

BS"D



To: parsha@parsha.net
From: cshulman@gmail.com

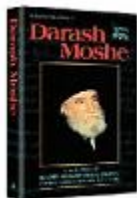
INTERNET PARSHA SHEET
ON **KI SEITZEI** - 5766

In our 11th cycle. To receive this parsha sheet, go to <http://www.parsha.net> and click Subscribe or send a blank e-mail to subscribe@parsha.net Please also copy me at cshulman@gmail.com A complete archive of previous issues is now available at <http://www.parsha.net> It is also fully searchable.

This week's Internet Parsha Sheet is sponsored by:

- 1) **Nesanel and Deena Feller** ndfeller@optonline.net l'kovod the 5th **yahrtzeit of Nechama Feller** (Nechama bas R' Chaim);
- 2) **Bob & Goldie Kikin** robert.kikin@smithbarney.com in honor of **Kalman's Aufruf** and upcoming marriage to **Yocheved Kahan**; and
- 3) The **Fiskus family** fiskusdia@aol.com in memory of yahrtzeit of **Shmuel Gronim ben Eliezer** and **Harav Natan Nata ben Simcha Tuvia**

To sponsor an issue (proceeds to Tzedaka) email cshulman@gmail.com



<http://www.artscroll.com/Chapters/>
From **Darash Moshe** A selection of Rabbi Moshe Feinstein's choice comments on the Torah.

By **Rav Moshe Feinstein**

Parashas Ki Seitzei

Remember what Amalek did to you (25:17).

We must understand why there is still a mitzvah of remembering the act of Amalek today, even though in our present exile we would be forbidden to perform the mitzvah of eradicating him even if we knew for certain which peoples belong to Amalek.

In my humble opinion, the point of this mitzvah is to remind us now that it is possible for any creature of flesh and blood to become as wicked as Amalek, and like him to deny Hashem's role in the world even though he sees irrefutable evidence of it, as Amalek saw at the Splitting of the Sea and in the other miracles Hashem did for us in the Wilderness. The Sages (Midrash Tanchuma, Ki Seitzei 9) compared Amalek to someone who, seeing a bath of boiling water which all others were afraid to touch, nonetheless leaped into it. Despite the fact that he himself was badly scalded, he cooled the bath water to a degree where others could then also take the plunge of bathing in it. Similarly, all the miracles Hashem had done for the Jews did not deter Amalek from attacking them and making it possible for others also to want to wage war against them.

The lesson we learn is that each of us, however great his spiritual accomplishments, must worry that he himself might be tricked into committing the most serious sins, even those that everyone considers to be most despicable. Just as Amalek fell so low, we must also be afraid that any of us can fall equally low. Not only must each of us distrust his ability to persist in the good practices he has established for himself, he must also be continually on his guard for even the most serious sins, such as theft, murder, adultery, and the like.

Thus, after all the fervent prayers and confessions we offer on Yom Kippur, the Sages still required us to entreat Hashem in the Ne'ilah prayer

on Yom Kippur to help us withdraw our hands from oppression. From this we see that no one may consider himself immune from committing even the gravest of sins, and allow himself to concentrate only on strengthening his positive aspects. No! All of us are made of the same flesh and blood as Amalek and the wicked of all other generations, and when the Sages warned us (Avos 2:5), Do not believe in yourself until the day of your death, they had each and every one of us in mind, and were afraid that anyone, without exception, could stumble in any of the mitzvos of the Torah.



[http://www.aish.com/societyWork/sciencenature/Going_Extinct\\$.asp](http://www.aish.com/societyWork/sciencenature/Going_Extinct$.asp)

<http://www.torah.org.il/features/secondlook/noah.html>

Going Extinct
by **Rabbi Nosson Slifkin**

Published: February 13, 2005

Later this month, an extraordinary event is due to take place: A cow will give birth in Iowa. Cows give birth all the time (especially in Iowa), but the difference is that this cow is not giving birth to another cow, but rather to a gaur.

Gaurs are huge ox-like animals from Asia that are highly endangered. Formerly hunted for sport, they now suffer from habitat loss and could soon be extinct. A novel attempt is now being made to save the gaur by cloning them, thereby enabling ordinary cows to produce new gaurs. The first gaur, destined to be born this month, is due to be named Noah (although perhaps a better name would be A1).

Other rare animals, too, are scheduled for cloning, including the bongo, cheetah, Sumatran tiger, and, of course, the giant panda. It might even be possible to bring back an animal that is already extinct. The last existing bucardo, a mountain goat from Spain, died of a smashed skull when a tree fell on it early this year, but scientists have preserved some of its cells.

This is not a straightforward procedure, however, as even if there are remaining surviving animals, they are too rare to be used as host mothers. This means that similar species must be persuaded to accept the cells of the clones -- by no means a simple process. To produce the gaur clone required 692 attempts.

FROZEN DNA

Why spend so much effort and expense to save one species? What difference does it make if it becomes extinct? Why is conservation important anyway?

One answer is that animals have extraordinary use to human beings. Scientist Michael Zasloff discovered that African clawed frogs secrete antibiotics. He named these substances magesinins, after the Hebrew word magen, "shield." Cancer-fighting molecules are obtained from the liver of the dogfish shark. Similar substances are found in chonemorpha macrophylla, a climbing plant that grows from Java to the foothills of the Himalayas. Even the most obscure animals and plants have an important function.

Yet this answer has a limited application. The January edition of "National Geographic," discussing the extensive efforts to save species of endangered birds from extinction, raised this difficulty. Writer Virginia Morell interviewed Stuart Pimm, a man working to save the entirely unremarkable Cape Sable sparrow. She admitted the dilemma: "The Cape Sable sparrow, of course, is not likely to lead to a cure for cancer or to any other earthshaking discovery. Nor are most species around us. Why would it matter if this little bird, or any of the 1,100 others on Pimm's list, became extinct?"

Morell left this question unanswered. And there doesn't seem to be any good answer. How can one justify the vast effort of money, time and resources required to save obscure animals from extinction?

With the latest advances in genetic technology, this question becomes even more potent. The current issue of "Scientific American" raises the

concern that the new cloning technology will actually further hasten the destruction of animals and their environment. This is because once it becomes possible to clone an animal, there will be less incentive to maintain a population in its natural habitat -- when it can be preserved as DNA samples in a freezer?

It is easy to imagine that conservation efforts would lose support once Cape Sable sparrow DNA can be preserved and kept for the rare chance that it may prove useful in the future. We might have a gut feeling that it is nevertheless important to preserve the natural world, but how can we rationally justify this?

INTRINSIC VALUE

From a Jewish standpoint, additional factors enter the picture. The Torah prohibits taking both a mother bird and her young from the nest: "If you happen across a bird's nest... Do not take the mother bird together with the children" (Deut. 22:6). The 13th century scholar Nachmanides explained that taking a mother bird together with its young indicates that one does not care for the perpetuation of the species -- since it destroys two generations of animal life and leaving no possibility of future descendants from either. This is therefore forbidden.

Which begs the question: Why is it so important to care for the perpetuation of the species? The answer is alluded to in a statement by King Solomon: "Look at the work of God, for who can rectify that which he has damaged?" (Ecclesiastes 7:13)."

The Midrash explains: "At the time when G-d created Adam, He took him around the trees of the Garden of Eden. G-d said to him, 'Look at My works, how beautiful and praiseworthy they are! Everything that I created, I created for you. Take care that you do not damage and destroy My world, for if you damage it, there is no one to repair it afterwards!'" (Midrash - Kohelet Rabbah 7)

If the world is some sort of random accident, then there is little reason to save animals from extinction. Given the small odds that it may prove to have some vital use for man, and with modern cloning technology, all we need to save is its DNA.

However, if one believes that the universe was created with meaning and purpose, then everything is precious. The Midrash spells this out: "Even things which appear to you to be superfluous in the world, such as flies, fleas and mosquitoes, are also part of the creation of the world. G-d performs His operations through the agency of all of them, even through a snake, mosquito or frog." (Midrash - Genesis Rabbah 10:7)

Indeed, sometimes a species' purpose may be obvious, such as with the African clawed frog. But even when no purpose is apparent to us, we can be sure that one nevertheless does exist.

Today, society is plagued by a disease called "Disposability." We have forgotten the principle that "everything has value." When a toaster breaks, we buy a new one. When a shirt tears, we get a new one. And how do we subconsciously carry this into our relationships? When a marriage is dull, do we get a new one?

Our lives are filled with objects, items, people and ideas. Each has its own purpose and meaning, waiting to be discovered. Everything is a special gift from God.

The world is not disposable. Each species of animal did not "just happen." G-d intended it to be. And it is our obligation to preserve it.

From: ravfrand-owner@torah.org on behalf of **Rabbi Yissocher Frand** [ryfrand@torah.org] Sent: August 30, 2006 10:33 PM To: ravfrand@torah.org Subject: Rabbi Frand on Parshas Ki Seitzei "RavFrاند" List - Rabbi Frand on Parshas Ki Seitzei -

The Homiletic Lesson of Not Plowing With an Ox and Donkey

This week's parsha contains the prohibition of plowing with an ox and donkey together [Devarim 22:10]. The Torah lists three examples of prohibitions related to mixed species in close juxtaposition. We cannot sow

our field with mixed seed (kila-ay zera), we cannot plow our field with an ox and donkey together (a form of kila-ay beheimah), and we cannot wear garments made of wool and linen combinations (kila-ay begadim -- shatnez).

In the final analysis, all laws regarding forbidden species fall into the category of Divine Decrees (Gezeiras haKasuv) that have no apparent reason. Nonetheless, there is a fascinating comment from the Daas Zekeinim m'baalei haTosfos regarding the prohibition against harnessing together an ox and donkey that does shed some insight -- at least homiletically -- into this prohibition.

The Daas Zekeinim offers a logical explanation why the Torah forbade this particular combination of animals. The ox, the Daas Zekeinim says, chews its cud, while the donkey does not. In other words, two animals would be working next to each other, one kosher and one non kosher, one that chews its cud and one that does not chew its cud. The donkey would see the ox chewing and imagine that it must be eating. The donkey would become upset: "I'm working and not eating, while my 'yoke-mate' is working and eating at the same time!"

