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Reflections on 9/11

OU Jewish Action

Patterns of Evil

Rabbi Marvin Hier

Ten years ago on September 11, my wife and I had just come off the plane at London's Heathrow Airport, when we saw people everywhere glued to television monitors, motionless as if in a trance.

We didn't realize then that our world had changed forever that morning. Who can ever forget the heart-wrenching stories of heroism of people like Shimmy Biegeleisen, who phoned his wife just seconds after the second jet hit the South Tower to tell her how much he loved her and when she handed the phone to his friend, he told his friend, "Take care of Miriam and take care of my children, I am not coming out of this." He then recited the twenty-fourth Psalm over the phone to his wife and family. And when he finished the verse, "Who shall ascend on the mountain of the Lord? He that has clean hands and a pure heart," he screamed into the phone, "Oh God!" and the line went dead.

But it is not only the victims who must never be forgotten. We must never forget their murderers, the religious leaders who inspired them, and the millions around the world who cheered them on and called their actions an act of martyrdom. Can you imagine the insanity that God would reward such infamy?

In a verse in the Book of Genesis when Jacob wrestles with the angel, Jacob suddenly turns to the angel and asks him, "Tell me, what is your name?" And the angel replies: "Why do you ask my name?" To which the Biblical commentator Rashi offers this explanation:

"You want to know my name. Do you not know that evil has no fixed name? Our names always change in accordance with the times."

In the 1930s, evil was a swastika. And the world did not know how to react. Today, evil is those who murder and maim as a means of pre-purchasing their tickets to Heaven. Only their garb and logo have changed.

Had the world listened to Winston Churchill in 1937, there may never have been an Auschwitz in 1942.

But we never get it, do we? It's been ten years and we still don't have a UN resolution forcing every nation to go on record condemning all acts of terrorism against any people. It's been ten years, and there has been no UN resolution condemning suicide bombing as a crime against humanity.

But stay tuned—changes may be on the horizon. Osama Bin Laden is dead, and the Arab street is in the process of getting rid of its dictators. Libyan leader Muammar Gaddafi and Syria's President Bashar al-Assad are on the ropes. The Middle East's Tower of Babel is about to come tumbling down with the introduction of "multiple languages," which include the words "freedom" and "democracy," words that have never been uttered in the Arab world.

To win this war, we must remember what Churchill said at Harvard in 1943, "We do not war primarily with races... tyranny is our foe, whatever trappings or disguise it wears—whatever language it speaks. . . we must forever be on our guard. . . ever vigilant, always ready to spring at its throat."

Rabbi Marvin Hier is the founder and dean of the Simon Wiesenthal Center and its Museum of Tolerance.

9/11: A Shattering of the Idols

Rebbetzin Leah Kohn

As we try to absorb the magnitude of 9/11, the horrific event that forever changed the world's perspective, we are struck by the realization of how acutely vulnerable we are. Prior to September 11, 2001, most of us felt that we lived in the safest place on earth. This illusion was shattered right before our eyes. It's terrifying to think that in an instant, we can be reduced to mere ashes.

As Jews, we know, however, that that which we transform into eternity can never perish. Three thousand lives were lost, but they are not completely gone. All the good deeds these individuals accrued, the relationships they nurtured, and the bond they built with Hashem, these are their eternal investments, and these individuals are fully alive in the World to Come.

An event of this magnitude inevitably causes us to question our priorities and the direction of our lives; it causes us to evaluate where we want to invest our limited time and our energies. Of course, we need to live in this world and make a living. We need a home to live in and a car to drive. But what should our hearts, our souls, and our minds be preoccupied with? Can we really afford to squander our time here investing solely in materialistic pursuits?

Although we no longer have prophets, God communicates with us through the events that occur in our individual lives, to Klal Yisrael as a nation, and to all humanity. It's obvious that there is a powerful message to be found in the life-altering day that has become known as 9/11. The Almighty is speaking to us.

What was attacked? The Pentagon and the Twin Towers, the epicenters of American ideology. We Americans saw all too clearly that neither military prowess nor financial success could shield us from harm.

America had built one of the mightiest armies with the most sophisticated weaponry; nevertheless, it was rendered helpless against the raw evil of 9/11. What was the weapon of choice used by these terrorists? Knives. Primitive knives. We live in the technological age, yet such helplessness in the face of primitive weapons is common in Eretz Yisrael too, where often the IDF finds

itself defenseless against Arab children throwing stones, suicide bombers, or smugglers using underground tunnels to sneak in weapons. What is the message in all of this? That nothing can guarantee safety. Hashem is telling us in no uncertain terms that it is the strength of our connection to Him, and that alone, that can keep us truly safe and secure.

The same holds true for America's other primary preoccupation—money. In the aftermath of 9/11, the stock market plummeted. The two gods of America—power and money—lay shattered and broken in front of our eyes in a matter of minutes. We will never enjoy the confidence we once took for granted.

9/11 forced us to face the fact that we are living in galus, exile. What's the nature of galus in America? On the one hand, it doesn't seem like galus; there has been no other time in our history when we have enjoyed such freedom. We have whatever is necessary to live our lives as religious Jews. We feel totally at home in America. But there is an insidious side to this exile. To an extent, the American dream and its pursuit of comfort and pleasure has affected our lives as well. America's ideology is that every behavior, no matter how deviant, is morally acceptable as long as it makes one happy. This message has subtly penetrated into our way of thinking. We have to ask ourselves: Is spirituality our focal point in life? Do we invest in the material more than we should? What do we really worship?

Part of the difficulty we have in defining ourselves and our life goals is due to the fact that we don't appreciate who we are and what we have within us. The Prophet Hosea exhorted the Jewish people (14:2-4), "Shuva Yisrael ad Hashem Elokecha ki kashalta b'avonecha, Return Yisrael to Hashem, your God, for you have stumbled through your iniquity." The most common interpretation of the pasuk is that the Jewish people have sinned and God is saying, "Come back to me, I'm ready to accept you." According to a beautiful interpretation by the Sefas Emes, the Navi is calling on us to return to Hashem, "Elokecha" —the personal Hashem, the Godliness within ourselves. He is reminding us not to shortchange ourselves by identifying only as physical beings. Understand who you are, he pleads with the Jewish nation, understand that you have Godliness inside you, and then it's much harder to commit a sin.

Teshuvah is usually understood as the process of mending one's ways. However, teshuvah is more than just rectifying one's behavior; it's about deepening one's relationship with Hashem. In the immediate aftermath of 9/11, we were all jarred into rethinking the direction of our lives; unfortunately, as time passes, it is all too easy to slip back into our old patterns and become complacent. As the towers fell, we witnessed the shattering of illusionary gods. We have to make certain to internalize that message of 9/11, and invest more in what is eternal.

The enormous loss of life is painful beyond words. But as we continue to rebuild ourselves and our future, we have the one true God to hold on to. Only He can help us learn what we need to from this tragedy as we steer our lives in the right direction—the direction of immortality.

Adapted by Bayla Sheva Brenner, senior writer in the OU Communications and Marketing Department, from a lecture by Rebbetzin Leah Kohn, director of the Jewish Renaissance Center in Manhattan. The lecture was delivered at Congregation Torah Utfillah, in Brooklyn, New York, on September 25, 2001.

http://www.aish.com/ci/sept11/911_Forgive_and_Forget.html

SEPTEMBER 11

9/11: Forgive and Forget?

We are not the ones who have the right to make that decision.

by Rabbi Benjamin Blech

God, I need your guidance. I continue to grieve for all the victims of 9/11 even after a decade has passed. My heart is filled with pain, and with anger at the terrorists responsible for the horrible deaths on that day of infamy in which 3,000 innocents perished. But I know that you teach us to forgive those who sin. In the Bible you often tell us that you are a God who is slow to anger, merciful and forgiving. We are supposed to imitate you and adopt Your behavior as guidelines for our own personal conduct.

Does that really mean that no matter how difficult it is, I have to now tell myself to forgive all those who intentionally and with callous premeditation committed these unspeakable crimes? Am I guilty of failing my spiritual obligations if I'm not willing to respond to barbaric acts with love and forgiveness? God, how far does clemency go? In the name of religion, must I today be prepared to pardon even those who committed murder?

Forgiveness is a divine trait. It defines the goodness of God. Without it, human beings probably couldn't survive. Because God forgives, there's still hope for sinners. When we do wrong, God reassures us that He won't abandon us as a result of our transgressions. Divine forgiveness is the quality that most clearly proves God's love for us. That is why the many passages in the Bible that affirm God's willingness to forgive our sins are so important. They comfort us and they fill us with confidence. We know none of us are perfect. If we would be judged solely on our actions, we would surely fall short. Thank God, the heavenly court isn't that strict. We can rest assured, as the prophet Isaiah told us, "Though your sins be as scarlet, they shall be as white as snow."

It makes perfect sense, then, for us to understand that if we expect God to forgive us for our failings, we have to be prepared to forgive others as well. What we need when we're being judged from above certainly deserves to be granted to those we are judging. We are guided by the profound words of Alexander Pope: "To err is human; to forgive, divine."

That all makes it seem like we have no choice in the matter.

Forgiveness appears to be our only moral option. But the more we study the Bible, the more we recognize a peculiar paradox. The same God who preaches forgiveness very often doesn't forgive. Instead, He punishes sinners. He holds people responsible. He criticizes, He condemns, and afflicts those who committed crimes. Adam and Eve sinned, and they were kicked out of the Garden of Eden. Cain sinned and was condemned to become a wanderer over the face of the earth. The generation of Noah sinned and a flood destroyed them. The builders of the Tower of Babel sinned and their speech was turned into babble. In one story after another, from the Five Books of Moses through the works of the prophets, we read of retribution, of accountability, of divine punishment, and the withholding of automatic forgiveness.

Isn't this an innate contradiction in the Bible? The same book in which God identifies himself as merciful and forgiving, repeatedly shows us a God of justice who withholds undeserved pardons. There must be something we're missing. There can't be such an obvious contradiction in the Bible. And sure enough, just a little reflection makes clear why there are times when God forgives people for their sins, and why at other times He refuses.

The Price for Forgiveness

Heavenly pardon is predicated on a condition. Before God grants forgiveness, He asks us to acknowledge that we were wrong and renounce the sinful behavior.

God is willing to overlook the sins of the past for the sake of an altered future.

