does not feel faint or exhausted from doing G-d's Will.

On the other hand, if a person does feel faint or exhausted from performing mitzvot, this is a sure sign that his yirah is incomplete. Thus, when Bnei Yisrael started complaining about their circumstances in the desert and asking (Shmot 17:7), "Is Hashem among us or not?" - it was a sign that their yirah was lacking. [Ed. The quoted verse from Shmot and our verse are parallel accounts of the same event - the attack by Amalek.]

R' Landau continues: In this light we can understand the verses in Yishayah (58:3-4), "Why did we fast and You did not see? Why did we afflict our souls and You did not know? Behold! On your fast day you seek out personal gain . . ." The Jewish People ask Hashem: "Why did we fast and You did not see? Why did we afflict our souls and You did not know? We fasted on Yom Kippur. Why did You not answer our prayers?"

Hashem answers: "Your own words prove that you did not fast for the sake of Heaven, for you say, 'Why did we afflict our souls?' Clearly, 'On your fast day you seek out personal gain,' rather than to serve Me, for if your motives were proper, you would not feel afflicted." (Chumash Patsheggen Ha'dat: Kiflayim Le'Tushiah)

Come Early, Stay Late!

"Seekers of Hashem, seed of Avraham His beloved, who delay departing from Shabbat and rush to enter." (From the Friday night zemer, Kol Mekadeish)

The phrase, "offspring of Avraham His beloved," is an allusion to the verse in Yeshayahu (41:8), "But you, Yisrael, My servant, Yaakov, whom I have chosen, offspring of Avraham who loved Me." Rashi z"l explains that Avraham did not seek Hashem as a way to escape suffering, nor because his parents taught him about G-d. Rather, Avraham sought G-d because he loved Him.

R' Nachum Eisenstein shlita (Lakewood, N.J.) quotes R' Yaakov Emden z"l (died 1776), who writes that our zemer is teaching us how we can earn the title "Seekers of Hashem, seed of Avraham His beloved." One who strictly observes the laws of Shabbat, lighting candles at exactly the right moment and reciting havdalah at exactly the right moment has fulfilled his legal obligation, but he is not a "Seeker of Hashem." One who loves Hashem as Avraham did will delay departing from Shabbat and will rush to bring Shabbat in early.

Why does the author of the zemer mention the end of Shabbat before the beginning? R' Eisenstein suggests that bringing Shabbat in early is less of an indication that one loves Hashem than is ending Shabbat later. This is because a person might bring in Shabbat early for his own convenience, as many people do in the summer. (Rinat Yaakov Al Zemiroth Shabbat p.80)

Our Sages teach that the mitzvah of Shabbat was originally taught to Bnei Yisrael before the Torah was given, at a place called "Marah" (literally, "bitter"). R' Aharon Perlow of Karlin z"l (1802-1872) writes in the name of his father, R' Asher of Stolin z"l that when one first experiences Shabbat with all of its restrictions, it may very well be "bitter." With time and experience, however, one comes to know the sweetness of Shabbat, and then he will hurry to bring it in and delay in leaving it. (Quoted in Zemiroth Shirin Ve'rachshin p.151)

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