The Daas Zekeinim's message is that we need to make sure that we are compassionate even towards our animals. We do not want to put the donkey in a situation where he will feel jealousy towards the ox. The eminently obvious (kal v'chomer) conclusion from this lesson relates to human relationships. If we are even commanded to worry about the jealousy we might inspire in a donkey, which most likely has very little pain or anguish from such a situation, certainly we need to be worried about human beings, who are very sensitive to jealousy. Our friends and neighbors are very sensitive to "what the other guy has". We certainly should not do things that incur the envy and jealousy of other human beings.

Getting Credit For "Selfish" Actions

Later in the parsha, the Torah mentions the prohibition against a Moabite or Ammonite (male) ever marrying into the Jewish nation [Devarim 23:4]. This is a harsher restriction than that levied against the Egyptians, whom we are allowed to accept as marriage partners after 3 generations. Despite the fact that, historically, we would assume that the Egyptians treated us worse than the Moabites, the Moabites are more restricted than the Egyptians "because they did not greet you with bread and water on your journey when you came out of Egypt and because they hired against you Bilaam son of Beor... to curse you."

In past years, we have cited the Ramban's opinion that the reason for the harsher treatment against Amon and Moab was due to the fact that they were "cousins" who should have repaid the favors to the Jewish people that our ancestor Avraham did for their own ancestor, Lot. Their lack of gratitude (hakaros haTov) and particularly their repaying good with bad -- by hiring Bilaam to curse the Jews triggered the Torah's insistence that they never be allowed into "the Congregation of Hashem."

This year, we would like to focus on the continuation of the pasuk [verse], which states, "And the L-rd did not hearken to Bilaam and He inverted Bilaam's curses to blessings for the L-rd your G-d loves you."

The Dubno Maggid asks a simple question here: This is history. Parshas Balak describes the whole narrative. Balak hired Bilaam to curse Klal Yisrael. Bilaam tried to curse them several times, but every time he tried, the words came out a blessing. This is not germane to Parshas Ki Seitzei and the prohibition of marrying Moabites and Ammonites! It may make sense for the pasukim to explain the wickedness of the Moabites by mentioning that they hired Bilaam to curse us. But the fact that "G-d did not wish to listen to Bilaam" is not germane to the issue at hand. We know that already!

The Dubno Maggid explains: Perhaps the Moabites will argue that they did us a favor. In hindsight, they paid for beautiful blessings that were bestowed upon the Jewish people. Even though that might not have been their initial intent, nonetheless, from the historical perspective they can

claim that they indirectly benefited us. To counteract this line of reasoning, the Almighty answers them: "No. You are not going to get away with such an argument. Do not try to say that you did Klal Yisrael a favor. The only reason why it resulted in blessing is because I chose not to listen to Bilaam. You tried to do a wicked sin, but I interceded to prevent it from taking place."

The Dubno Maggid continues as follows: We see from here that the only reason why they did not get credit for collateral benefit that emerged from their actions is because their intent was malicious. They would have gotten credit if their intent was not malicious, but perhaps only self-serving. If in the course of an action taken for my own benefit, an indirect benefit emerges for someone else -- I can be credited with having done a mitzvah.

Rav Aharon Kotler writes that if one hires a friend to fix his house, he is credited with doing the worker a Chesed [act of kindness]. Although his primary intent was clearly "selfish" -- to have his house repaired, since he thereby provided a livelihood for his friend as well, he will get reward for that mitzvah. As long as a person's intent is not malevolent, any benefit that derives to someone else is counted as a Chesed.

Putting The "Snap Crackle and Pop" Into One's Marriage Relationship

Later in the Parsha, the Torah says (regarding the draft deferment of the Jewish soldier for the first year after his marriage): "He shall be free to go home and make his wife happy (v'seemach es ishto) for one year." [Devorim 24:5]

Rashi comments on the words "v'seemach es ishto" by citing the Aramaic Targum: "v'yachdee yas itsei". Rashi explains that anyone who translates the pasuk to mean "v'yachdee IM itsei" is making a mistake. The two versions of Aramaic translation quoted by Rashi hinge around the interpretation of the Hebrew word "es". "V'seemach ES ishto" could mean "You should MAKE your wife happy" or it could mean "You should be happy WITH your wife." Rashi says the former translation is correct and the latter translation is erroneous. Rashi supports his position by stating that the meaning of the 'piel' grammatical form of the word v'seemach is to make someone else happy. Had the meaning been "you should rejoice WITH your wife," the expression would have appeared as "v'sAmach es" not "v'sEEmach es".

However, the Targum of Yonasan ben Uziel quotes the very translation that Rashi rejects as erroneous. Yonasan ben Uziel was a Tanna! How can Rashi imply that a Tanna does not know how to properly translate a pasuk in Chumash?

The Shemen HaTov offers a beautiful interpretation to resolve this difficulty.

Certainly, the meaning of the pasuk is -- as Rashi says -- that the husband must try to make his wife happy. But if one's intent in marriage is to make the other partner happy then they will ultimately find happiness together. A marriage only works when each party is trying to make the other one happy. When each person tries to make the other one happy, they will wind up both being happy. On the other hand, if one approaches marriage from the perspective "What is in it for me?" then no one will be happy.

This interpretation of the Shemen HaTov could shed light on the universally expressed blessing when a child is born that the parents merit to bring the child to Torah, to the marriage canopy (Chupah), and to ma'asim tovim (good deeds).

The sequence of this blessing is often questioned. Why do ma'asim tovim appear last in the list? It sounds from this wish like good deeds only begin after one is married. Is that the case?

I once heard the following explanation: When one is single and he goes shopping for breakfast, he walks down the cereal aisle to make his selection. He thinks to himself, "What kind of cereal do I like? Cheerios. What about Rice Crispies? I can't stand Rice Crispies." He buys himself a box of Cheerios every single week.

Then he gets married and goes shopping for the family. The first week he brings home Cheerios. His wife tells him "I hate Cheerios. I like Rice

Crispies." If he can afford it, then fine, he buys two boxes -- one of Cheerios and one of Rice Crispies and everyone is happy. But what if he cannot afford it? He will have to make a choice. He goes to the store and looks at the cereal aisle and asks himself "What should I buy? Should I buy Cheerios or should I buy Rice Crispies?"

The pasuk in this week's parsha cries out to him: V'Seemach es Ishto. "I am going to buy Rice Crispies!" After marriage, even the act of buying cereal -- which until the time one gets married was just a mundane shopping chore -- now becomes a Gemillas Chesed, an act of kindness. The mundane act of shopping is turned into a ma'aseh mitzvah (an action with religious nuance). Therefore we understand: First Torah; then Chupah; and after that even buying cereal will fall into the category of Ma'asim Tovim.

Transcribed by David Twersky; Seattle, Washington
DavidATwerskyd@aol.com Technical Assistance by Dovid Hoffman; Baltimore, MD dhoffman@torah.org These divrei Torah were adapted from the hashkafa portion of Rabbi Yissocher Frand's Commuter Chavrusah Tapes on the weekly portion: Tape #603 - Burying a Rasha Next to a Tzadik. 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@yadyecheil.org or visit <http://www.yadyecheil.org/> for further information. RavFrand, Copyright © 2006 by Rabbi Yissocher Frand and Torah.org. Torah.org: The Judaism Site <http://www.torah.org/> Project Genesis, Inc. 122 Slade Avenue, Suite 250 (410) 602-1350 Baltimore, MD 21208

<http://www.anshe.org/parsha.htm#parsha>

Parsha Page by Fred Toczek -

A Service of Anshe Emes Synagogue (Los Angeles)

KI SEITSEI 5757

I. Summary

A. Marriage to a female P.O.W. If an Israelite captured a female prisoner of war in a battle outside Canaan, he could not marry her immediately. Rather, he was to shave her head, cut her nails, remove her garments of captivity and mourn her parents for a month, so that she would become unattractive to him. If, after this period, he still wished to marry her, he could do so; if not, he could not treat her a slave.

B. First-born/rebellious son. A first-born son inherits a double-portion, even if his mother is not beloved by his father. A rebellious son (i.e., one who has stolen and eaten and drunk a certain amount of food and wine after having been warned not to do so) is to be stoned.

C. Body of one who has been hanged. A body of one who was hanged should not be left on the tree overnight, but should be buried that same day.

D. Lost articles. One should return all lost articles to their rightful owners.

E. Railing. To promote safety, one should build a railing around his roof.

F. Sha'atnes/Tzitzis. One should not wear sha'atnes (a mixture of wool and linen). One should wear tzitzis on his garments.

G. Adultery. A husband who falsely accuses his bride of being unfaithful to him before their marriage, but after betrothal, is to receive lashes and a fine. If the charges prove correct, the wife is to be stoned. If a woman commits adultery, both she and the man involved are to be killed. One shouldn't marry his father's wife, or a member of Ammon or Moav.

H. Vows. One who utters a vow must fulfill it.

I. Interest/Loans to fellow Jews/Wages. One should not charge interest of a fellow Jew. If one lends money to a fellow Jew, he should not take as security something which provides the borrower with a livelihood. If the borrower is poor, the lender should return the security at night if it is needed by the borrower then. One should pay a hired worker at the completion of work.

J. Divorce. When a husband has grounds for divorce, the marriage is to be dissolved in a formal legal proceeding involving a Get (bill of divorce). If the woman marries again and becomes a divorcee or widow, she can't remarry her first husband.

K. The Chalitzah Ceremony. If a married man dies childless, his surviving brother is to marry his widow and inherit the estate, so that the deceased brother's line will not die out. If the surviving brother refuses to do so, he is subjected to the degrading Chalitzah ceremony because he refused to perpetuate his brother's name.

L. Business ethics. Merchants and businessmen are warned to be extremely scrupulous in their trading. They must not have faulty scales or weights or try to cheat their customers.

M. Remembering Amalek. Finally, the Jews are told to remember the actions of Amalek, who attacked the Jews when they were weak. They must blot out the remembrance of Amalek from the earth.

II. Divrei Torah

A. Growth Through Torah (**Rabbi Zelig Pliskin**)

1. One must differentiate between wanting and desiring. "And it will be if you did not want her." The Hebrew term "did not want her" is in the past tense. Why isn't it stated in the future tense, since he wanted her in the beginning but later on he didn't? There is a difference between passion and lust on the one hand, and wanting because of a rational desire that something or someone is good for you on the other hand. The Torah teaches that one who wants to marry another out of infatuation and passion based on physical attraction or other external trappings never really wanted the person from the beginning (therefore, the past tense is used). It was just desire, not a honest love for the other person. Rabbi Noach Weinberg said "love is the pleasure of seeking virtue; it is based on the reality of knowing the good qualities in another person. Infatuation, however, is blind; it is when your emotions prevent you seeing the entire picture and you mistakenly believe that the object of your infatuation is totally perfect and without any faults".