God is willing to overlook the sins of the past for the sake of an altered future. He is ready to pardon the most terrible wrongs for the

price of remorse, regret and the desire for a new beginning. But the one thing God's forgiveness is unwilling to do is to condone vicious crimes by simply accepting them. An unrepentant sinner mistakes God's mercy for permission to continue his ways. To forgive such a person isn't kindness; its cruelty to all those who'll be hurt by the evil that wasn't stopped before it could do more harm.

Yes, it was the same God who drowned the wicked generation of Noah and who saved the evil people of Nineveh. Those who were destroyed by the Flood were given plenty of warning. They watched Noah build his ark for many years. Noah told them what God planned to do if they didn't repent. But they didn't believe him – even when it started to rain and pour like never before. So of course people who didn't see the need to ask for forgiveness weren't forgiven.

But when Jonah told the residents of the city of Nineveh that they were doomed due to their evil behavior, they took the message to heart and committed themselves to a new way of life. The people who changed were immediately forgiven. God wasn't going to hold their past against them – because it was really a thing of the past. Don't Forgive Them Unless

Forgiving people who don't personally atone for the sins makes a statement: Repentance isn't really necessary. Can anything be more immoral than encouraging evil by refraining from any condemnation of those who commit it?

The day after the Columbine High School massacre, a group of students announced that they forgave the killers. A short while after the Oklahoma bombing, some people put out a call to forgive Timothy McVeigh. And on September 12th, on several American campuses, colleges groups pleaded for forgiveness for the terrorists responsible for the horrific events of the previous day.

These weren't just misguided gestures of compassion. They were serious sins with potentially tragic consequences. Evil unchallenged is evil condoned. To forgive and forget, as Arthur Schopenhauer so well put it, "means to throw valuable experience out the window." And without the benefit of experience's lessons, we are almost certain to be doomed to repeat them.

The terrorists expressed not the slightest remorse as they went to their deaths together with their victims.

The terrorists who piloted the planes into the Twin Towers never asked to be forgiven. They expressed not the slightest remorse as they went to their deaths together with their victims. Those who sent them, those who financed them, and those who applauded their mission never for a moment regretted what happened. Forgiving them is no less than granting license to murder thousands of more innocent people.

To speak of forgiveness as if it were the automatic entitlement of every criminal is to pervert a noble sentiment into a carte blanche for mayhem and chaos. We might as well open the doors of every jail and release all the thieves, rapists and murderers. Our wonderful act of compassion wouldn't take too long to be followed by the cries of the victims of our folly! To forgive those who remain unrepentant is to become an accomplice to future crimes.

What If A Nazi Asked For Forgiveness?

What if a Nazi asked for forgiveness at some later date? What if a brutal murderer realizes the enormity of his crimes and honestly regrets his past deeds? What if the plea for forgiveness is accompanied by sincere remorse? Can the crimes of the past be forgotten? Is a troubled conscience sufficient to secure automatic forgiveness?

This is not just a theoretical question. Something exactly like that happened toward the end of the Holocaust. And the man who had to decide what to do in such a situation, a concentration camp victim who had suffered indescribable mistreatment and torture, wrote a remarkable book about his experience.

Simon Wiesenthal was a prisoner of the Nazis, confined to slave labor in a German hospital. One day he was suddenly pulled away from his work and brought into a room where an SS soldier lay dying. The German officer, Karl, confessed to Wiesenthal that he had committed atrocious crimes. Although raised as a good Catholic and in his youth God-fearing, Karl had allowed himself to become a sadistic accomplice to Nazi ideology. Now that he knew his end was near and he would soon be facing his Maker, Karl was overcome by the enormity of his sins.

More than anything else, Karl knew that he needed atonement. He wanted to die with a clear conscience. So he asked that a Jew be brought to him. And from this Jew, Simon Wiesenthal, the killer asked for absolution.

Wiesenthal didn't grant Karl the forgiveness the German desperately sought.

Wiesenthal has been haunted by this scene his entire life. When it happened, he was in such shock that he didn't know how to respond. His emotions pulled him in different directions. Anger mixed with pity, hatred with compassion, and revulsion with mercy. His conclusion was to leave in utter silence. He didn't grant Karl the forgiveness the German desperately sought.

Years later, Wiesenthal shared the story with a number of prominent intellectuals, theologians and religious leaders. How would they have reacted? he asked them. In the light of religious teachings and ethical ideals, what should have been the proper response? Was there a more suitable reply than silence?

Wiesenthal collected the answers and had them published as a book entitled, *The Sunflower*. The range of responses offers a fascinating insight into different views on forgiveness. Some, like the British journalist Christopher Hollis, believe that the law of God is the law of love, no matter what the situation. We have an obligation to forgive our fellow human beings even when they have caused us the greatest harm. A remorseful murderer deserved compassion.

And Who Are You To Forgive?

One rabbi offered a different perspective. No one can forgive crimes not committed against him or her personally. What Karl sought could only come from his victims. It is preposterous to think that one solitary Jew can presume to speak for 6 million.

This rabbi had been invited to address a group of prominent business executives. Among them were some of the most important CEOs in the country. His lecture dealt with the Holocaust and its lessons for us. He stressed the importance of memory and the need to continue to bear witness to the crime of genocide.

When he finished, one of the very famous names in American corporate life angrily rebutted the essence of his talk. "I'm tired," he said, "of hearing about the Holocaust. You claim that you're speaking in the name of morality. Why can't you demonstrate true morality by learning to forgive and forget?"

To a stunned audience, the rabbi replied by asking them for permission to tell a story about Rabbi Israel Kagan, commonly known as the Chafetz Chaim. In the history of the Jewish people, he explained, there has hardly ever been someone considered as saintly as the Chafetz Chaim. A Polish rabbi and scholar of the late 19th and early 20th century, he was universally revered not just for his piety but more importantly for his extreme concern for the feelings of his fellow man.

Rabbi Kagan was traveling on a train, immersed in a religious book he was studying. Alongside him sat three Jews anxious to while away the time by playing cards. The game required a fourth hand so they asked the unrecognized stranger to join them. Rabbi Kagan politely refused, explaining that he preferred to continue his reading. The frustrated card players refused to take no for an answer. They began to beat the poor Rabbi until they left him bleeding.

Hours later, the train pulled into the station. Hundreds of people swarmed the platform waiting to greet the great sage. Posters bore signs of Welcome to the Chafetz Chaim. As the rabbi, embarrassed by all the adulation, walked off the train with his bruises, the crowd lifted him up and carried him off on their shoulders. Watching with horror were the three Jews who had not long before accosted the simple Jew sitting in their cabin, now revealed as one of the spiritual giants of their generation. Profoundly ashamed and plagued by their guilt, they managed to make their way through the crowd and reached their unwilling card player partner.

They begged for forgiveness. And incredibly enough, the rabbi said no.

With tears, they poured out their feelings of shame and remorse. How could they possibly have assaulted this great Rabbi? They begged for forgiveness. And incredibly enough, the rabbi said no. The man who spent his life preaching love now refused to extend it to people who harmed him and regretted their actions. It seemed incomprehensible. So the three Jews attributed it to a momentary lapse. Perhaps, they thought, it was just too soon for the rabbi to forgive them. He probably needed some time to get over the hurt. They would wait a while and ask again at a more propitious moment.

Several weeks passed and it was now close to Yom Kippur, the Day of Atonement. Even the simplest Jews knew that they had to gain forgiveness from their friends if they wanted to be pardoned by God. With trepidation, the wicked three wrangled an appointment and once again were able to speak to the Rabbi. They pleaded their case. Still the Rabbi said no. He would not forgive them.

The rabbi's son was present as this strange scene played itself out. Puzzled by his father's peculiar behavior, he couldn't contain himself. It was so unlike anything he had ever witnessed before. Why did his father suddenly act so cruelly? Why would he persist in tormenting people who only asked for a simple expression of forgiveness?

The son dared to ask. His father explained. "Do you really think I don't want to forgive these poor Jews before the High Holy days? If it were only in my power to do so, don't you know that I would have forgiven them when they stood before me at the railroad station? Of course I, Rabbi Kagan, forgive them for what they did to me. When they learned who I was, they were mortified and filled with shame for what they had done. But the man they beat up was the one they presumed to be a simple, unassuming poor person with no crowd of well-wishers waiting to greet him. He was the victim and only he is the one capable of granting them forgiveness. Let them go find that person. I am incapable of releasing them from their guilt."

Upon completing the story, the rabbi turned to the executive who suggested that it was time for us to move on after the Holocaust and to forgive and forget. "I would be more than happy to do so if I only could. But I was not the one who was sealed in the gas chambers to die a horrible death. I didn't have my child pulled from my breast and shot it in front of my eyes. I was not among the tortured, the beaten, the whipped, and the murdered. It is they and they alone who can offer forgiveness. Go and find those 6 million and ask them if they are prepared to forgive and forget."

A decade after 9/11 there are those who raise the question: Should we forgive those who murdered the thousands of innocents?

Perhaps the most appropriate response is simply this: We are not the ones who have the right to make that decision. Though 10 years have passed, we may not forgive and we dare not forget.

Thanks to hamelaket@gmail.com for collecting the following items:

From Destiny Foundation/Rabbi Berel Wein
<info@jewishdestiny.com>
Subject Weekly Parsha from Rabbi Berel Wein

Jerusalem Post :: Friday, September 9, 2011
ENGLAND AS HISTORY AND THE FUTURE :: Rabbi Berel Wein

The Israeli Philharmonic Orchestra performed in London this past week. The performance, conducted by Zubin Mehta, was interrupted four times by anti-Israeli protestors who had infiltrated the audience and were seated in the concert hall. And, naturally, the spokesman for this self righteous group of artistic musicians who are seeming experts on the Israeli-Arab struggle was a Jewish woman. In a prize winning book by Howard Jacobson, "The Finkler Question" this picture of deep seated English anti-Semitism and, even more loathsome, Jewish anti-Semitism, is addressed, analyzed and mocked. But it is a frightening picture of the past, of the 1930's and a grim glimpse into the possible future of Anglo and world Jewry.

Jacobson has one of his heroes, who only recently discovered his Jewish ancestral origins, join a group of what the Israeli media love to call "people of intelligent and artistic spirit" ("anshei ruach") now entitled ASHamed Jews. The ASH part is to show their contempt for Holocaust memory and memorials and the whole ashamed part is naturally because of the existence and behavior of the State of Israel. As Jacobson so brilliantly puts it: "The logic that made it impossible for those who had never been Zionists to call themselves ASHamed Zionists did not extend to Jews who had never been Jews. To be an ASHamed Jew did not require that you had been knowingly Jewish all your life... [Discovering that he had been] born a Jew on Monday he had signed up to be an ASHamed Jew by Wednesday and was seen chanting 'We are all Hezbollah' outside the Israeli embassy on the following Saturday."

The Jewish self-haters always begin their vent of spleen against Israel by prefacing their words with the phrase, "As a Jew, I..." The flaunting of one's Jewishness is the protective cover that allows Jewish anti-Semitism to flourish. Never attending a synagogue, never observing any forms of Jewish ritual or tradition, being completely ignorant of Jewish knowledge and values does not disqualify one from still being considered Jewish. But one would think that it would serve as a caution to any rational person to withhold judgment on life and death issues – it is usually someone else's life or death – when one is ignorant of facts, historical background and the consequences of one's statements and behavior.

Jews are not perfect and the State of Israel is also not perfect. That is the essence of all human existence – no perfect people, no perfect nation-states. Yet that in no way provides any justification for not allowing the existence of imperfect humans and imperfect nation-states. Calling for the eradication of Israel is racism, bigotry and hatred of the highest and most vile form.

The pursuit of human perfection should not be restricted solely to Jews and the Jewish state. The basis for the Holocaust was that Jews were imperfect and inferior and could not be allowed to exist in a world of the perfect Aryan race. The world currently is perilously close to believing such inanities regarding Jews and the State of Israel today as well.

I expect that the Israeli Philharmonic Orchestra, the Israeli sports teams and Israeli professors and lecturers who venture unto international venues are guaranteed a hostile reception. The poison has already infected the world's body politic and culture. The "old Jew" did not expect it to be different. The State of Israel is a great and miraculous achievement and precisely because of this the world

begrudges its very existence. The world wants to see Jews as victims and not as victors.

The "new Jew" sought acceptance into world society but it has been rudely disappointed. There is little that Israel can do to rectify the situation. Even if it agreed in a moment of national suicide to accede to all of the demands of the Palestinians, anti-Semitism, Jewish and non-Jewish in origin, would not disappear. There will always be ASHamed Jews and Durban conferences and UN reports and resolutions.

So our task now as always is to defend ourselves to the best of our abilities, to build Jews and Israel in strength and in the spirit of our ancestors and Jewish tradition. Jewish anti-Semitism is as old as the Jewish people itself. Datan and Aviram were swallowed into the ground but they have had many successors and heirs over the long centuries of Jewish history. People who express shame regarding being Jewish or for the existence of the State of Israel cut themselves off from the grand destiny of Israel. That is truly something to be ashamed of.

Shabat shalom.

From Destiny Foundation/Rabbi Berel Wein
<info@jewishdestiny.com>
Subject Weekly Parsha from Rabbi Berel Wein

Weekly Parsha :: KI TEITZEI :: **Rabbi Berel Wein**

Rashi in his commentary to this week's parsha emphasizes the idea of cause and effect. Rashi points out that this is true in both a negative and positive sense. In the words of the rabbis of the Mishna, a mitzva causes other mitzvot to occur while a transgression automatically drags along other sins in its wake. This is why the rabbis describe a wise person as being one who can see the future consequences of events and human behavior.

It is not only the individual act itself that is of consequence and importance. It is rather the sequence of behavior and related consequences that flow from that individual act that are just as important. The Jewish soldier who takes the captive woman unto himself in a moment of temporary passion is not intending that the end result of this act will be enduring domestic strife, hatred and eventually a dissolute and dangerous child.

But all behavior creates a ripple effect in life and many unintended consequences are derived from an intentional act of poor judgment and base desire. And the opposite is also true. A positive act of tradition and Torah service brings to the person performing that act of goodness and kindness unforeseen opportunities to perform other acts of goodness and kindness.

The performance of mitzvot leads to there being a protective fence that surrounds one's home and is redemptive in so many other unforeseen ways. Again, Judaism is committed to a far sighted view of life and behavior and the understanding that nothing that a person does or says is truly to be deemed inconsequential.

The charitable person will be given many continuing opportunities to be charitable. The miser will soon realize that no one will frequent his home or office. Initially he may feel relieved at this situation, but he will eventually regret it for it brings with it a loss of stature, a poor reputation and a loneliness of the soul.

The story is told about a wealthy man who, because of his wealth, gave much charity and had many visitors and was held in great esteem in his community. People came to him for advice and succor, though he was not particularly noted for his wit or wisdom. One day

he decided that he would no longer give any charity. As this news spread, the visitors soon dwindled and eventually stopped altogether. The man complained to his wife: "I don't understand why people stopped coming. My funny jokes and good advice are still available to them!"

People often mistake honors and attention paid to them as being their personal right when that honor or attention is only given to them because of their good deeds. It is clear that a person's actions and behavior propels his reputation and standing in the eyes of humankind as well as Heaven.

The Psalmist put it most bluntly: "If only humans would be wise and discerning and appreciate what their end will look like." It is not only about our eventual mortality that the Psalmist speaks. It is also certainly about the consequences here in our lifetime - of our acts, attitudes and behavior.

Shabat Shalom

From Ohr Somayach <ohr@ohr.edu>
To weekly@ohr.edu
Subject Torah Weekly

TORAH WEEKLY :: Parshat Ki Tetzei
For the week ending 10 September 2011 / 10 Elul 5771
from Ohr Somayach | www.ohr.edu

by **Rabbi Yaakov Asher Sinclair** - www.seasonsofthemoon.com
INSIGHTS

The Spice Of Life "...and he wrote her a bill of divorce..." (24:1)
Nothing is sadder than a family break-up.

Divorce is the scourge of our modern world. American statistics show 50% of first marriages end in divorce, and the figures become more depressing for each successive marriage, with 65% of second marriages ending in divorce and even higher rates for third marriages and beyond. Between 3.6 to 5% of marriages break up every year, which means that a large portion of adults personally experience divorce at some point in their lives.

In many communities, pre-nuptial agreements are par for the course as more and more couples enter marriage with fewer and fewer expectations.

The Torah acknowledges that not all marriages will be successful. It gives us the mitzvah of "gerushin", divorce, in such an unhappy event. "Till death us do part..." is not a Jewish idea. However, divorce while being a mitzvah is no source for joy. The Talmud says that when a couple gets divorced, the mizbe'ach, the holy altar, weeps.

How are we to understand this idea, that the mizbe'ach "weeps"? Nothing in Judaism is merely poetic. And why should specifically the mizbe'ach weep? Why not the Tablets of the Covenant? Why not the husband's tefillin? Why not the wife's Shabbat candelabra - her sheitel?

Probably the greatest cause of marital disharmony is misunderstanding the purpose of marriage. The secular paradigm, enshrined in every fairy tale from the Brothers Grimm to the Brothers Metro-Goldwyn-Mayer, is that the princess finds everything she wants in her Prince Charming, and he finds everything he wants in her: Beauty, poise, intelligence, money, someone who puts the top on the toothpaste - everything!

Marriage is not about finding someone to fulfill you. It's about finding someone you can fulfill.

Marriage is a machine for giving - that's all it is. Marriage is about living the principle that you are not the center of the world. In the Book of Genesis the Torah says, "It is not good for man to live

alone.” When you live alone, you only have one person to give to – yours truly.

The world revolves around you. You are the center of the universe. The mizbe’ach is the place when man ‘gives’ to G-d. Man gives of his best and offers it to his Creator. The word ‘korban’ (woefully inadequately translated as ‘sacrifice’, comes from the root ‘closeness’.) When you give, you become close. When you take, you distance yourself.

The Torah tells us that no korban could be offered without the presence of salt on the mizbe’ach. Salt is the archetypal giver. Salt has only one purpose – to give taste to something else. By itself it is nothing. When a person sees himself as “salt”, when he sees the whole purpose of his existence is to give, he has added the vital ingredient to his marriage.

He has added the spice of life.

Source: Rabbi C. Z. Senter

Written and compiled by Rabbi Yaakov Asher Sinclair

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Subject Peninim on the Torah by Rabbi A. Leib Scheinbaum

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

And (they) take him out to the elders of his city... All the men of his city shall pelt him with stones and he shall die; and you shall destroy the evil from your midst. (21:19,21)

The ben sorer u'moreh, wayward and rebellious son, is put to death, but not for what he has done so far. Yes, he did commit some sins, which indicated a mean streak, but that is not why he is killed. Chazal teach us that he is put to death as a result of what his end would be. The Torah determined the culmination of his way of thinking. The end will be that he will exhaust his father's money and seek to maintain his habit. Without money from home, he has to seek it elsewhere. This will lead him to stand at the crossroads robbing people. If they refuse to give up the money, he will kill them. The Torah says, "Let him die as an innocent person and not die as a guilty person."

The ben sorer has not yet committed a sin which carries the death penalty. He has rebelled against his parents - clearly not acceptable behavior, but not behavior that warrants death. He has guzzled wine and devoured meat - not terrible sins by contemporary standards, but the Torah has a different perspective. In fact, the meat was glatt kosher, under the finest supervision, but he is still considered a ben sorer. His actions warrant his execution. Superficially, this is a difficult halachah to understand.

In the Talmud Rosh Hashanah 16b, Chazal say, "A person is judged only for his actions of that moment." Despite what will probably occur - such as his actions will change, and he will one day warrant a much stronger punishment-- Hashem judges him as per his actions at the time. This is derived from Yishmael, as it is stated, "For Hashem has heeded the cry of the youth - ba'asher hu sham - as he is there" (Bereishis 21:17). The Midrash relates that the angels pleaded with Hashem not to let Yishmael live, since in the future his descendants would kill many Jews. Hashem said that since, at that moment, Yishmael was righteous; He could judge him only as of that moment. How do we reconcile the ben sorer u'moreh with Yishmael? Why is one judged according to the here and now, while the other is judged according to his future deeds?

Horav Aryeh Leib Bakst, zl, distinguishes between the ben sorer u'moreh, whose actions will have a deleterious effect on others, influencing them to act in a like manner, and Yishmael who did not have this issue, since he was righteous at the time. In other words, the Torah is concerned not with his end, but with the effect his actions will have on the "ends" of others who witness his inappropriate behavior. When his friends see his gluttony and guzzling, they will be affected. No longer will acting like an animal be taboo. An attitude of reticence and apathy will prevail, as others begin to follow suit. Breach of the established principles of rectitude and decency catalyzes a free-for-all for everyone.