2. Do all you can to help others in spiritual matters. "You shall not see the donkey of your brother or his ox falling on the way and not pay attention to them. Rather, you shall lift them up with him." Rabbi Simcha Zissel wrote that the Torah prohibits us from causing any unnecessary pain to animals. If this applies to temporary pain, all the more so does it apply to long-lasting pain; if this applies to animals, all the more so does it apply to people; if this is so with respect to physical matters, all the more so with respect to spiritual matters.

3. Do not take advantage of the good heart of others. "If you happen to come across a bird's nest on the road or in any tree or on the ground . . . and the mother bird is sitting on the fledglings or the eggs, do not take the mother with the children". (In this verse, the Torah prohibits one to take an ownerless mother bird when it is sitting on its young or eggs. One must send away the mother bird, and only then is one permitted to take the young or eggs.) Rabbi Yoseph Chaim Sonnenfeld explains: one can't catch a bird once it's flying. But, mother birds are so concerned about the welfare of their children that they stay with them even when a hunter comes along. Therefore, the mother falls right into the hunter's hands. If one were also able to capture the mother, one would take advantage of her compassion for her children. Thus, the Torah orders the hunter to send away the mother. We have no right to utilize her positive trait of mercy in order to capture her. All the more so, one must not take advantage of another person because she or he is soft-hearted.

4. Be careful not to cause others envy. "You shall not plow with an ox and donkey together". Daas Zkainim explains that since an ox chews its cud and a donkey doesn't, the donkey will be envious when it sees that the ox has food in his mouth and he doesn't. Rabbi Chaim Shmuelevitz commented that this is a great lesson in how careful we must be not to cause others the pain of envy. If we must be careful with the feelings of an animal, all the more so must we be careful with the feelings of another person. Be careful not to boast about your accomplishments or possessions if others might feel envious.

B. Majesty of Man (**Rabbi A. Henach Leibowitz**)

Being perceptive to another's needs. "You should not see the ox of your brother or his lamb lost and hide from them; surely, you shall return them to your brother." The Torah commands us to return a lost ox or lamb to its rightful owner, warning us not to avoid performing this deed. The Ibn Ezra notes that this applies under all circumstances, including when one is going to war. Despite the tumult and confusion as a soldier leaves his family to rush into battle, he is still expected to notice a stray ox or lamb and return it to its rightful owner. Shouldn't the Torah have excused someone experiencing such extreme circumstances? We learn from this that we are capable of, and must, exhibit sensitivity to our friends' reality and struggles, even during our own crises. Although our minds may be preoccupied with

our own survival, we must nonetheless be conscious of our peers' needs at all times. (A child begins learning Talmud by focusing on the laws of torts, property and contracts. Why does a child learn these sections, rather than the seemingly more relevant laws of Shabbos or the Holidays, for example? The Vilna Gaon answers that when a child sees a discussion of every intricacy of every possible case that deals with another person and his/her property, the child realizes that the concern that the Torah want us to have for others.)

C. Kol Dodi on the Torah (**Rabbi David Feinstein**)

The prohibition against interest. "Do not take interest from your brother so that Hashem your G-d will bless you". The Torah gives a reason not to take interest -- so that Hashem will bless us. Why should this be a reason? Someone who charges interest is, so to speak, "blessing" himself and saying that he can take of his own needs. Therefore, Hashem doesn't wish to help such a person. However, someone who lends without taking interest, because Hashem commands him to do so, doesn't rely on his own means; rather, he risks his own funds without earning any return, showing his dependance on Hashem's help. This is the person whom Hashem will bless.

D. Peninim on the Torah (**Rabbi A.L. Scheinbaum**)

The mother bird. The law noted above respecting a mother bird is especially striking in that it only applies to birds and not to wild beasts. Why? HoRav Zalman Sorotzkin suggests the following explanation: animals, as well as humans, give birth to offspring which have naturally common physical features and traits. Fowl, on the other hand, lay eggs which don't hatch for a while. During this maturation time, the affinity which is natural in the human and animal world shouldn't logically develop. Nonetheless, an almost unnatural boundless love develops between the mother bird and its egg. Although birds are not yet able to distinguish the features and characteristics of their young, they transcend uncertainty to show maternal love unto them. This is manifest by the act of resting on top of the eggs until the baby birds are ready to fend for themselves. This is a wonderful lesson for us -- how often do parents base their relationship with our children solely on their personal proclivity towards them? Love for one's children is all too often expressed in consonance with how much of a parent's self he/she sees in them. Some even ignore their children if they do not "see" a promising potential in them. A parent's love and relationship with his/her child shouldn't be contingent upon specific characteristics, but should be boundless and unconditional. The mother bird's unrestrained devotion to her young serves as a lesson for us all.

<http://www.chief Rabbi.org/>

Covenant & Conversation

Thoughts on the Weekly Parsha from

Sir Jonathan Sacks

Chief Rabbi of the United Hebrew Congregations of the British Commonwealth

[From 2 years ago - currently 5764]

<http://www.chief Rabbi.org/pt-index.html>

Ki Tetse - Animal Welfare

TODAY'S SEDRA WITH ITS PANOPLY OF LEGISLATION BRINGS THE DREAM TO LIFE. Yes, says Moses in effect: We have left Egypt. We have reached the brink of the promised land. There will be wars to fight, battles to win, land to settle. But do not think these things are ends in themselves. They are means, preliminaries only. Our real task is to create a new kind of society, with G-d in its midst and respect for human dignity as its aim. We did not come out of Egypt only to create another Egypt. You, the next generation, are to become joint architects of a reality that will give practical expression to the dream.

Reading the sedra we are struck by the seemingly effortless interweaving of reality and the dream. Ki Tetse does not address a society of saints. It is a programme for the real world with all its failings and conflicts. The opening is blunt. It speaks about soldiers who fall in love with the daughters of their enemies; about fathers who favour one son over others; about stubborn and rebellious children.

It is said that when the State of Israel was born, it was an overwhelming experience for visitors to see Jewish policemen, Jewish street cleaners, Jewish farmers. For eighteen centuries Jews had been confined to a narrow range of livelihoods. Now they were embarking on the normal life of nations. One gets something of this feeling reading the legislative programme of Ki Tetse. No longer are we in the world of desert nomads who miraculously get water from rocks and bread from heaven. Israel in the promised land is going to be a nation with ordinary human problems which it must learn to deal with as graciously as possible.

"As graciously as possible" - that is the key. For though the legislation confronts ordinary human situations, it still resonates with high ideals. Five times the sedra uses the verb "remember." Five times it makes reference back to Egypt. This is not to be a nation that begins life with a tabula rasa, a clean slate. It is to be one that never forgets its origins. The Egyptians treated you badly, Moses implies; therefore do not treat others badly. You are to become the opposite of Egypt. Use justice and compassion rather than power. Feel for the poor; do not afflict them. Honour sexual ethics rather than sexual desire. Don't hand runaway slaves back to their masters. When you take security for a loan do it in such a way as not to humiliate or incapacitate the borrower. Small details; high ideals.

For Judaism takes time seriously - one of the hardest things for a nation to do. Most civilizations throughout history have been seduced by one of three alternatives: conservatism or defence of the status quo; revolution, the complete overthrowing of the status quo; or laissez faire, leaving society to unfold without a map, with no particular preference for one way rather than another.

By contrast, Judaism has a destination but it knows that getting there takes time. It takes time to abolish slavery, institute economic justice, create peace instead of war. It takes more than one generation. Therefore, says Moses, begin with small steps. Make things better, not perfect. At the same time, teach your children your ideals. That way, they will continue the journey and take it further. Judaism is about the long slow walk from real to ideal.

ONE DETAIL DESERVES SPECIAL ATTENTION. Ki Tetse is about relationships: between men and women, parents and children, employers and employees, lenders and borrowers. Strikingly though, it is also about relationships between humans and animals.

Descartes thought that animals lacked souls. Therefore you could do with them as you pleased. Judaism does not believe that animals lack souls - "The righteous person knows the soul [nefesh] of his animal, but the kindest acts of the wicked are cruel," says the Book of Proverbs. To be sure, this is only nefesh [=life force]. Judaism is neither sentimental nor fetishistic. In the ancient world there were cultures that regarded certain animals as sacred. Reading Schopenhauer, one almost gets the impression that he cared more for animals than for human beings. Judaism does not go down either of these two roads. But it does regard animals as sentient beings. They may not think or speak, but they do feel. They are capable of distress. There is such a thing as cruelty to animals [tza'ar baalei chayim], and as far as possible it should be avoided.

Thus, for example, in Ki Tetse we read:

Do not muzzle an ox when it is treading grain. What is striking about this law is that it parallels provisions for human beings as well:

When you come [to work] in your neighbour's vineyard, you may eat as many grapes as you desire to satisfy your hunger. However, you may not put any into a receptacle that you may have. When you come [to work] in your neighbour's standing grain, you may take the ears with your hand. However, you may not lift the sickle [for your own benefit] in your neighbour's grain. The principle is the same in both cases: it is cruel to prevent those working with food from eating some of it. To be sure, in the case of humans there is a delicate balance of reciprocal responsibility. The employer must allow his employee to eat, but the employee must not engage in petty theft. But the parallel is instructive. Animals, too, have feelings and they must be respected.

Another law:

Do not plough with an ox and donkey together. Here, two principles are at stake. The first is the avoidance of cruelty. The ox is stronger than a donkey. Expecting the donkey to do the work of an ox is unfair. The second principle can be seen by context:

Do not plant two kinds of seed in your vineyard; if you do, not only the crops you plant but also the fruit of the vineyard will be defiled. Do not plough with an ox and donkey together. Do not wear clothes of wool and linen woven together. The underlying principle of all three laws is respect for biodiversity and the integrity of species. This is a good example of one of the underlying features of Jewish law, namely that Judaism is to be understood as a totality. G-d the lawgiver is also G-d the creator and G-d the redeemer. There are laws that echo the history of redemption ("and you shall remember that you were slaves in Egypt"). There are also laws that flow from the structure of creation. The laws above - against mixed seeds, mixed animals, mixed cloth - have their origin in the first chapter of Genesis:

Then G-d said, "Let the land produce vegetation: seed-bearing plants and trees on the land that bear fruit with seed in it, according to their various kinds." And it was so. The land produced vegetation: plants bearing seed according to their kinds and trees bearing fruit with seed in it according to their kinds. And G-d saw that it was good . . .

And G-d said, "Let the land produce living creatures according to their kinds: livestock, creatures that move along the ground, and wild animals, each according to its kind." And it was so. G-d made the wild animals according to their kinds, the livestock according to their kinds, and all the creatures that move along the ground according to their kinds. And G-d saw that it was good. The repetition is unmistakable, as is the implication: creation is good when boundaries between distinct kinds are respected. This is the priestly voice in Judaism, the voice of order and respect for difference, the voice that "distinguishes" one thing from another and recognises the place of each in the ecology of being.

THE MOST FASCINATING DETAIL of animal legislation in the sedra is the law of "sending the mother bird away":

If you come across a bird's nest beside the road, either in a tree or on the ground, and the mother is sitting on the young or on the eggs, do not take the mother with the young. You may take the young, but be sure to let the mother go, so that it may go well with you and you may have a long life. Much has been written on this command. Here I discuss only the analysis given by Moses Maimonides, fascinating in its complexity.

A law which appears twice in the Mishnah (Berakhot 5:3, Megillah 4:9) states that if a leader of prayer says, "Your mercies extend even to a bird's nest," he is to be silenced. The Talmud offers two possible explanations, one of which is that such a prayer "makes it seem as the attributes of G-d are [an expression of] mercy, whereas in fact they are [mere] decrees." In both his commentary to the Mishnah and his code, the Mishneh Torah (Tefillah 9:7) Maimonides adopts this view and adds an explanation: If the reason for sending the mother bird away were Divine mercy toward animals then, in consistency, G-d should have forbidden killing animals for food. The law therefore should be understood as "a non-rational command [mitzvah shema'it] which has no reason."

In the Guide of the Perplexed, (3: 48) however, he adopts the opposite approach. There he rejects the very idea that there are commands which have no reason. Applying this to Torah legislation about animals, he says that meat-eating is necessary for human health. That is why the killing of certain animals for food is permitted. Shechitah, however, has been ordained because it is the most painless way to kill an animal (according to the most recent scientific research, it still is). He continues:

It is also prohibited to kill an animal with its young on the same day, in order that people should be restrained and prevented from killing the two together in such a manner that the young is killed in the sight of the mother, for the pain of the animals under such circumstances is very great. There is no difference in this case between the pain of human beings and the pain of other living beings, since the love and tenderness of the mother for a young one is not produced by reasoning but by imagination, and this faculty exists not only in man but also in most living beings . . . the same reason applies to the law which enjoins that we should let the mother bird fly away when we take the young . . .

Thus Maimonides, contrary to the stance he takes in his code, argues that the law does have mercy or compassion as its logic. Moreover, what it seeks to avoid inflicting is not physical but psychological pain. Maimonides' remarks here anticipate recent findings in socio-biology which suggest that many species do indeed resemble humans in their ability to form groups, engage in reciprocal altruism, and display a range of emotions. In fact - as biblical law implies - it is almost always the mother that forms an ongoing bond with the young. Among animals fatherhood is usually far less developed. Thus the Torah's concern with the mother animal or bird is empirically well founded.

Elsewhere in the Guide (3:17) however, Maimonides takes yet another position. In relation to humans, Divine providence extends to individuals; amongst animals, only to species. The reason we must not cause animals pain is not because the Torah is concerned about animals but because it is concerned about us. Human beings should not be cruel:

There is a rule laid down by our sages that it is directly prohibited in the Torah to cause pain to an animal. This rule is based on the words [of the angel to Bilaam], "Why have you beaten your ass?" The object of this rule is to make us perfect, that we should not assume cruel habits, and that we should not uselessly cause pain to others - that on the contrary, we should be prepared to show pity and mercy to all living creatures except when necessity demands the contrary. Maimonides thus embraces three seemingly conflicting views: 1. the law of the mother bird is a Divine decree with no reason, 2. it is intended to spare the mother bird emotional pain, 3. it is intended to have an effect on us, not the animal, by training us not to be cruel.

In fact all three are true, because they answer different questions.

A parent tells a young child to go to bed early. The child obeys out of respect for parental authority, but that is not why the parent gave the order. From the point of view of the parent it was because she understands the child's need for sleep. Likewise there is a difference between the reason we obey the law of the land (otherwise order would collapse) and the reason a particular law was legislated. Proposition 1. above tells us why we should obey the command to send the mother bird away, not why it was commanded in the first place. We should obey it because it is a Divine decree.

Moving to the reason for a particular law, there is a difference between immediate and ultimate concerns. Suppose there is a law against certain fuel emissions. The immediate reason may be that they contribute to global warming which damages the earth's ecology. "So what?" someone might say. "The worst effects of global warming will be felt in places far from here, and besides, by the time they happen none of us will still be alive." Such a person needs to be taught, not about global warming but about something else altogether, namely our collective responsibility to mankind and to future generations.

In the case of the mother bird, 2. tells us the immediate reason. To allow a mother bird to witness the death of its child is cruel. "So what?" someone might say. "A bird is only an animal, not a human being, and animals do not have rights." To answer this we must move from immediate to ultimate reasons. "Cruelty is wrong whether practiced against animals or human beings - not because animals have rights but because we have duties. The duty not to be cruel is ultimately based on the need to acquire virtue and rid ourselves of vice. The primary context of virtues is the relationship between human beings. But virtues are indivisible. Those who are cruel to animals are often cruel to people. Cruelty to animals is forbidden not only because of its effect on animals but also because of its effect on us." Hence proposition 3. Interestingly, Maimonides' analysis was repeated almost exactly, six centuries later, by the greatest philosopher of modern times, Immanuel Kant.

WE THUS BEGIN TO UNDERSTAND the subtlety of the Torah's approach to ethics. The Israelites were commanded to create an ideal society. But this is the work, not of a day, but of many centuries. Hence the Torah's vision of a journey of small steps. Each of the laws of Ki Tetze is justified in itself, but taken together and practiced for many generations, they begin to have larger effects. Husbands and wives, employers and employees, learn that relationship is built on respect, not the use of (physical or economic) power. Slowly the reasons that cause human beings to acquire others as slaves lose their legitimacy. Only then can slavery be abolished. And so on.

Within this moral ecology, respect for animals has a significant place. Animals too are part of G-d's creation. They have their own integrity in the scheme of things. What is more - as we are now discovering - they are far closer to human beings than philosophers like Descartes thought. What is being rediscovered by science was known to Jews long ago because the great heroes of the Bible - Abraham, Moses, David - were shepherds. They lived their formative years watching over and caring for animals. That was their first tutorial in leadership, and they knew that this was one way of understanding G-d Himself ("The Lord is my shepherd").

The Torah also understands what we are in danger of forgetting - that the moral life is too complex to summarise in a single concept like "rights." As well as rights, there are duties - and there can be duties without corresponding rights. Animals do not have rights because they are not moral agents. Nonetheless, we have duties toward them. One of those duties, expressed in many Torah laws, is not to cause them unnecessary pain, and that includes, in the case of the mother bird, psychological pain.

We become what we worship, the Torah implies. At most times, ancient and contemporary, people have worshipped power. Jews learned early that the worship of power is idolatry. Power exalts one part of creation by diminishing another. The G-d of Abraham is the G-d not of a part but of the whole. Therefore a society based on Torah respects the whole, especially the powerless. Hence the consistent emphasis in Ki Tetze on the different categories of vulnerable individuals - women, employees, borrowers, animals - each of whom are often exploited, taken advantage of, used. That is not how you, My people, may behave, says G-d. Here is how you begin a journey whose end is a society of respect for the integrity of creation. Small steps to a momentous destination.

From: usa-weekly-owner@yatednews.com [mailto:usa-weekly-owner@yatednews.com] On Behalf Of Yated USA Sent: August 30, 2006 11:38 PM To: usa-weekly@yatednews.com Subject: YATED USA WEEKLY 09-01-06

Halacha Discussion
by Rabbi Doniel Neustadt
The Mitzvah of Shiluach Ha-Kan

The mitzvah of shiluach ha-kan is a mitzvah which is quite difficult to understand: If one happens upon a nest where a mother bird is roosting on her young birds or eggs, he should not take the eggs or young birds while the mother is roosting on them. Instead, he should send the mother away and then take the young birds or eggs

for himself. While the Torah says that fulfillment of this mitzvah is "good for you and will prolong your days," the Torah does not explain the rationale behind it, and indeed, Chazal tell us that it is a gezeiras ha-kasuv, a Torah decree that we do not understand. The Rishonim, however, offer a number of possible explanations as to why the Torah would command us to perform shiluach ha-kan. Among them: • Rambam² explains that shiluach ha-kan shows G-d's mercy on His creations, similar to the prohibition against slaughtering a mother animal and her offspring on the same day, as animals instinctively love their young and suffer when they see them slaughtered or taken away. • Ramban,³ who rejects Rambam's explanation, writes that the concern is not for the animal's feelings, but rather to inculcate compassion in people; to accustom people to act mercifully to each other. • Rabbeinu Bechayei⁴ writes that this mitzvah symbolizes the concept that people should avoid doing anything that will destroy a species, for to slaughter mother and children on the same day is akin to mass extermination. • The Zohar⁵ explains that this mitzvah is meant to awaken and intensify Hashem's mercy on His creations. The pain which the mother bird suffers when she is sent away and forced to abandon her young "awakens the forces of mercy in the world" and releases an outpouring of mercy from the heavens above which alleviates all kinds of human suffering. While the explanations cited above give us some insight into the rationale for shiluach ha-kan, we are still left with many unanswered questions: If someone happens upon a nest but has no interest in the young birds or eggs, should he still send away the mother and take the eggs? Should one search for such a nest so that he may fulfill this mitzvah? What if the nest is in a tree in one's back yard? These and other issues will be discussed below.