Thus, in the concept of ben sorer u'moreh, the moreh is derived from horaah, to teach. The wayward and rebellious son is teaching others to act reprehensively, to defer to their lusts and desires, to live a life of abandon, in careless disregard of the Torah's rules, of society's rules, of moral structure and rectitude. This is why he is killed now, before he damages the spiritual well-being of others. There are times when one must take serious action against an individual - adult or youth - because of his harmful effect on others. It is neither easy, nor pleasant, but it must be done. Indeed, the criteria for dismissal from an institution are - or, at least, should be - when the student becomes a menace to others. Regrettably, some schools concern themselves primarily with image. This determines whom they accept, and whom they keep. Heaven forbid that they care about the student himself. It is all about the perception "out there." How will it affect their bottom line? How will they be viewed by the "wider" community? The individual student is nothing more than a commodity, which, if not "marketable," is swept from the shelves and discarded.

Horav Mordechai Ilan, zl, suggests an alternative exposition to distinguish why the ben sorer u'moreh is punished prematurely, while Yishmael was not. It all depends upon pattern: past, present and future. Yishmael was a descendant of the Patriarchal family. As Avraham Avinu's son and, at present, a righteous individual, Hashem had no reason to punish him now for what his future descendants would do. The rebellious child is not only rebellious now; he is the seed of a marriage that should not have really occurred. As the son of a yefes toar, beautiful captive, whose marriage was allowed by Biblical dispensation, his track record was not great; his present is clearly discouraging, which leads us to the assumption that his future will be deleterious and harmful to others. Thus, we punish him now, while he is still innocent of a capital crime, so that he does not die a guilty man.

An Amonite or Moavite shall not enter the congregation of Hashem... because of the fact that they did not greet you with bread and water when you were leaving Egypt. (23:4)

The Torah forbids us from uniting in marriage with male members of the nations of Amon and Moav, because they did not greet us with bread and water when we left Egypt. Ramban explains that these two nations descend from Lot, Avraham Avinu's nephew, who was saved from death as a result of our Patriarch's merit. Therefore, they have an obligation of ha'koras ha'tov, recognizing the good, expressing gratitude to the Jewish nation. If they lack this middah, character trait, then they are an abominable people, who have no place in the congregation of Hashem - forever. This is how important the character trait of gratitude is in the eyes of the Torah.

Moshe Rabbeinu's death was contingent upon his carrying out a mission of vengeance against the nation of Midyan. Moshe could have taken his time and executed the command at his leisure. The sooner he acted, the sooner he would leave this world. Hashem's command is sacrosanct. Thus, Moshe rushed to carry it out; Hashem said nekom - "avenge" - you, Moshe carry out the act of vengeance. He did not, however, personally lead the army, since he had lived in Midyan for some time after escaping from Egypt. Why did Moshe not perform the mitzvah exactly as told? Horav Reuven Karlinstein, Shlita, explains that gratitude is also a mitzvah. Surely, Hashem did not want Moshe to transgress the mitzvah of ha'koras ha'tov, if he could be replaced with Pinchas, who was Moshe's choice to lead the army.

Ha'koras ha'tov means exactly that: recognition that one is in someone's debt, that he has been the recipient of someone's favor, for which he now owes a debt of gratitude. We often fail to recognize the benefits we receive from others. If we would reflect on the Torah's perspective of ha'koras ha'tov, we might consider altering our attitude. Rav Reuven quotes Horav Eliyahu Lopian, zl, who derives an illuminating lesson concerning the demands of gratitude, to which we are often in blatant disregard, or, at best, indifferent. This is how the Navi sees it.

In Divrei HaYamim 2:24, the Navi chastises Yoash HaMelech and his followers Zechariah ben Yehoyada HaKohen admonished the people for their rebellious behavior against Hashem. The king could not tolerate criticism and he had Zechariah killed. This is how an evil person deals with his competition. The pasuk reads: "And Yoash HaMelech forgot the kindness which Yehoyada his father (the Navi Zechariah's father) did with him, and he killed his son." Let us analyze the grievous nature of Yoash's violent act. Zechariah was a Navi. He was also a Kohen who served in the Bais Hamikdash and a Dayan, judge, who served on Bais Din. The murder took place in the Bais Hamikdash on Yom Kippur, which happened to fall on Shabbos. Hundreds of thousands of Jews died as a result of this act of murder. Yet, all that the Navi underscores is the fact that Yoash forgot the favor that Zechariah's father performed for him! Is this not mind-boggling?! Yehoyada saved Yoash's life by hiding him. Yoash

ignored the kindness and had his savior's son killed! Certainly, this is a vile act, the nadir of ingratitude, but does it overshadow the other evils mentioned above? Is a lack of gratitude worse than killing a Navi/Kohen in the Bais Hamikdash on Yom Kippur that falls out on Shabbos?

Yet, as Rav Elya notes, this is what the Torah is concerned about. A compelling lesson, one which had occurred earlier concerning another ingrate: Pharaoh.

The Egyptian king was a despot who, when afflicted with leprosy, slaughtered three-hundred Jewish children, so that he could bathe in their blood. Yet, all the Torah writes about him is that there arose a new king - asher lo yoda es Yosef, "Who did not know Yosef" (Shemos 1:8). Whether Pharaoh did not remember, or ignored history, is not the issue. What the Torah emphasizes here is that Pharaoh was an ingrate who, very conveniently, forgot his debt of gratitude to Yosef Hatzaddik. It is almost like saying, "The serial killer forgot to wash negel vasser in the morning!" Yes, that is the gravity of ha'koras ha'tov. It is the one thing that the Torah refuses to forgive.

Why is ha'koras ha'tov so crucial? A person who is an ingrate to people will also be an ingrate to Hashem. Human nature likes to receive, but finds it difficult to give. Recognizing that one is in someone's debt is a form of giving. I must give to him. I must give to Hashem. We, therefore, seek all kinds of excuses to justify ignoring that which we owe. We diminish the favors that we receive and magnify the little that we do in return. When a person realizes where/what he would be without the favor that he received, he might change his attitude.

The true service of the Almighty is built upon the foundation of gratitude. This principle is underscored in the first of the Ten Commandments. "I am Hashem, Your G-d, Who took you out of the land of Egypt, the house of slavery." It is clear that the reference to the "house of slavery" is intended to arouse within us feelings of gratitude, as a prelude to our acceptance of the Torah.

Chazal teach that "whoever is ungrateful for good done to him by his friend will eventually prove ungrateful for the good done to him by Hashem." How are we to understand this? It is not terribly unusual for an individual to be ungrateful. People are like that. To go so far as to consider this to be an indication of man's relationship with Hashem, however, is that not a bit far-fetched?

Horav Nochum Zev Ziv, zl, m'Kelm, explains the following: People are guided by their individual character traits. Thus, one who is irritable will become angry at every juncture which contains a stimulus to anger. One who is arrogant by nature will manifest his haughtiness whenever the situation arises. Likewise, one who is kindhearted will likely be kindhearted across the board, being good to everyone. One who is selfish will soon manifest his selfishness. The character trait with which one is born is the one which he must channel throughout life. Therefore, one who is an ingrate remains an ingrate. This middah, quality, is part of the person to the point that he is ungrateful also to Hashem, unless he strives to redirect the middah.

In contrast, one who garners his feelings of gratitude to others will likely act accordingly to Hashem. He will feel with all his heart that all he has is lent to him by Hashem, and he will thank the Almighty for his. In order to love G-d, one must be a giving person, for only such a person realizes the importance of gratitude for what he receives.

Usually, the greater one is, the more likely he is to recognize the benefits he receives from others, and the sooner he will offer his gratitude. Horav Eliezer M. Shach, zl, would annually deliver a shiur at the closing session of Yeshivas Tiferes Zion. The Rosh Yeshivah, who was a close student of Rav Shach, would make a point to invite the venerable sage a few days prior to the designated time in which the shiur was to be delivered. His request was the same every year: "The yeshivah is awaiting the Rosh Yeshivah." This year, Rav Shach demurred, claiming ill health and weakness. It had reached the point, he saw, "that I can no longer go all the way to the Yeshivah (Ponevez) to daven. I daven with the Kollel, since it is closer to my home."

The Rosh Yeshivah was acquiescent. "Chas v'sholom, Heaven forbid; if it is difficult for the Rosh Yeshivah, then we do not want to cause any hardship." Rav Shach thanked him for his understanding and bid him good day. As the young Rosh Yeshivah was leaving, Rav Shach suddenly called out, "Tell me again, what day and what time do you want me to speak?" "I do not want to trouble the Rosh Yeshivah," the student replied. "No, no, I want to come and speak," declared Rav Shach. "Truthfully, I have no strength, but I reminded myself that I owe you a debt of gratitude. After all, you are the sheliach tzibur, chazan, in Ponevez during the Yamim Noraim, High Holy Days. Thus, your prayers inspire me yearly. How can I not come to your yeshivah to speak? I owe you a debt. Where is my ha'koras ha'tov!"

Let us think about Rav Shach's statement. Thousands daven in the yeshivah - this applies equally to every shul in the world. We listen to individuals pouring

out their hearts to Hashem. They inspire us. Do we ever think about it? Rav Shach apparently did!

It will be that if the wicked one ought to be beaten... and he shall strike him, before him, according to his wickedness, by account. Forty shall he strike him, he shall not add. (25:2,3)

The Mishnah in Meseches Makkos (22:b) describes the malkus procedure:

"How do Bais Din lash him?... The attendant of the congregation stands upon it (a platform of stone) with a strap in his hand, made of calfskin, doubled one into two, and two into four." The Talmud asks, "From where in Scripture do we know that the strap (used for giving lashes) should be made of calfskin?" For it is written: "He is to strike him forty times," and, in proximity to this pasuk, it is written, "You shall not muzzle an ox during his threshing" (Devarim 25:4). The juxtaposition of these two otherwise unrelated pesukim teaches us exegetically that the strap used for flogging is to be made of calfskin. Although the pasuk speaks of a shor, full-grown ox, the word shor may refer to even a day-old calf. Thus, the strap may be made of the skin of a calf.