Question: How does one fulfill the mitzvah of shiluach ha-kan — sending the mother bird away from her nest — correctly? Discussion: When one observes a mother bird roosting on one or more eggs [or young birds], one fulfills the mitzvah by performing the following two actions: 1. Sending away the mother bird. The Rishonim debate whether or not the mother bird must be lifted by its wings and then cast away, an act which is extremely difficult to perform, or if it is sufficient to scare her away by banging on the nesting area with a stick, throwing a stone in her direction or raising one's voice, etc. The basic halachah⁶ and the prevalent custom⁷ follow the lenient view that it is sufficient to send away the mother bird by scaring her away.⁸ 2. Taking the eggs or the young birds. While a minority view holds that taking the eggs or baby birds is not mandatory,⁹ most poskim rule that one does not fulfill the mitzvah if the eggs or baby birds were not taken.¹⁰ After taking the eggs or baby birds and establishing halachic ownership of them, one is not required to keep them; they may be returned to the nest or thrown away.¹¹

Question: Is the mitzvah of shiluach ha-kan obligatory or optional? In other words, if one observes a mother bird roosting on a nest but has no need for the eggs [or young birds] - is he still obligated to cast away the mother bird and take the eggs in order to fulfill the mitzvah? Discussion: A minority view holds that even one who has no need for the eggs [or young birds] is obligated to send the mother bird away and establish [at least temporary] halachic ownership of them.¹² According to this view, the mitzvah of shiluach ha-kan is an obligation similar to the mitzvah of hashovas aveidah, returning a lost item to its owner.¹³ But most poskim reject this approach and rule that one is obligated to send away the mother only if he wishes to keep the eggs or baby birds.¹⁴ Still, while we rule that one is not obligated to send the mother bird away if he has no interest in the eggs or young birds, many poskim recommend that one do so nevertheless.¹⁵ In addition to fulfilling a mitzvah for which the Torah promises the reward of longevity, there are many other additional benefits and rewards that Chazal associate with the proper fulfillment of the mitzvah. Being blessed with children,¹⁶ finding the proper shidduch,¹⁷ being blessed with the means to buy or build a new house,¹⁸ and hastening the arrival of Moshiach¹⁹ are among some of the rewards that are promised to those who fulfill this mitzvah properly.

Question: Does one recite a blessing when performing the mitzvah of shiluach ha-kan? Does one recite the blessing of shehecheyanu? Discussion: Although there are several opinions on this issue,²⁰ the majority view²¹ and the prevalent custom²² is not to recite any blessings when performing this mitzvah. One who wishes to do so, may recite a berachah without invoking Hashem's name²³ using the following text: Baruch ata melech ha-olam asher kideshanu bemitzvosav le-shaleiach ha-kan.²⁴

Question: Does the mitzvah of shiluach ha-kan apply to all roosting mother birds? Discussion: No. A number of conditions must be met before this mitzvah can be fulfilled: • The mother bird must be of a kosher species, e.g., a sparrow, dove, or a pigeon.²⁵ • The mitzvah applies only at the time that the mother bird is actually roosting on the eggs or the young birds. The mitzvah does not apply to a mother bird who is hovering over or feeding the young birds, but is not roosting on them.²⁶ • While the father of the eggs or young birds also roosts on the nest, usually during daytime hours only, the mitzvah of shiluach ha-kan applies to a mother bird exclusively. • One does not fulfill the mitzvah if the eggs broke before the mother bird was cast away.²⁷ If the eggs broke during the performance of the mitzvah, it is

questionable if one fulfilled the mitzvah.²⁸ • On Shabbos [and Yom Tov], shiluach ha-kan is not performed.²⁹

Question: Does the mitzvah of shiluach ha-kan apply to birds that one owns? Discussion: No, it does not. Birds that are raised domestically, like chicken or turkey, are exempt from shiluach ha-kan, as the mitzvah applies only to birds that do not have an owner who cares about them.³⁰ Contemporary poskim debate whether or not one fulfills the mitzvah with a nest which is on one's private property. Some poskim rule that the mitzvah cannot be performed since one's private property "acquires" (kinyan chatzer) the nest on his behalf and it is no longer ownerless.³¹ Others, however, hold that since the owner has no interest in owning the nest or eggs, his private property does not automatically "acquire" the nest on his behalf and the mitzvah can still be fulfilled.³²

Question: Based on the above information, how is the mitzvah of shiluach ha-kan actually performed? Discussion: The preferred time to perform this mitzvah is when the eggs are 1-2 days old, or when the young birds are 8-9 days old. But the mitzvah can be performed anytime there are eggs or young birds in the nest as long as the mother is still roosting on them.³³ In order to be sure that the mother is the one roosting over the nest and not the father, shiluach ha-kan should take place between sunset and sunrise, since it the mother who roosts on the nest in the evening and night hours. After ascertaining that the mother bird is of a kosher species and that the nest does not belong to anyone else, one should quietly³⁴ approach the nesting area³⁵ and gently³⁶ chase the mother bird away from the nest by using one of the methods described earlier. If the mother bird comes back repeatedly before the eggs are taken, she must be repeatedly shooed away. Once the mother is gone, a wooden spoon should be used to carefully lift the eggs out of the nest, making sure not to break them. One should then lift up the spoon approximately 10-12 inches, in order to halachically "acquire" the eggs. [If the nest contains young birds, one should use his hands to gently lift them out.³⁷] He then may return the eggs to the nest. The mitzvah has been completed.

(Footnotes) 1 Berachos 33b. 2 Moreh Nevuchim 3:48. 3 See also Rashbam, Ibn Ezra and Chezkuni for a similar approach. 4 A similar explanation is offered by the Chinuch (545) and Ralbag. 5 Quoted by R' Bechayei and by Chavos Yair 67. See explanation in Beur ha-Gra to Mishlei 30:17 and in Imrei Noam, Berachos 33b. 6 Chazon Ish Y.D. 175:2. 7 Many contemporary poskim, among them the Satmar Rav, Harav Y.Y. Kanievsky, Harav Y.Y. Weiss, Harav S.Z. Auerbach, Harav E.M. Shach and Harav S. Vosner were all seen performing shiluach ha-kan by banging on the nest with a stick until the mother bird flew away. See also Teshuvos v'Hanhagos 1:329. 8 If, however, no action was taken to cast the mother away but she flew off on her own, the mitzvah is not fulfilled. 9 Chacham Tzvi 83. 10 Beis Lechem Yehudah, Y.D. 292; Chasam Sofer O.C. 100; Aruch ha-Shulchan, Y.D. 292:4; Chafetz Chayim (Sefer ha-Mitzvos, 74) Chazon Ish Y.D. 175:2. 11 Harav Y.S. Elyashiv and Harav C. Kanievsky, quoted in Shaleiach Teshalach, pg. 48. 12 Chavos Yair 67 and Mishnas Chachamim, quoted by Pischei Teshuvah Y.D. 292:1; Aruch ha-Shulchan Y.D. 292:1-2. 13 In other words, just as one may not ignore a lost object that he happens to see but rather is obligated to return it to its owner, so, too, one who happens to see a mother bird roosting on its eggs or young birds is obligated to send it away and take ownership of her offspring. 14 Chasam Sofer, O.C. 100; Avnei Nezer, O.C. 481; Meromei Sadeh, Chullin 139b; Chazon Ish, Y.D. 175:2. 15 See Birkei Yosef, Y.D. 292:6 and Aruch ha-Shulchan 1. 16 Midrash Rabbah and Tanchuma, Ki Seitzei, 6:6. 17 Yalkut Shimoni, Devarim, 925. 18 Midrash Rabbah and Tanchuma, Ki Seitzei, 6:6. See Klei Yakar, ibid. 19 Yalkut Shimoni, Devarim, 930. 20 See Pe'as ha-Shulchan (Eretz Yisrael 3-20) and Aruch ha-Shulchan Y.D. 292:10 who rule that a berachah is recited. See also Pischei Teshuvah Y.D. 292:2 that some recite shehecheyanu as well. 21 See Pischei Teshuvah Y.D. 292:2 and Binyan Tziyon 14. 22 As recorded by all of the contemporary poskim mentioned earlier in note 2. 23 Beis Lechem Yehudah, Y.D. 292 and Maharam Shick 289-291. 24 Harav C. Kanievsky, quoted in Shaleiach Teshalach, pgs. 32-34. Aruch ha-Shulchan, however, quotes the text of the berachah as al shiluach ha-kan, while Maharam Shick writes al mitzvas shiluach ha-kan. 25 Y.D. 292:1. 26 Y.D. 292:11. 27 R' Bechayei, Ki Seitzei 22:7. 28 See Shaleiach Teshalach, pg. 54, for the various views on this subject. 29 Chasam Sofer O.C. 100. 30 Y.D. 292:2. 31 Harav S.Z. Auerbach (Minchas Shelomo 2:97-26); Harav Y.S. Elyashiv, quoted in Shaleiach Teshalach, pg. 61; Harav S. Vosner (Mi-Beis Levi, Nissan, pg. 90). [In the atypical case, where the mother bird did not leave the nest for even one moment from the time she laid the eggs, then all views agree that shiluach ha-kan could be performed with a nest which is found on one's private property; Y.D. 292:2.] 32 Igros Moshe Y.D. 4:45; Harav N. Karelitz and Harav C. Kanievsky, quoted in Shaleiach Teshalach, pg. 61. 33 Chazon Yechezkel, Tosefta Chulin, pg. 38; Harav Y.S. Elyashiv and Harav C. Kanievsky, quoted in Shaleiach Teshalach, pg. 56. See Kan Tzippor, pgs. 313-315 for an elaboration. 34 So that the mother bird does not fly off before you have a chance to send her away. 35 Some recite a special l'shem yichud before performing the mitzvah; see text in Kan Tzippor, pg. 138. 36 Otherwise the mother bird may panic and break the eggs or take them away with her. 37 If the young birds fit snugly

into one's hands, there is no need to lift them up 10-12 inches, since, halachically speaking, one's "hand" acquires the young birds for him; Beur Halachah 366:9, s.v. zurich

From: rabbiwein-owner@torah.org on behalf of **Rabbi Berel Wein** [rbwein@torah.org] Sent: August 31, 2006 1:19 PM To: rabbiwein@torah.org
Subject: Rabbi Wein - Ki Teitzei
www.RabbiWein.com

Jerusalem Post 7 Elul 5766 / 30 August 2006
http://rabbiwein.com/modules.php?name=News&new_topic=18
TENACITY

One of the traits of the Jewish people over the ages has been its unswerving and unshakable tenacity. In terms of influence, Judaism has been the most influential of all faith systems in the world. It is the "mother" religion of the two other monotheistic faiths, Christianity and Islam. Its ethics and world view form the basis of much of the value system of Western civilization and society, even of the most secular elements of that society. But in terms of numbers, Judaism claims very few adherents relative to the other faith systems of the world.