In his commentary, Ben Yohadaya to Meseches Makkos, Horav Yosef Chaim, zl, m'Bagdad, suggests a reason that the malkus is to be given with the skin of a calf. If it was purely due to its soft texture, a dispensation should apply to the skin of an ox that happens to be soft. It seems, however, that it must specifically be the skin of a calf. Thus, it must be that the skin of the egel, calf, alludes to the origin of the cause of sin. Clearly, it is a kindness from Hashem that all the punishment the sinner receives is lashes. Let us face it, no punishment suffices when one considers that the sin was against Hashem. Indeed, the Navi Yechezkel (18:14) declares, "The soul that sins should die." Hashem does not want to see an end to us; therefore, out of His enormous sense of kindness, He accepts malkus instead of death. He calls us a naar, youth. Ki naar Yisrael v'ohaveihu, "For Yisrael is a youth and I love him" (Hoshea 11:1). Bais Din must determine the sinner's ability to withstand the lashes. Surely, a young child will get off much easier than a burly adult. This is the idea behind the calfskin. It intimates that, actually the sinner deserves much more. He should be put to death, but Hashem is kind and instead views him as a young child, allowing for a much "softer" - more yielding - punishment. Rav Yosef quotes his son Rav Yaakov who offers an alternative explanation. The root of all sin is buried deep within the creation of the Eigel HaZahav, Golden Calf. Had the Jews not sinned with the Golden Calf, and had Moshe Rabbeinu delivered the Luchos as originally planned, the zuhamas nachash, noxiousness resulting from the primeval serpent, would have left the Jewish People, thereby breaking the hold of the yetzer hora, evil-inclination, on them. Sin is, thus, the by-product of the Golden Calf. The calfskin with which a sinner is flogged reminds him of the origins of sin, teaching him to focus on the cause of his sinful behavior, the yetzer hora, and prompting him to avoid the pitfalls it creates to ensnare him.

There seems to be some ambiguity between the number forty, which the Torah states is the required count for malkus, and the halachah, which states that one receives forty minus one - thirty-nine lashes. This is also part of the origin of sin. The creation of the Golden Calf came about as a result of an error in counting the forty days that Moshe tarried on the mountain. The people saw that our quintessential leader had not returned, and it was the fortieth day! Actually, it was still the thirty-ninth day, but they erred, causing them to make the Golden Calf on the thirty-ninth day of Moshe's ascension to the mountain. Thus, the punishment of malkus is based upon the number forty - but the sinner only receives thirty-nine. He now understands the origin of his sin.

I think the lesson to be derived herein is threefold: First, no punishment is arbitrary. There is a compelling reason for every punishment. Second, the punishment is not punitive, but rather, therapeutic, compelling us to consider why we are being punished: What did we do wrong, and how are we going to repair the breach in our relationship with Hashem? Third, we also learn that whatever punishment we do receive is actually a kindness. We can never correct the damage created by our behavior. We owe Hashem everything. To take that which He gives us and use it against Him is chutzpah at its nadir. Yet, we do it all the time - whenever we sin. How do we repair such insolence? We do not. We repent and pray for its acceptance. If we do not realize the gift of punishment, however, we might have some "difficulty" recognizing the need to repent.

It will be that if the wicked one ought to be beaten, the judge shall cast him down; and he shall strike him, before him, according to his wickedness. (25:2) The Sifri derives from the word lefanav, "before him," that the one administering the lashes must have einav bo, "look at the one being punished." He may not stare elsewhere while flogging the sinner. What is meant by this? Why is it critical that he look at the sinner while he flogs him? Horav Chaim

Zaitchik, zl, explains that it is an issue of empathy; the Torah demands that the flogger comprehend and sympathize with the sinner's pain. Regardless of the sinner's culpability, it is essential that we consider his pain, feel his anguish and understand what has catalyzed this punishment.

Such an outlook ensures that we do not view the entire debacle through a cold, unfeeling perspective. Otherwise, it is possible that the sinner might receive a stronger punishment than he deserves. We have to administer punishment, but it does not have to be with apathetic aloofness.

The Talmud Makkos 23a cites a Baraisa which states, "We appoint only attendants (to administer punishment) who lack physical strength and have superior intelligence." While this statement is disputed, it does indicate something about our judicial system. The guard should be a sensitive individual, who is more brain than brawn, a thinking person who finds it to be emotionally taxing to raise a hand against someone. He performs his function because this is the Torah's demand. He does not enjoy his work. In fact, it goes against his very grain. Sinners are also victims. Perhaps, if we stopped to think about what brought the sinner to this point in life, our attitude might change. It is so much easier to "turn our collective heads away," ignoring the perpetrator, because it might provoke some thinking on our part.

A rebbe is required, at times, to punish a student. He does not have to enjoy this part of his vocation. In fact, he should eschew this aspect and perform it with a heavy heart. The educator who takes perverse enjoyment, actually gloating over the punishment he administers, should find another vocation. He has no business teaching Jewish children. Not every student is a perfect angel, and there comes a time when a head of a school must ask a student to leave. This necessary action should engender a sense of sadness. I remember a few years ago when Horav Uri Hellman, zl, passed away. I was menachem aveil, and I heard the following amazing episode:

As principal of Bais Yaakov for over half a century, Rav Hellman inspired thousands of Jewish girls with a love for Yiddishkeit. Regrettably, not all students fit into a program and not every school is suitable for every girl Baruch Hashem, today, with the proliferation of schools, we are able to reach out to students of all aptitudes, characters and standards. Once, Rav Hellman was compelled to ask a girl to leave the school. It was a difficult decision, one that he had been putting off for quite some time, but, nonetheless, necessary and vital to the stable maintenance of the school. The day that he was to expel the girl began as usual. Rav Hellman was in his office addressing various issues, when his secretary brought him a piece of cake from someone's party. She left it on his desk, as he continued plowing through his work. When she returned hours later, she noticed that the cake had not been touched. Curious, she asked him why he had not tasted the cake. Rav Hellman's reply goes to the core of his philosophy of chinuch, and defines his eminent position in the annals of Torah chinuch. He said, "How can I eat today when I have to send a Jewish girl from the school?" To him, administering disciplinary punishment was something that had to be done - but with a very heavy heart.

Va'ani Tefillah

Amen: Yehei Shmei rabba mevarach.

In addition to the simple and deeper meaning of the words in the Kaddish prayer, the number of the words and letters in various parts of this tefillah have great significance. The phrase, Yehei Shmei Rabba Mevarach l'olam u'lolmei olmaya, contains seven words, with the preceding Amen being the eighth "add on." As noted by the Maharal, the number seven represents a sense of completion in Hashem's scheme of Creation. This is reflected in the seven days of the week, seven years in the Shemittah cycle, seven weeks of Sefirah - preparation for receiving the Torah. At times, something of an earthly origin can have such an effect that it transcends its earthly roots. This is noted from Bris Milah, which, although performed in this world, denotes a covenant between man and G-d, thereby giving it cosmic implications. Such a higher realm of action is symbolized by the number eight, which transcends the physical. Hence, Bris Milah occurs on the eighth day after a male infant's birth. As a seven-word phrase, Yehei Shmei rabba expresses total dedication to Hashem, but it is preceded with the word Amen, alluding to the fact that this total phrase has cosmic implications that transcend the physical dimension. Thus, we understand why one who answers Yehei Shmei rabba with total inner resolve, with extreme devotion, dedicating himself to the service of the Almighty - his affirmation of uncompromising faith has the power to annul negative Heavenly decree issues against him. That is the power of eight. Sponsored in honor of our wonderful children. May they grow in their love of Hashem and His Torah. Mr. & Mrs. Boruch Levine; Baltimore, MD

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Subject Rabbi Frand on Parsha

Rabbi Yissocher Frand - Parshas Ki Seitzei

The Reward for Shiluach haKen Is the Inverse of the Reward For Kibud Av v'Em

We learn in this week's parsha that a person who sees a bird sitting on its nest may not to take the chicks or the eggs in the presence of the mother (inasmuch as this causes great pain to the mother). Rather, one is supposed to first send away the mother and then take the chicks or eggs. This is the mitzvah of Shiluach haKen. The reward stated for doing this mitzvah is "so that it will be good with you and your days will be lengthened" [Devorim 22:7].

The only other mitzvah in the Torah that records this same formula for reward is the mitzvah of honoring one's parents (Kibbud Av v'Em). [Devorim 5:16] However, the Baal HaTurim points out a very interesting difference between the reward of Shiluach haKen and that of Kibbud Av v'Em. With Shiluach haKen, the Torah first writes, "It will be good for you" (l'ma'an yitav lach) and then "you will have long life" (v'ha'arachta yamim). However, with Kibud Av v'Em, the order is the opposite. There the Torah first says that you will have long life (l'ma'an ya'richu yamecha) and then "in order that it will be good for you" (u'l'ma'an yitav lach). Why does the Torah reverse the order?

The Baal HaTurim has his own thoughts on this matter. However, I saw a very interesting approach to this question in the Shemen HaTov (chelek 4). The Shemen HaTov writes that by the mitzvah of Shiluach haKen, the reward of "it will be good for you" will come relatively soon. If one is 20 years old when he performs this mitzvah, the promise of "long life" is something off in the distant future. At 20 years old, people think that they are going to live forever. The Torah therefore starts with the more immediate, "it will be good for you" as the primary reward and "long life" as an afterthought.

The Torah states the rewards in the reverse order regarding honoring one's parents because the mitzvah of Kibud Av v'Em can be an extremely difficult mitzvah. This is particularly true for those of us who are fortunate enough to have aging parents when the mitzvah of Kibbud Av v'Em is really needed the most. If one has elderly parents that require a terrific amount of care, it can be exceedingly difficult and trying. The Torah tells us "Take care of your parents," particularly your elderly parents who need it the most. Therefore, the Torah does not start with "things are going to be great for you." By Kibbud Av v'Em, instead of starting by promising that it will (immediately) be great for someone who performs this mitzvah, The Torah emphasizes a different reward: "One day you yourself will get old. Do you know who will take care of you when you get old? It will be your children. They will take care of you exactly as you took care of your own parents."

If children see parents taking care of elderly grandparents and they do it with love, kindness, and devotion, then when the parents themselves reach the stage of "Arichas Yamim" [long life], it will be "L'ma'an yitav lach". They will reap the reward of their own service to their parents by the fact that their children will serve them and "it will be good for them".

My father brought his elderly mother to this country when he came here in 1939. His mother lived with us for many years until she had a stroke and had to be put into an old age home because that is the type of care she needed. This facility was about 20-25 minutes by car from our home. Every single night, my father would go visit his mother who at that stage did not even know who he was. My grandmother died in 1960 when I was 12 years old. I used to go with my father almost every night to spend time in the old age home with my

grandmother. It made an impression upon me regarding what it means to take care of an elderly parent.

My father unfortunately died suddenly and I never had that opportunity with him. I would like to think that with my mother who did have a long life and who was quite infirm in the end, I tried to take care of her the best I could, notwithstanding the 3000 miles between us.

The point is that the way in which parents treat their parents makes a profound impression on children. When parents treat their parents in an honorable fashion, it makes it far more likely that their children will treat them in an honorable manner as well, when the time comes. Therefore, by the pasuk by Kibud Av v'Em implies: Honor your parents in order that (when) you reach long life, it will be good for you (because of the example you set in Kibud Av v'Em for your children).

Guilt Is Good -- It Leads To Teshuva

The Torah teaches "Thou shalt not bring the hire of a harlot ... into the House of the L-rd thy G-d for any vow..." [Devorim 23:19] The Torah labels the ill-gotten gains of a harlot's hire as being an abomination unto the L-rd and considers it to be a very inappropriate offering for the Bais HaMikdash.

The Ramban suggests that the harlot specifically wants to take the payment she received for her acts of immorality and do mitzvot with it in order to atone thereby for her sins. The Torah rejects such offerings, as the Ramban writes, so as not to encourage future behavior of this nature.

One of the most powerful of human emotions is that of guilt. People do things that they know are wrong and they feel guilty about it. Guilt can be a positive emotion. It is one of the great motivating factors in Teshuva [Repentance]. Unfortunately, in our society we try to relieve people's guilt. We say guilt is not a healthy emotion, one should not feel guilty, etc. This is not true. Guilt is a very important and healthy human emotion.

When we are eating, why do we get to a point when we stop eating? We sit down and we eat and eat and eat, but ultimately we have a satiation mechanism in our bodies that tells us we are satiated. This is a good thing. If we would not have this mechanism, we would eat forever. Guilt is an emotional mechanism akin to the physical emotion of satiation. What the satiation mechanism does for our bodies, the guilt mechanism does for the human psyche. It tells us "You have done something wrong. You should not do this again." It is a healthy emotion, which is the motivating factor behind repentance.

The harlot thinks to herself "I can get away with this behavior. I can do this." She thinks, "I will bring a sacrifice with my wages, what could be nobler than that? The only way I can afford to do such a noble thing is to engage in my profession. Therefore, I can do it again." This, according to the Ramban, is why the Torah rejects such offerings.

There is a much more common example of this in our own time. Many times, people make a lot of money in business dealings. However, sometimes people may make money illegally and then they decide they will donate some or all of the money to "religious causes". They give it to a shul or a yeshiva or have a building named for them. This plays with their psyche the same way the harlot's gift to the Beit HaMikdash plays with her psyche. "Listen, the only reason I was able to make such a donation was because I made the money." This acts as a guilt suppressant. The result is that this encourages such illegal behavior and allows them and others to continue in their pursuit of ill-gotten gains so that they might make future contributions of this nature, again all "for the welfare of the Jewish community".

There is no explicit prohibition in the Torah prohibiting the acceptance of ill-gotten money for the benefit of religious institutions. However, it is the spirit of the law of "Esnan Zonah" to refuse such donations. Trying to sanctify such donations of ill-gotten assets only encourages more such behavior in the future.

The Torah says do not take this money. Let the person feel guilty. The only way to stop bad behavior is to let the guilty feeling run its natural course. When guilt gets to us, to the point that we feel we must stop and repent our ways, we are making progress and Teshuva is at hand.

Transcribed by David Twersky Seattle, WA; Technical Assistance by Dovid Hoffman, Baltimore, MD
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Rabbi Dr. Tzvi Hersh Weinreb

OU TORAH / Person in the Parsha

Sponsored in memory of Nathan and Louise Schwartz a"h
Rabbi Weinreb's Torah Column, Parshat Ki Tetzei
"And the Winner Is..."

It was the first time that I announced a contest from the pulpit. It felt like a risky thing to do, and probably was. But it worked, and I tried it several times over the ensuing years.

It was on the occasion of this week's Torah portion, Parshat Ki Tetzei, but it was many, many years ago. What prompted me to launch the contest with confidence was a discussion I had one Friday morning with a group of teenagers. They were frustrated by the fact that they could find little relevance in many of the biblical passages that we were studying. So many of these passages seemed to be speaking of events and circumstances that were unrelated to those prevalent in the lives of these teens.

Instead of offering my own ideas about this issue, I told them that I would challenge the entire congregation to find relevance in some of the passages of that week's parsha, which happened to have been Ki Tetzei. They felt excited to be in on what they viewed as a conspiracy, the planning of a sermon in which the rabbi would turn the table on the members of the congregation and require a response from them. I stood up that Saturday morning and began by quoting the following verse: "If you see your fellow's donkey or ox fallen on the road, do not ignore it; you must help him raise it." (Deuteronomy 22:4) Rashi, following the explanation of the Talmud, understands this to mean that if the donkey's pack falls off his back you must help your friend replace it there. This is the mitzvah known as te'inah, or unloading. I challenged the audience with the following question: "Of what possible relevance is placing a fallen burden back on a donkey to us in our daily lives? When is the last time you met a donkey or an ox on the road, with or without a sack on the ground beside it?"

I then asked the audience to take out their Chumashim, their Bibles, and turned back to a passage we had studied together during the previous winter in the Torah portion of Mishpatim. There we read, "When you see the donkey of your enemy lying under its burden and would otherwise refrain from helping him, you must nevertheless help him." (Exodus 23:5)

Rashi, again following the Talmud, sees this as the mitzvah of perikah, of helping to unload the donkey of its burden, and helping even one's enemy in the process. "Now I understand," I argued to the audience, "that the lesson of helping one's enemy may be a relevant, if unpopular, one. But unloading a donkey? When was the last time anyone here did that?"

Then I announced the contest. "I am not going to provide my own suggestions to answer these questions," I said. "Rather, we are going to have a contest in which each of you can write your own answers to these questions."

I had done some preliminary work before Shabbat and enlisted two well-respected members of the synagogue to serve along with me on a panel of judges to evaluate the submissions and to decide upon the top three responses.

I must confess to having been delighted by the number and quality of the answers that were handed in. It was by no means a simple task to decide upon the three most creative ideas.

As the second runner up; that is, the third of the top three, my two judicial cohorts and I chose the answer submitted by our shul's resident yeshiva bachur, a young student who found the answers to most of his questions in the Talmud. He reminded us of the passage in Tractate Bava Metzia which imagined a situation in which a person would have to choose between the mitzvot of uploading and unloading, between te'inah and perikah.

The Talmud describes the dilemma of the person who encounters not one, but two, donkeys. One donkey has its fallen cargo on the ground next to it; the other is bent under its burden. You have time for only one donkey. Which one do you attend to?

The Talmud answers that your priority is to unload the overburdened donkey. The Jewish value of tza'ar ba'alei chayim, sensitivity to the suffering of animals, trumps the mitzvah of te'inah. "Surely teaching about the need to avoid cruelty to animals is a relevant lesson," argued the budding Talmudic scholar.

The runner up, number two in the contest, was our local psychologist. "Every day," he asserted, "I help to unload peoples' burdens. I try to listen to them and to somehow lighten the weight that they feel. That's perikah. And then there are those whom one must encourage to 'upload' the packs on their backs and to 'keep on truckin,' to get back on the road, and to get on with their lives. That's te'inah."

Our panel of judges was in for a surprise when it came to the contestant who won the grand prize. Of all the many members of the synagogue, it was the aging cantor who was clearly the winner. We all knew that his voice was far from what it once was and that he had trouble reaching the high notes as well as the lowest notes on the musical scale. But we kept him on, and indeed cherished him, for his genuine piety and sincere humanity.

"Whenever I stand in front of the congregation," he said, "and anticipate the difficulty I am about to have in reaching the high notes, I appreciate those of you who sing and chant along with me and help me achieve those high notes. You uplift me. When you do that, you fulfill the mitzvah of te'inah. And as I falter in trying to descend the musical ladder to those lower notes, and you, the congregation, come to my aid with your voices, you help lower my burden, and you perform the mitzvah of perikah.

We are told that there are seventy facets to the Torah. We had about seventy contributions to our contest that Shabbat. I have shared only the top three with you, dear reader, and challenge you to come up with others on your own.

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Subject [Rav Kook List]

Rav Kook on the Torah Portion Ki Teitzei: Drafting Yeshiva Students

"When you wage war against your enemies..." (Deut. 21:10)

Rabbi She'ar Yashuv Cohen, chief rabbi of Haifa and son of the Rav HaNazir, related the following story:

During the winter of 5708 [1947-1948], I was one of the younger students at the Mercaz HaRav yeshiva, as well as a member of the Haganah [the pre-state Jewish defense organization]. This was during the tense period of rioting and attacks that began after the 29th of November UN vote to establish a Jewish state, before the State of Israel was declared on the 5th of Iyyar.

In those days, there was much turmoil in the yeshiva whether the students should enlist to fight and defend. Both my father, the Rav HaNazir, and Rabbi Tzvi Yehudah Kook felt that it was incumbent upon all to go out and fight this milchemet mitzvah, a compulsory war in which all are obligated to participate. However, those close to the rosh yeshiva, Rabbi Yaakov Moshe Charlap, held that yeshiva students should continue their Torah studies in the yeshiva, and the merit of their Torah learning would bring victory in battle. "On your walls, Jerusalem, I have posted watchmen" (Isaiah 62:6) - those watchmen are scholars, diligently studying Torah.

At that time, the situation in the Jewish Quarter in Jerusalem's Old City was desperate. I came up with the idea of organizing a group of yeshiva students and establishing in the Quarter a 'Fighting-Defense Yeshiva.' The yeshiva's daily schedule would be comprised of eight hours for defense and guard duty, eight hours for Torah study, and eight hours for rest and sleep.

The proposal was brought before the Haganah command and was approved. But those close to Rabbi Charlap were totally opposed to the idea. This dispute within Mercaz HaRav disturbed me deeply, and caused me much anguish.

Later, as I exited the yeshiva, I saw huge notices pasted on the entrance to the yeshiva. It was a broadside quoting Rav Avraham Isaac Kook in order to prove that yeshiva students should not be drafted into the army. When I read the notices, I was in shock. Was I acting against the teachings of Maran HaRav Kook?

Agitated and upset, I made my way down the road toward Zion Square. There I saw a figure walking toward me, slightly limping. As he came closer, I saw that it was Rabbi Tzvi Yehudah.

I was very close to Rabbi Tzvi Yehudah; he was like an uncle to me. When he saw my shocked look, Rabbi Tzvi Yehudah became concerned. 'What happened, She'ar Yashuv? Why do you look like that? Don't be afraid, tell me.' Under the pressure of his questioning, I told him about organizing a fighting yeshiva in the Jewish Quarter, and my distress when I saw the announcements which indicated that we were acting against the guidance of Rav Kook.