In a world of a billion Christians, a billion Hindus, a billion Moslems, hundreds of millions of Buddhists and other Eastern faiths, Judaism's puny numbers – fourteen, fifteen million – are almost insignificant. The Torah warned the Jewish people of this phenomenon of greatly enhanced influence with relatively small numbers. It challenged us to be the "treasure amongst all nations" while at the same time informing us that we would be "the fewest of all peoples."

In order to balance these two seemingly opposite positions, the Torah relied upon this trait of tenacity in the Jewish people. The core of the Jewish people would remain steadfast in their faith and beliefs in spite of persecutions and blood libels and in resistance to all siren blandishments and seductions. The "stiff-necked people" would prove to be very stubborn. In fact, the Midrash points out to us that Israel is compared to the walnut – a tough nut to crack - and even when it wallows in the mud and dust, its kernel fruit remains whole and protected.

The tenacity of the Jewish people regarding its loyalty and adherence to Torah, has been evidenced in current times by the vitality and resurgence of Orthodox Jewish life in all of its variations and components. Sixty years ago Orthodoxy was written off as a force in Jewish life in the United States and in Israel as well. The "experts" then underestimated the tenacity of the love of Torah that exists within the hearts of Jews. King Solomon in Shir haShirim correctly stated that "great waters cannot extinguish the love [of Torah that the Jewish people possess] nor can floods wash it away."

The same is also true regarding the love and loyalty of the Jewish people to the Land of Israel and to Jerusalem. Herzl in proposing his famous Uganda plan to the Zionist Congress badly underestimated the tenacity of Jewish feeling towards the Land of Israel. Jewish tenacity that did not accept any majority faith as being a legitimate substitute for Judaism would also not accept any substitute, no matter how alluring and practical it would seem, for Zion and Jerusalem.

Even though the Uganda resolution passed in the Congress it soon died aborning. Jews are not about to abandon Israel for Europe or any other place in the Diaspora. The warning of Rabbi Meir Simcha Hakohen of early twentieth century Dvinsk, Latvia, still rings in our ears and conscience: "Woe to those who say that Berlin is Jerusalem!" Jewish tenacity does not allow for any ersatz substitutions.

Perhaps the strongest testimony to Jewish tenacity has been the ability of Israel to withstand the unceasing enmity and wars that the Arabs have inflicted upon us over the past century. Our enemies fail to recognize that tenacity within us. Somehow they feel that just a little more terror, one more war or kidnapping will break our will and end our resolve. But we are God's people because of our tenacity. It is our strongest asset and holiest trait.

As has often been the case in Jewish history our tenacity in the face of adversity and enmity has been underestimated both by the non-Jewish world and some in the Jewish world as well. However, any objective reading of Jewish history and tradition would clearly establish that this very tenacity is the root part of the overall Jewish personality and mindset. It is the propensity of all of the "experts" to ignore this that has led to serious miscalculations within the Jewish and general world as well.

These miscalculations have cost and continue to cost us dearly. It is almost ironic that our enemies clearly are themselves tenacious in ignoring and discounting our tenacity. There is no doubt that our tenacity in love of Torah and Israel will yet be sorely tested in the future. But all of Jewish history indicates to us that we will continue to successfully pass that test.

Weekly Parsha 7 Elul 5766 / 30 August 2006

KI

TEITZEI

<http://rabbiwein.com/modules.php?name=News&file=article&sid=2114>

Among the many topics of importance discussed in this week's parsha is that of the relationship between employer and employees. The Torah also discusses the relationship between debtor and creditor and between the grantor of collateral and the holder of such collateral. A creditor and/or lender are not allowed to oppress the borrower and/or debtor. The creditor/lender is certainly entitled legally to have his obligation redeemed by the debtor/borrower. But he is not allowed to abuse the debtor/borrower, to threaten him or her or to abuse that person's right of privacy in his or her home.

The Torah always attempts to protect the rights of the lender, for only in such a fashion can there be assurance that there will be people willing to lend money to the needy. But the Torah, ever mindful of the fact that "a borrower is always a slave unto the lender," protects that borrower from the abuses, physical and social, that such a relationship may entail. The Torah, which always balances and reconciles conflicting legal and moral values, does so here regarding the creditor-debtor relationship.

The same sense of balance is striven for in the Torah regarding the employer-employee relationship as well. The employer is not to exploit the worker that labors on his behalf. He is to pay the employee a fair wage and must pay it to him in a timely fashion. But the employee in turn is duty bound to work in an honest and diligent manner for the employer. As can readily be understood, the employee is not allowed to steal from the employer – not time, money or property. These two contrasting values of the relationship between employers and employees form the basis for all discussions of Jewish labor law in the Talmud and the codes of Jewish law. The Torah is not on the side of either the employer or the worker. It is on the side of fairness and rectitude in societal matters.

Ramban, in looking at Jewish social law as a whole, asserts that the underlying principle in all of these matters is that of family. Jews are a family one to another and therefore the accepted norms of family behavior are to be enforced even if the Jews involved feel less than familiar – to the employer, the creditor, and the lender. In a family one does not take interest for a loan to another family member. One does not tend to exploit the labor of a family member, just as one is willing to work for the general good of society over and above narrow, selfish considerations.

The ideal Jewish family is free of abuse and exploitation. It jealously protects the individual's right to privacy and strengthens the ability of a debtor to protect his home and belongings from prying eyes and grasping hands. Therefore, all of the societal laws of the Torah, when viewed from the perspective of family love and cooperation, are in harmony with all societal values.

For in a functioning and loving family there are no victims and no bullies. There are only next of kin that are 'flesh of our flesh and bone of our bone.' And this is the goal of family that the Torah wishes us to achieve through its instructions and commandments regarding all societal issues.

Shabat shalom.

Rabbi Berel Wein

Take Advantage of a \$5.00 Gift Certificate at Rabbiwein.com Enter Code "TORGCERT" at Checkout. Not valid on sale items.

"WEIN" TO GO... MP3 DOWNLOADS NOW AVAILABLE AT
RABBIWEIN.COM <http://rabbiwein.com/catalog>

DONT KNOW WHAT TO BUY??? CALL 800-499-WEIN to order your GIFT CERTIFICATES <http://www.jewishdestinystore.com/store/products.asp?dept=71>
THIS WEEKS FEATURED SERIES Reflections of Reb Zadok 1 - 12 CD's More articles on <http://www.RabbiWein.com> RabbiWein, Copyright © 2006 by Rabbi Berel Wein and Torah.org. Rabbi Berel Wein, Jewish historian, author and international lecturer, offers a complete selection of CDs, audio tapes, video tapes, DVDs, and books on Jewish history at www.rabbiwein.com. For more information on these and other products visit www.rabbiwein.com/jewishhistory. Torah.org: The Judaism Site <http://www.torah.org/> Project Genesis, Inc. 122 Slade Avenue, Suite 250 (410) 602-1350 Baltimore, MD 21208

From: peninim-bounces@shemayisrael.com on behalf of Shema Yisrael Torah Network [shemalist@shemayisrael.com] Sent: August 31, 2006 6:28 AM To: Peninim Parsha

Peninim on the Torah
by **Rabbi A. Leib Scheinbaum**
- Parshas Ki Seitzei

When you go out to war against your enemies... and you will see among its captivity a woman who is beautiful of form... If a man will have two wives... If a man will have a wayward and rebellious son. (21:10,11,15,18) Chazal explain the confluence of the first three topics of this parsha as part of a pattern. Indeed, they serve to dispute the notion that a liaison between a soldier and a captive woman can work. It is an improper obsession to which the Torah acquiesces, but warns them will only lead to tragedy. This woman will never be properly loved once the infatuation dissipates. Her son, the product of this relationship founded in uncontrolled lust, will be a ben sorer u'moreh, a wayward and rebellious son. Interestingly, the Torah

continues by presenting a number of social laws which enjoin us to demonstrate sensitivity towards our fellow man, when we see his animal lost or if we discover a lost article. The Torah continues with our obligation to assist our fellow man when his animal is weighted down in burden. We are then instructed concerning the mitzvah of Shiluach ha'Kein, sending away the mother bird. Once again, we are to be sensitive to a mother bird's maternal feelings for her offspring and not to take advantage of these emotions. Is there some connection between these mitzvos and the laws of yefas toar, captive woman, shtei nashim, two wives, and ben sorer, rebellious son?

Horav Eliyahu Schlesinger, Shlita, suggests a noteworthy relationship and message to be derived from these passages. He first cites an inspiring story that occurred a short time ago. A yeshivah student from one of the well-known yeshivos became engaged to a girl who was the product of one of the distinguished seminaries in Eretz Yisrael. The boy was serious and sincere about his learning, his character and ethical standards were exemplary. His kallah was of a like character, her head straight, her goals and objectives in life true to the Torah perspective of which she was a product. Everything seemed fine, with all systems go in anticipation of their wedding. Suddenly, a few weeks prior to the wedding date, the chassan began complaining about his health. He could not pinpoint anything specific. It was just that he did not feel right. After meeting with his family physician for a complete physical workup, he was given the somber news: he had a dread disease that was ravaging his body. He would need serious treatment that might cure him.

If matters were not bad enough, the terrible news had to be shared with his kallah and her family. He was no longer a single boy whose decisions concerned only himself. He now had a responsibility towards his kallah and her family. He decided that in order to spare his intended from any undue pain, he was breaking the shidduch, matrimonial match. His kallah would be free to look for someone else.

His kallah absolutely refused to hear of this. Her chassan had enough on his mind with the inevitable treatments he would have to undergo. He needed a wife to support him during his travail. She looked forward to their marriage. She would not listen to any nonsense about breaking the shidduch.

The parents on both sides were astonished with the exalted character of these two special young people. Such selflessness as evinced by the two was atypical of society's norm. They spoke to a number of rabbanim, questioning the halachah, seeking procedure, asking for guidance, but could not arrive at a concrete statement concerning which path to choose. Finally one Rav said, "Let us go to Horav Chaim Kanievsky, Shlita. He is erudite in every area of Torah literature. Surely, this gaon will be able to decide on the proper course for this couple."

The families went to Rav Chaim, who, after listening to the episode, declared, "They should get married! It is a perfect match!"

All who were there were dumbfounded. While they accepted the Rav's sage advice, they needed some clarification as to why he had rendered his decision in favor of their marriage.