When he heard my words, Rabbi Tzvi Yehudah was horrified. He grabbed me by my shoulders and began to shout. "This is a complete forgery! A distortion and utter falsehood!" His shouts echoed from one end of the street to the other. He was extremely upset.

After calming down, he explained that his father had written this letter during the First World War, regarding the draft of yeshiva students who had escaped from Russia to England. Rav Kook felt that these students should be exempt from the draft, just as the British exempted other clergy students. But here - Rabbi Tzvi Yehudah continued with emotion - here we are fighting for our hold on the land of Israel and the holy city of Jerusalem. This is undoubtedly a milchemet mitzvah; whereas in England, the demand was that the yeshiva students fight for a foreign army.

The rabbi's words reassured me, and I asked if he would be willing to write them down so that they could be publicized. He agreed, and publicized a broadside in which he objected to the use of his father's letter to Rabbi Hertz, chief rabbi of England.

The Pamphlet

Rabbi She'ar Yashuv also asked Rabbi Tzvi Yehudah to publish his views on the matter in a more detailed and reasoned format. Rabbi Tzvi Yehudah replied that there is no point in writing an article when the city is under siege and the printing presses are closed down. Rabbi She'ar Yashuv, however, was able to get a special approval from the defense board, so that a pamphlet containing five articles was published soon after.

In his article, Rabbi Tzvi Yehudah explained that joining the army at that time was important for three reasons:

As a matter of saving lives and pikuach nefesh;

To fulfill the mitzvah of conquering the Land;

Due to the great public kiddush Hashem when the nation is redeemed from danger.

A Copy for Rabbi She'ar Yashuv

Even though Rabbi She'ar Yashuv was the one who had initiated the pamphlet's publication, he himself did not receive a copy when it was printed. Only several

months later, due to the special circumstances of that time, did he receive a copy.

Rabbi She'ar Yashuv was one of the volunteers who somehow made their way inside the Old City. He joined the fighters there, and was seriously wounded in the battles. When the Old City was captured by the Arab Legion, he was taken prisoner. After seven months as a prisoner in Jordan, the prisoners were returned to Israel in a prisoner exchange deal. Rabbi She'ar Yashuv was brought to Zichron Yaakov to recuperate, and Rabbi Tzvi Yehudah came to visit him the morning after his arrival.

Rabbi She'ar Yashuv recounted:

"The next morning, as I was removing my tefillin after morning prayers, I looked out the window. And there I saw Rabbi Tzvi Yehudah, slowly climbing the mountain! Afterward I found out that he had taken the first bus from Jerusalem, and traveled early in the morning all the way to Zichron Yaakov in order to greet me. I ran toward him, and he hugged and kissed me. He cried over me like a child. The truth is that my situation was so serious that everyone had nearly given up all hope. Until then, such a thing had never happened - returning alive from captivity in an Arab country. But King Abdullah wanted to show the world that he was an enlightened king who respected international law....

"After his outburst of emotion, Rabbi Tzvi Yehudah put his hand in his coat pocket and brought out a small pamphlet, containing his article about defending the country. Inside was an inscription: 'For my dear beloved friend - the initiator, advisor, and solicitor [of this tract]. This pamphlet is kept from the day of its appearance, until God's redeemed will return in peace, and joyfully come to Zion.'

"I still have that pamphlet, carefully stored in my possession."

(From Mashmiah Yeshuah, pp. 270-272)

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Subject Weekly Halacha - Parshas Terumah

by Rabbi Doniel Neustadt (dneustadt@cordetroit.com)

Yoshev Rosh - Vaad HaRabanim of Detroit

Weekly Halacha

by Rabbi Doniel Neustadt

Bal Talin—Timely Payment of Wages

Bal talin, lit., it shall not remain overnight, refers to the Biblical command to pay wages to a Jewish employee or laborer "on the day" that he completes his job. It makes no difference whether or not the worker is rich or poor or if he is owed a substantial or an insignificant amount of money; once a worker has finished a job to the employer's satisfaction, he must be paid before the day is over. It is, therefore, advisable that before hiring any worker one should make sure to have cash at hand in order to pay his worker on time.¹

"On that day" means that a worker who finishes his job during the daytime must be paid by sunset of that day. If the worker has not been paid in full by sunset, his employer has transgressed one or more Biblical prohibitions.² Similarly, a worker who completes his job during the night must be paid in full before dawn. If the worker is hired for a full day [or night] or for a full week or month, he must be paid by the morning [or evening] after his term of employment is over.

Question: Does bal talin include monies owed to service contractors as well?

Discussion: Payment for work contracted by the job is also included in this commandment. Thus, when an item is taken in for repair or cleaning, etc., or if a plumber or an electrician comes into one's home for a specific job, payment must be made "on the day" that the item is picked up³ or the job completed.⁴ However, when contracting for a job in which the raw materials belong to the worker [as in the case of a builder], these laws do not apply. In this case, we view the relationship between them as one of a buyer and a seller, not as one of an employee and his employer.⁵

These laws apply also to rental fees. When the rental period is over, payment must be made by the end of that day [or night].⁶ There is a dispute among the Rishonim over whether these laws apply to property rentals as well.⁷ The Chafetz Chayim rules that one who is late with his house rent transgresses this prohibition.⁸ But bal talin applies only to rent charged at the end of the rental period, not to rent charged in advance of the rental. Nowadays, most residential

leases require one to pay the monthly rental fee in advance. While one is still obligated to pay as per the terms of the contract, the Biblical prohibition of bal talin does not apply.⁹

Question: Are all forms of payment considered "payment" vis-à-vis the halachos of bal talin?

Discussion: An employer cannot force his worker to accept compensation other than cash.¹⁰ If a worker refuses payment by credit card, the employer must honor his demand and pay him in cash,¹¹ or with a check that can be easily and quickly cashed before "the day" is over.¹²

Payment must be made on time to a minor as well.¹³ Thus, when a baby-sitter is hired, she must be paid before the day [or night] is over.

An employer who finds himself with no money¹⁴ to pay his employee does not transgress this prohibition.¹⁵ If he has no money but is able to borrow without incurring substantial fees, he should do so. Not having exact change on hand is no excuse to delay payment.¹⁶

If the amount of payment is in dispute and will be settled in a din torah, the employer may withhold from the worker the amount which is in dispute, but must pay whatever amount is not in dispute on time in order to avoid bal talin.¹⁷ Needless to say, it is always advisable for an employer and a worker to agree on the price before starting a job so as to avoid such disputes.¹⁸

Question: Does bal talin apply if the worker is not particular whether or not he receives his payment "on that day"?

Discussion: The halachos of bal talin apply only if the worker asks—either himself or through a messenger¹⁹—to be paid. Even if the worker is too shy to ask outright, he still must be paid on time.²⁰ If, however, the worker does not mind being paid at a later date and consents to wait for his money, it is permissible to defer payment.²¹ Even if he really wants to get paid on time but only agreed to defer payment because he is embarrassed to express his true wishes, the halachos of bal talin do not apply, as long as he explicitly gave his consent.²²

If the common practice in a given locality is to pay a laborer's wages at the end of the month or at a time when accounts are calculated, then the payment does not have to be made until then.²³ At that time, however, the payment must be made even if the worker does not demand it outright, since it is understood that he is supposed to be paid on that day.²⁴

It follows, therefore, that if a baby-sitter is hired for one session, she must be paid "on that day." This is because she expects to be paid immediately upon completion of her job. If, however, the baby-sitter is hired on a steady basis, then there is no deadline for the time of payment since many people do not pay their regular baby-sitter after each session.²⁵

It is permitted to make a pre-condition with a worker that he will not be paid on time.²⁶ This condition must be made before the worker agrees to do the job. Thus, even a one-time baby-sitter may be paid at a later date if she was told of this condition before she agreed to take the job.

A worker who takes a position with an employer (or an institution) who has a reputation for not paying on time, is considered as having agreed in advance to accept late payments. Bal talin does not apply.²⁷

1 Sefer ha-Chinuch, 585. See Nesiv ha-Chesed 10:24.

2 Depending on the circumstances, there could be up to six different commandments (five negative and one positive) that are transgressed when payment is not made on time; see C.M. 339:2 and Sma 4.

3 If the item is not being picked up, even though the repairman notified the owner that it is ready, the owner does not have to pick up the item and bal talin does not apply; Beir Halachah O.C. 242, s.v. lechabed. See, however, Aruch ha-Shulchan, C.M. 339:8 who disagrees.

4 C.M. 339:6.

5 Ketzos ha-Choshen, C.M. 339:3; Aruch ha-Shulchan, C.M. 339:7; Nesiv ha-Chesed 10:4.

6 C.M. 339:1.

7 Pischei Teshuvah, C.M. 339:1.

8 Ahavas Chesed 9:5. This is also the ruling of the Ketzos ha-Choshen 339:1.

9 Avnei Yashfe 2:118, quoting Rav Y.S. Elyashiv; Business Halachah, pg.

179, quoting gedolei ha-poskim; Halachos Of other people's Money, pg. 127, quoting Rav S. Wosner and Rav A. Pam.

10 Shach, C.M. 336:4. See also Pischei Teshuvah, C.M. 336:1.

11 Rav Y.S. Elyashiv, quoted in Halachos Of other people's Money, pg. 107.

Even when a worker or a service provider accepts credit card payment and bal talin is not transgressed, the employer does not fulfill the positive commandment of "paying that day," since a credit card payment is not considered "money"; *ibid.*

12 Rav M. Feinstein (written responsum published in Mili de-Nizakin, pg. 122) in a locale where it is customary to pay by check. See Pischei Choshen (Hilchos Sechirus 9, note 36) who questions if payment by check made after the bank's closing hours is valid.

13 Ahavas Chesed 9:5. See Nesiv ha-Chesed 16 who takes to task those who promise compensation to a minor and then do not pay him on time.

14 Even if the only money he has is needed for Shabbos expenses, he still must pay the worker first; Beiur Halachah, O.C. 242.

15 If he had money at the time the worker was hired and he spent it on other expenses, he has transgressed the prohibition; Ahavas Chesed 9:9.

16 Ahavas Chesed 9:7 and Nesiv ha-Chesed 21. He adds that if one has merchandise which could be sold, he should sell it in order to pay.

17 Rav Y.S. Elyashiv, quoted in Halachos Of other people's Money, pg. 105.

18 See Ahavas Chesed, end of chapter 10.

19 Rav Akiva Eiger, C.M. 339:10; Aruch ha-Shulchan 339:12.

20 Nesiv ha-Chesed 9:29, in a situation where the worker enters the employer's house but is too intimidated to ask for money.

21 C.M. 339:10. According to some poskim, it is improper to delay payment even if the worker does not explicitly ask for the money.

22 Rav Y.S. Elyashiv, quoted in Halachos Of other people's Money, pg. 113.

23 C.M. 339:9; Ahavas Chesed 9:13.

24 Rav Y.S. Elyashiv, quoted in Halachos Of other people's Money, pg. 112.

25 Rav M. Feinstein (written responsum published in Mili de-Nizakin, pg. 121).

26 Shach, C.M. 339:2.

27 Rav Y.S. Elyashiv, quoted in Halachos Of other people's Money, pg. 113. See also Avnei Yashfei 2:118 Weekly-Halacha, Weekly Halacha, Copyright © 2010 by Rabbi Neustadt, Dr. Jeffrey Gross and Torah.org. Rabbi Neustadt is the Yoshev Rosh of the Vaad Harabbonim of Detroit and the Av Beis Din of the Beis Din Tzedek of Detroit. He could be reached at dneustadt@cordetroit.com

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 By Rabbi Yirmiyohu Kaganoff

When must I Check for Shatnez? By Rabbi Yirmiyohu Kaganoff

The articles that I distributed for this past Parshiyos Kedoshim and Emor discussed many of the basic laws of shatnez. We learned at the time that the prohibition of shatnez exists only if the garment is made from a blend of sheep's wool and linen, but that wool of other species does not make shatnez. Thus, wool made of camel, rabbit or goat hair mixed with linen is not shatnez (Mishnah, Kilayim 9:1; see Rambam, Hilchos Kilayim 10:2). ("Wool" means simply soft hair that is comfortable enough to use as cloth.) Therefore since mohair and cashmere are both varieties of goat's wool and not made from sheep's wool, the existence of linen in a garment containing them will not make it shatnez. At the time, a correspondent noted that in practice one should not rely on this, since manufacturers usually add less expensive sheep's wool to mohair and cashmere.

We also learned in the earlier articles that when a thread is spun from a blend of fibers, the halachic status of the thread is determined by what composes most of the thread's content and ignores the existence of other fibers inside the thread (Mishnah Kilayim 9:1). Therefore, a thread spun from goat hair fiber with a small amount of sheep's wool fiber cannot become shatnez, whereas a thread spun with a majority of sheep's wool fiber can. However, a thread of linen that is woven or otherwise attached into a woolen garment renders the garment shatnez, and there is no bitul (Rosh, Hilchos Kilei Begadim #5 quoting Tosefta; Shulchan Aruch, Yoreh Deah 299:1). Even a single linen thread in a large woolen garment renders the entire garment shatnez. In addition, if a spun thread is mixed into a larger thread, then there is a shatnez problem min haTorah even if there is only one linen thread in a large garment.

Since this week's parsha, Ki Seitzei, also discusses the mitzvah of shatnez, we will continue studying the laws of shatnez.

How should one check for Shatnez?

The first step in checking for shatnez is to read the label when looking at the garment. Although one cannot be certain from this that the garment is not shatnez, it may tell you that it is.

Years ago, I was present when a frum organization conducted a men's fashion show as a fundraiser. A local mechaneich was modeling a suit for the show when the announcer read the garment description over the microphone for all to hear: "This suit contains 70% wool and 30% linen." I will not describe the pandemonium that ensued.

Here is another example:

Following a shatnez lecture a woman came forward with the scarf on which the content label stated: 48% Linen 42% Wool 10% Cashmere.

However, one should never rely on labels, which are notoriously inaccurate.

Here is a recent example:

A two-piece sweater set was purchased in a store in Boro Park. The vest seems to have been correctly labeled as 70% acrylic and 30% wool. The exterior of the long-sleeved sweater was identical to the vest, yet its label did not indicate any wool in the garment. In actuality, the exterior of this sweater contained 30% wool thread and the shell beneath it was 100% linen, making it shatnez min haTorah.

May one rely on the label?

Since neither storekeepers nor manufacturers take any responsibility for the content label on their garments, I see no halachic basis to rely on them. The concepts of *uman lo marei umnaso*, that an expert may be relied upon because he is careful and concerned not to damage his professional reputation, and *mirtas*, that a merchant is concerned about being caught lying because it will affect his business are true only when being caught with a lie or an error will disparage their professional reputation. In an environment where we see that clothing stores feel no responsibility legally or commercially for the accuracy of the content labels on the clothes that they sell, there is no halachic basis to rely on those labels.

Even when a label is accurate, it describes only the material itself, but not backings, linings, ornaments, loops, fillings, button thread etc., all of which often contain shatnez. It is even common that garments contain remnants of wool or linen thread in seams and canvasses that accomplish no recognizable purpose. For example, a number of shatnez laboratories have reported woolen sweaters containing remnants of linen threads in their seams.

So how does one know whether a garment must be checked for shatnez?

Although all types of garments might contain shatnez, the halachic question is when is the possibility of shatnez frequent enough to require that this garment be checked.

The laws of checking are not unique to shatnez. Let us see if we can compare shatnez to other halachic issues. The most extensive discussion about checking for non-kosher items regards checking animals to see if they contain tereifos, defects that render them non-kosher. This halacha is germane to all meat, eggs and dairy products that we consume, since the eggs and milk produced by a tereifah chicken or cow are also non-kosher. So what can we do? If we were to check every chicken or cow for tereifos before we consumed any eggs or dairy products, this would drive up the price of eggs and milk considerably since we would need to slaughter the chicken before we could consume its egg and the cow before we could drink its milk. Obviously, we all realize that halacha does not require this. So what does halacha require?

The general rule regarding checking these items is as follows:

When a problem exists in more than half of a species, one may not consume the product without checking. When one cannot easily check for a problem, and it occurs less than half the time, one may eat the eggs or drink the milk and rely that the majority of chickens and cows are not tereifah.

Regarding the meat, there is a dispute among halachic authorities when one is required to check for tereifos. How high a percentage of tereifos is needed to require examination? A dispute over this issue developed in the early nineteenth century between two great poskim, Rav Efrayim Zalman Margolies, the Rav of Brody (Shu"t Beis Efrayim, Yoreh Deah #6) and Rav Yaakov of Karlin (Shu"t Mishkenos Yaakov, Yoreh Deah #16 & 17). The Beis Efrayim contended that it is not necessary to check for a tereifah if we do not find that Chazal and early poskim required it, whereas the Mishkenos Yaakov contended that if a certain tereifah occurs in ten per cent of animals one is required to check every animal for this tereifah. (The halachic source for this figure of ten per cent is beyond the scope of this article.) It appears to me that the accepted approach today is to follow the Mishkenos Yaakov's ruling and check for tereifos that appear frequently (see Darkei Teshuvah 39:3), although some contemporary authorities feel that the percentage should be closer to seven per

cent than ten per cent. This percentage is usually called mi'ut hamatzuy, literally, a commonly found minority.

Do we compare tereifos to shatnez?

Do we do a statistical survey of shatnez found in clothing and see if we find shatnez in 10% of men's suits, ladies' sweaters, etc.?

The halachic sources do not imply this. Based on a Mishnah (Kilayim 9:7) the Rambam rules "Someone who purchases wool garments must have them checked very well to determine that they are not sewn with linen thread" (Rambam, Hilchos Kilayim 9:28). He does not say that it depends on the percentage of shatnez that we find.

For example, one early authority contends that whether we need to be concerned about shatnez depends on local market conditions (Rash, Kilayim 9:7). When hemp is readily available and less expensive than linen, one need not be concerned that a tailor would use linen (see also Taz, Yoreh Deah 302:4). The Shulchan Aruch (Yoreh Deah 302:2) concludes the following: "one purchasing wool garments from a gentile must remove all the stitching and replace them with hemp, although he also rules like one may be lenient when hemp is readily available and less expensive than linen. (We should note that there are authorities who disagree with the Rash and the Shulchan Aruch, contending that one may not be lenient even when hemp is readily available and less expensive than linen, because the tailor may prefer working with linen, which is stronger and easier to work than hemp.)

It appears that we do not use the rules of mi'ut hamatzuy, that we statistically use 10% to determine whether we must check, for the laws of shatnez, for the following reason. All the cases of mi'ut hamatzuy are when there is a natural situation that something happens – wine sours, animals develop diseases or injuries that render them tereifah, or insects dine on their vegetables. One cannot apply mi'ut hamatzuy to something dependent on the whim of a manufacturer, who is, after all, a baal bechirah. Thus, we should compare the laws of shatnez to situations where we are concerned about whether a product was adulterated with a non-kosher substitute. There the logic that is applied is: Is there reason to suspect that someone would adulterate the product with non-kosher? The answer is that we must be strict when we suspect that there might be a problem, and we are not required to when there is no reason for suspicion. The same rules apply to shatnez.

With this background, we can understand that any garment that has a reasonable concern that there might be shatnez needs to be checked.

Cannot Check in time-

What if I cannot get it checked in time, and I need to wear it immediately?

Reuvein arrives in Zurich the day that his brother is getting married, but his suitcase did not end up on his flight. He has nothing appropriate to wear to the wedding, and there is no time to have a new suit checked for shatnez. May he purchase a suit and wear it to the wedding and only afterwards have it checked for shatnez?

My suggestion is that he call a local shatnez tester or one of the major shatnez testing laboratories, as they may be able to advise which brands have a lesser chance of being shatnez, or they may know that a particular brand is mostly shatnez and it would be assur to wear that brand without checking.

Here is an actual story. Erev bedikas chometz about 6 years ago, a yeshiva man called the Har Nof Shatnez lab- he purchased a new suit in Geula and wanted a "heter" to wear it on Pesach, relying that "most suits in Geula" are probably not shatnez. Although the particular brand had been shatnez-free in previous years, the shatnez checker knew that 700 suits containing shatnez of that brand were recently brought into Israel and some had been distributed to some of the local "frum" stores. Based on this information, the "checker" told the consumer to do bedikas chometz and then bring the suit for checking. The suit's collar indeed contained shatnez which was removed that night, and the suit was tailored the following morning and he didn't wear shatnez at his Pesach seder!

What if you do not know where to find a shatnez-checker on an emergency basis. One of our readers, Rabbi Yaakov Gurwitz has graciously offered to answer emergency shatnez calls like this over the phone: 0526-334417 (outside Israel: 972-526334417 or 732-905- 2628).