Rav Chaim smiled, and said, "Bring me a Midrash." He opened the Midrash to Parashas Noach where Chazal relate an incident concerning Alexander the Great. The great warrior arrived in a country that was on the other side of the world, with the singular purpose of meeting its king whose reputation as a brilliant judge had preceded him. He simply wanted to sit in and listen to his judgments, so that they would serve to enhance his own ability to render justice.

One day, two litigants approached the king to decide between them concerning a parcel of land. It seems that the seller had sold a field to the buyer for an agreed upon, fair price. Upon digging in the ground, the buyer discovered a hidden treasure. The question was: Who gets to keep the treasure? The buyer felt it belonged to the seller, since he had had no idea that there was hidden treasure on his land, when he had agreed to sell it for that price. The seller felt that he sold the field as is, and, therefore, the treasure belonged to the buyer! The king of the country asked Alexander, "What would you do in such a situation?" Alexander immediately replied, "I would kill each of them and take the treasure for myself."

The wise king said, "Well, we do not do things that way in our country." He then turned to the litigants and asked one of them, "Do you have a son?" The man replied, "Yes." The king turned to the other one and asked, "Do you have a daughter?" "Yes," he responded. "If this is the case," said the king, "then let your daughter marry his son, and the field should be the dowry. Since each of you claim the treasure belongs to the other person, it should be given to your children who will share it accordingly."

Rav Chaim turned to the parents; "This Midrash teaches us that when the two sides care only about the other one, not about themselves, then we have the foundation for a perfect shidduch. Mazel Tov! Your children exemplify the finest and most critical qualities intrinsic to a successful marriage."

Let us now return to our parsha: the episode with the yefas toar is a lesson in self-gratification. It is about someone succumbing to his overwhelming passion. What about his family? What about his wife and children back home? Does he not care

about them? What are they going to say when he arrives home with this beautiful captive that is permitted to him by a halachic dispensation? Regrettably, he is so involved in satiating his own physical desires that he does not think of anyone else - only himself. This is why the Torah follows up with laws that address our sensitivity towards others. Yes, yefas toar is a dispensation, but it is not the way life should be. One should think of others - not of himself. In order for the shidduch between man and Hashem to work, one must learn to give Hashem priority in the equation.

Perhaps this is another way to view the connection between yefas toar and the ben sorer u'moreh. Parents must give of themselves, placing their children far before themselves. One whose desires take precedence over his family is destined to fail as a parent. It is no wonder that one who falls for the allure of a yefas toar plants the seeds that nurture the growth of a rebellious son. After all, the apple does not fall far from the trees. The son has from whom to learn.

If a man will have a wayward and rebellious son. (21:18)

Chazal tell us that the ben sorer, wayward son, is judged according to his (inevitable) end... Rather he should die while he is still innocent than be put to death as punishment for a capital crime that he will (likely) commit. In a remarkable statement, Chazal describe the impending path to doom that this rebellious son will certainly choose for himself. He will first be a glutton manifesting a complete lack of self-restraint concerning his parents' possessions. After he has exhausted what is available at home, he will sit at the crossroads and rob people in order to satisfy his unrestrained, insatiable needs. If he does not get what he wants, he will have no qualms about resorting to murder. Last, he will forget his learning. Therefore, the Torah says that he should die now, while he is yet innocent.

Upon perusing Chazal's words, one is taken aback with the way they view the ben sorer's digression. He will steal; he will murder; he will ultimately forget his Torah learning! Unquestionably, Torah study is the lifeblood of our People, but is forgetting one's learning to be considered worse than murdering a fellow Jew? What are Chazal teaching us?

Horav Yosef Sholom Elyashiv, Shlita, gives a noteworthy explanation. The Torah is about to pass judgment on a young boy, to have him executed while he is yet innocent, because of an inevitable future that will bring tragedy and death to others. To do this, the Torah must be certain that this boy's future of evil is inevitable. It is something that is irrevocable. Thus, Chazal teach us that as long as there is some connection to Torah, there is hope that he will change the course that he has chosen for himself. As long as the bond with Torah has not been severed, regardless of how thin is the strand that binds him, there is still hope for teshuvah, repentance and return. Once that bond has been irremediably disconnected, his lifeline to his faith has been broken. He no longer knows how to return. The cord that leads him to freedom has been torn. He is lost.

This is the meaning of our daily prayer in Shemonah Esrai, Hashiveinu Avinu l'Torasecha... v'hachazireinu b'teshuvah sheleimah lefanacha. "Bring us back, Our Father, to Your Torah... and influence us to return in perfect repentance before You." One depends on the other - without a return to Torah, there can be no complete teshuvah.

Torah is the lifeblood of our People, the lifeline from which the entire Jewish spectrum of observance is nurtured. A noted philanthropist once asked Horav Aharon Leib Shteinman, Shlita, an interesting halachic question: He was used to giving the majority of his Maaser, tithing money, to support the various yeshivos throughout the world. Recently, he had come under pressure to help sustain the efforts of various bona-fide kiruv, Jewish outreach, organizations. While he conceded that he was a wealthy man, everything has its limit. Should he shift his priorities to kiruv, since, after all, the talmidei, students, of the yeshivos would continue learning regardless of his contribution? The kiruv organizations could accomplish more and reach out further, if they had greater support. What should he do?

Rav Shteinman replied that the inspiration that baalei teshuvah have today is a direct result of the merit of Torah learning that goes on in the yeshivos. The growth of the teshuvah movement is commensurate with, and attributed directly to, the level of Torah learning in the yeshivos. To lower the standard of support for yeshivos will have a direct and negative impact on kiruv. One must realize the efficacy of Torah and its powerful impact on the Jewish People.

That he happened upon you on the way. (25:18)

Rashi translates asher karcha, he "happened" upon you, using the word mikreh, happening/chance as the root of the word karcha. This was Amalek's ploy. He would assert that everything which occurred was neither by design, nor guided by Hashem. It was all mikreh, chance, an occurrence, a happening. He sought to disassociate Hashem with the world. The Hashem factor did not exist in Amalek's lexicon. Their whole perspective of cause and effect is perverted, because they remove the primary component: Hashem. Thus, what we, simple humans, view as the cause might not necessarily be true. Indeed, the cause as we see it could quite possibly be the effect! Amalek would take the most impressive miracles and attribute them to being nothing

more than an occurrence, while our perspective is not to ignore even the most rudimentary incident by attributing it to chance. Everything has a reason; everything has a purpose. It is all a part of Hashem's master plan.

The following story related by Horav Yitzchak Zilberstein, Shlita, supports this idea, as it demonstrates that as we take every step in this world, we are accompanied by Hashem. The story is about an American boy who grew up in an assimilated family, a family that over the years had become very distant to the religion of their ancestors. The boy never attended Hebrew Day School. His only memory of a relationship with Judaism was his weekly Friday night visit to his grandfather's home. His grandfather had remained observant, something he was, regrettably, unsuccessful in transmitting to his son. Out of respect, his grandson would come by as Zaidy returned from shul and spend about fifteen minutes discussing his week. One thing that the boy always remembered was the white challah cover on the table and something else - a song that Zaidy sang every Friday night. The tune became embedded in his mind, as he would hum it on his way home. Over the years, he fell in love with the tune of Eishes Chayil.

The boy grew into a man - a man totally unaware of, and alienated from, the religion of his grandfather. He met a nice Jewish girl and after a while they decided to marry. Prior to the wedding, the "boy-turned-man" asked his fianc?, "We are not observant, and we will not lead an observant lifestyle. There is one custom, however, I would ask you to share with me: Could we spread a white cloth on the table every Friday night and sing together a melody that has great meaning to me?" His fianc? readily acquiesced to his request, especially when she heard the tune. Slowly, it impacted her as well, but she wanted to go a step further. She had to know the meaning of the Hebrew words. Since they could not pronounce the words very well, it was difficult to find them in any translation. So they decided to go to a Jewish bookstore in Boro Park and sing the melody. Perhaps someone would recognize the song.

One can imagine a young, non-observant couple entering a bookstore in Boro Park and singing Eishes Chayil to the owner. Well, that is exactly what happened. They sang the song, and the owner said, "You are looking for a translation of Eishes Chayil. No problem." He gave them a Shabbos Zemiro book, fully translated and explained, and the couple appreciatively paid and left.

End of story? No. They read the Zemiron, and when the young woman realized that this was a song dedicated not only to the Shabbos bride, but also describing all the virtues and attributes of the Jewish woman, she was moved. She looked at her husband and said, "If the Jewish tradition so eminently venerates a woman, then I would like to observe the rest of the Torah."

The young woman had made her point, and, in a short while, she had so influenced her husband that they both became baalei teshuvah. Today their children are to be found in the finest yeshivos and Bais Yaakov schools. Now, can one suggest that the boy's weekly ritual at his grandfather's house was just an "occurrence." Maybe, however, it was a part of Hashem's design to give him the opportunity to return.

It shall be when Hashem, your G-d, gives you rest from all your enemies all around,... you shall wipe out the memory of Amalek. (25:19)

The pasuk implies that the command to erase the memory of Amalek applies primarily after Klal Yisrael is settled and at ease, with no fear of its enemies. This is substantiated by Ibn Ezra. In the Talmud Sanhedrin 20b, Chazal teach that the Jewish People were commanded to carry out three mitzvos when they arrived in Eretz Yisrael: inaugurate a king; destroy the descendants of Amalek; build the Bais Hamikdash. We wonder why it is necessary to first establish monarchy before we set out to destroy Amalek? There were many battles imposed upon the Jewish People when they entered Eretz Yisrael, battles in which they were to inflict permanent damage upon every member of the seven nations. Why was there no prerequisite to establish kingship before going to war with these nations?

Horav Tuvia Lisitzen, zl, explains that the fear of Amalek's impact upon our nation is specifically when we are at rest. We are enjoined to remember when Amalek struck us. He came right after Krias Yam Suf, the Splitting of the Red Sea, prior to the Giving of the Torah, when we were at the apex of our spiritual development. We were on an incredible spiritual "high." It was at a point when "the simple maidservant at the sea saw a greater revelation of the Almighty than what was seen by the great prophet Yechezkel." The entire world feared and trembled from us. It was specifically at this unique time, at the zenith of our spiritual stature, that Amalek chose to attack. His goal was to "cool" the water, to downplay Klal Yisrael's position, to make it easier for others to do the same.

Our greatest fear of Amalek is when there is peace and serenity, when calm and prosperity reign. That is when Amalek attacks. His goal is to shatter the calm, to demonstrate to others that Klal Yisrael can be taken. Furthermore, it is at such a time when we are at ease, that we tend to forget Who our Protector is.

Likewise, when monarchy has been established and there is a symbol of power in conjunction with the throne, then there is greater reason to fear Amalek's incursion.

His goal is to mitigate the fervor, to destroy the calm, to rally others against us. This is when we are to see to it that his plan is not allowed to materialize.

Sponsored l'zechar nishmas haisha Yetta Raizel bas R' Chaim Yosef Aryeh HaCohen a"h Rosalyn Greenberger a"h by The Greenberger Family
Peninim mailing list Peninim@shemayisrael.com
http://www.shemayisrael.com/mailman/listinfo/peninim_shemayisrael.com



Elul: The Time for Closeness From: Aish.com
[newsletter@ish.com] Sent: August 31, 2006 3:59 PM
Subject: Elul: The Time for Closeness
See this article online:

http://www.aish.com/hhelul/hheluldefault/Elul_The_Time_for_Closeness_.asp

Elul: The Time for Closeness

by Rebbetzin Tziporah Heller

"Remember! Only 30 more shopping days left!"

The last week of November was magical days back in the "Old Country." I never endangered my life shopping at Filenes which, in those far off times, was only in Boston. Macy's was still the site of many near-death experiences for those of us who like the adrenalin rush of hunting for bargains. The nonstop hype was delivered breathlessly and repetitively. "Just today, ladies and gentleman. Yes! Just today!" was a typical opening for a 10% reduction on socks. It all ended with New Years, leaving precious little behind in its wake, other than the disheartening return to facing the juggernaut of routine soul-numbing life as usual.

Everything is different when the Jewish month of Elul arrives. It, too, is 30 days before the Big Day, which in this case is Rosh Hashana. It is not a time in which we strive to find some sort of balance between shopping and dropping. It is a time of love, yearning, reconciliation, forgiveness, and return.

What does "return" really mean? What are we trying to get back to? Jeremiah proclaimed, "Return, virgin of Israel, return to these, your cities" (Jeremiah 31:20). We are compared to a virgin, who can at last return to her betrothed groom, and to an exile who is able to return to the land now rebuilt, that was last seen empty and desolate.

No one can return to a place they have never been to. Have we ever really felt close to G-d and yearned for Him the way a bride yearns for her beloved? Have we ever really identified so closely with the fate of the Jewish people that our personal achievements fail to provide us with enough satisfaction to dull the ache of national estrangement from what we were meant to be as a people?

For many of us the answer is silence. And for many there are moments of beauty and connection that we wish would last forever. There are times when we feel totally connected to the Jewish nation as a whole, glued to the news. How many Katyushas? Do I know anyone in Haifa? What can I do to help?

BODY AND SOUL MICROCOSM

The difference between the way we relate to Elul and how we relate to the end of November is a microcosm of the way we relate to our bodies and our souls. The body wants to own, to buy more and more. The soul wants connection, deeper and deeper.

The great illusion of life is that the body (which we all intellectually recognize as only mortal) feels real and permanent. The soul (which we all know is infinite since it part of G-d Himself), feels vaguely unreal because it is intangible.

The sages tell us, "One moment of return and good deeds in this world is worth more than the whole life in the World to Come" (Ethics of the Fathers, 4:17). This is the world of enormous spiritual opportunity. It is the setting of "trial by fire," as our passions, jealousies, petty hatreds, burn within us. Every victory has profound impact on our connection to G-d and to man. In the deepest sense, our self-esteem is built, brick by brick, by choosing to conquer our impulsivity and cravings. The problem is that we are too myopic to see the panoramic vista that this sort of battle opens up within us. We are too busy fighting. We fail, again and again. We let our failures define us and erode our belief in the fact that we are fighting a winnable battle. We all too often submit to the dictates of our bodies and silence the yearnings of the soul. We give up the struggle.

One of my recurring nightmares is one in which I see myself as a patient in an old age home. I am sitting near a Formica table in a large room with a T.V. blasting away at no one in particular. Lunch, served in cheery orange melmac, is in front of me. My last words as I leave the planet are, "I asked for white meat."

That's it. No Shema. No bedside farewell accompanied by blessings and moral instruction. The winner and all time champ is the body, soon to be interred in the earth from which it was formed. In my worst nightmare the soul is the undisputed runner up in the most significant race that any one of us will ever run.

What makes it even worse is that daylight doesn't relegate the nightmare to the cobwebs of subconscious thought; the fearful vision is completely plausible. In fact, the Talmud tells us that there is no way that the soul can possibly win the battle without help from its Creator.

GOD IS NEAR

This time of year is the time when God's closeness to us is most easily grasped. It is as though an invisible curtain that we ourselves designed through bad choices, fear and pain can now be drawn aside. Elul is compared to the time of year that God, by way of parable, is likened to a human king who resides in his palace and is virtually inaccessible to the average person. Once a year, the king tours his kingdom with the goal of getting to know his subjects. Anyone can go to the royal personage and tell him whatever is on his mind and in his heart know that the king is there to hear him.

How do we find the King? There are various practices for Elul that attunes us to its power.

1. Recite Psalm 27.

King David, the Talmud tells us, was given some of Adam's lifespan. Thus, like Adam, his soul is a composite of every soul that will ever be placed in a body. The book of Psalms gives us words that touch the essence of every possible human experience from the deepest possible angle. Psalm 27 is the one that helps us resolve the conflict between our bodies and our souls. The first verse says it all, "G-d is my light." This means that He not only created the physical world, but He guides us through it with His light. Just as turning on a light in a dark room helps a child to recognize that lions and tigers are really just coat racks and blankets, we can similarly let God's light remove our fears, sins, and limitations..

2. Reciting Selichot.

Selichot are prayers that are began in Elul (Sefardic Jews begin on the 1st of Elul, while Ashkenazi Jews begin the last Motzei Shabbos) and continue till Yom Kippur. The main theme in selichot is the 13 Attributes of Divine Mercy. G-d revealed His true nature to Moses when he begged to know G-d as much as a mortal can.

Ultimately G-d is unknowable. Our ability to know is limited by the fact that we live in time which distorts our sense of reality. We are physical and have short lives, and have enormous emotional subjectivity. Because G-d is unknowable and transcendental, we try to make Him smaller, so to speak, so that He seems more approachable. The worst manifestation of this was the building of the golden calf. Moses wanted words that would give the Jewish people access to G-d as much as humanly possible.

Each of the 13 attributes exist within us as well. When we join together as a group and proclaim these attributes aloud as we do during the Selichot prayers, we affirm who G-d is and who we are. This has such force that the Talmud tells us that the attributes always generate change.

Here is a brief rendition of the attributes and their meaning.

1-2: "God," "God" (the four-letter Yud-Heh-Vav-Heh):

The Almighty is telling us that He is unchanging. He has infinite compassion for us before we sin, knowing that we are only human, and when we fail to live up to our humanity He is open to our changing and returning. Because of this, His name, which means "Being," is invoked twice, once for before and once for after our fall and return.

3. "The Force": Unlike human compassion that is limited by our patience and fragility, God's compassion is comparable to an unstoppable force.

4. "Who is Merciful": He gives to the "poor"; those of us who are impoverished spiritually

5. "And full of Grace": He gives freely and in abundance

6. "He is Patient": G-d gives us time to change, and when we must endure suffering in order to change our direction, He gives it only to the degree that the person's individual situation demands.

7. "and has much kindness": G-d chooses to judge us favorably when our motivations are mixed

8. "and true": Even if someone has made many mistakes and done terrible things, G-d will still reward him for whatever good he has done.

9. "creates kindness for thousands of generations": He empowers the forces of good to endure forever. An example of this would be that literally everyone who is alive today is affected by the goodness that Abraham, our forefather, did in his lifetime

10. "Carries sins of desire": G-d will allow sins to act as a springboard to bring a person to a higher level than they ever could have achieved without repentance. An example would be the case of someone who takes on himself to keep kosher, and is tempted every time he passes a non-kosher eatery.

11. "and sins of rebellion": Even when a person is so full of self that he feels a need to control or attack every human or God-given law, if he opens himself G-d will broaden him enough to see beyond the limits of his ego.

12. "and sins of negligence": When the source of sin is a passive, uncaring and alienated relationship to life, the source is invariably despair that comes from thinking, "Nothing I do makes much difference anyway." G-d will give the greatest gift of all – hope -- when there is willingness to take responsibility. This is true even if the underlying attitude has been there for years.

13. "and cleanses." Even the callousness that is the seemingly inescapable result of developing bad patterns of responding to life and to other people can literally disappear through tshuvah, repentance.

When we mirror these traits to all of the imperfect people in our lives (meaning everyone including ourselves), we find the Godliness that is latent in all of us, and strengthen its voice.

When we do our best to change, we must make an honest appraisal of who we are, and the choices we made to emerge as we are now. When we do this honestly, we will notice that we have made mistakes.

The first step to change is confessing what went wrong within us to God. No person should be involved. No one can give spiritual clarity; no one can erase spiritual and emotional damage. The second step is to recognize that all bad choices are ultimately damaging, and to give yourself permission to feel regret. The third step is to make practical down to earth changes in behavior.

If the sins affect other people, then there are two additional steps. The first one is to make material restitution where that is a relevant possibility (for instance returning money that you know is not yours if you use the Torah's standards), and the second is to achieve reconciliation by asking forgiveness.

Let's be sure to use the month of Elul well, to let it draw us to living authentically, and to feel greater openness, love and forgiveness.

This article can also be read at:
http://www.aish.com/hhelul/hheluldefault/Elul_The_Time_for_Closeness_.asp

Author Biography: With her trademark blend of wit, down-to-earth advice, and profound Torah scholarship, author and educator Rebbetzin Tziporah Heller with Sara Yoheved Rigler shows us how to confront the eight essential challenges of life - including the challenge of anger, the challenge of relationships, the challenge of parenting, even the challenge of happiness. In "Lets Face It!" we learn how to embrace life's numerous challenges and transform them all into positive opportunities for personal growth and a deeper connection to the Creator.

Aish.com One Western Wall Plaza PO Box 14149 Jerusalem 91141 Israel Tel - 972-2-628-5666 © 2006 Aish.com