

Toras Aish

Thoughts From Across the Torah Spectrum

RABBI ARON TENDLER

Rabbi's Notebook

How far are you willing to trust? In a recent conversation with a friend I encouraged him to distinguish between events that are within his control and events that are not within his control. The events that are within his control deserve his best effort in accomplishing for himself and his family. The events beyond his control demand that he trust G-d for their outcome. He can pray, in fact he should pray a lot, but along with prayer he must trust that what G-d does is for his benefit and the benefit of everyone else.

For example. Going to minyan every morning and evening is mostly within our control. We may have to rearrange our schedules accordingly and negotiate with family and job to accomplish it, but if there is the desire to do so there is the will, and if there is the will there is a way. On the other hand, confronting illness or disability in self or others may impose circumstances beyond our control. As much as we might desire, will, and try to overcome the illness or disability the reality may be that daily minyan is impossible. At that point, effort becomes wasteful and trust becomes everything. It is no longer a matter of action but of attitude. We have only one choice to make, accept the limitation as G-d's will or not acknowledge it as G-d's will. Either way the illness and the disability remain the limitation that they are.

As the Jews were preparing to transition beyond the desert experience, Moshe instructed them in some detailed laws of sensitivity and trust. For example: The law of retrieving and returning a lost object (22:1) is predicated on trusting G-d. It presumes that all objects are valuable to their rightful owner, either because of their intrinsic value or because they were given to him by G-d. As such, we act on the assumption that the owner did not forgo finding his lost object and would be grateful for its return. That assumption imposes responsibilities on us to do everything in our means to return that item to its owner.

The Halacha goes so far as to discuss the parameters of "retrieving and returning a lost object" over other obligations one might have. Must one forgo attending an important meeting in order to retrieve and return a lost object? What if retrieving a lost object involves action that would otherwise be demeaning to a person's stature in society? In the context of this

discussion the answers are not important-the mere asking of the question is! Who else would even pose the question in the first place? Of course my schedule and my dignity take priority over someone else's lost object! However, that is not necessarily so from the perspective of Torah and the trust we must have in G-d.

In so far as the Torah is concerned, there is always an ethical deliberation and choice to be made. If the law is that I must forgo my meeting to do the Mitzvah of returning a lost object I must accept that it is G-d's will that I do the Mitzvah rather than attend the meeting. Regardless of what potential the meeting might represent, I must trust that G-d's desire is for me to retrieve the lost object and try to find its owner. Whatever the gain in doing the Mitzvah and whatever the loss in not attending the meeting, I must trust that the outcome is for my benefit and the benefit of everyone else. (Never judge a Mitzvah by its cover! -- Avos 2:1)

I once shared the story of a good friend who gave up what appeared to be a very lucrative business opportunity because it involved working on behalf of an organization considered by all to be a cult. When he posed the Shaylah he ended his Shaylah by stating, "Rabbi, do not think about the money or the opportunity. I only want to know what the Halacha says. Nothing else is important. If the answer is yes, great! If the answer is no than it is no. Clearly, G-d doesn't think the opportunity is the right thing for my family and me. Just tell me what the right thing is." (It being a few years since my friend forwent the opportunity I can tell you that his business has done extremely well since that time. In many respects he has gained far more than that one opportunity, both financially and spiritually!)

Additionally, the Mitzvah of retrieving and returning a lost object highlights the understanding that who we are and what we have is not necessarily paramount at any given moment. Basically, we must all take turns. Sometimes my issues will take precedence over all else; at other times, your issues will take priority. It is because we believe that G-d created and maintains all that we are able to accept that I am no more important than you and you are not any more important than me. In the eyes of G-d we are equally important; otherwise He would not have created us to exist at the same time.

In a recent lecture I pointed out that appreciating every person, Jew and non-Jew, as the creation of G-d is among our most difficult challenges.

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The scene in Bereshis (18:17-33) where Avraham attempted to avert the destruction of Sodom highlights this obligation in the most extreme terms. The scene began with G-d telling us that He was going to do something about the "cries of Sodom." G-d then presented Avraham with the opportunity of defending them even though there was never the possibility of G-d rescinding His decision. Why go through the process if the outcome was already decided? I explained that the entire scene was to teach Avraham "and his household and children after him" (18:19) that the ways of G-d were truly "charitable and judicious (18:19)." As the nation that would be a blessing to the families of the earth G-d granted Avraham the unique opportunity of questioning His manner of justice. In doing so, Avraham was able to teach the rest of the world that G-d is truly righteous and just.

However, the entire discussion concerned saving the amoral, unjust, anti-charitable, murdering, citizens of Sodom! Why did Avraham care? If G-d decided that a certain society must be destroyed who was he to question and argue? The answer is that from a purely intellectual point of view we should not attempt to change G-d's decree of destruction. Certainly, if we are not emotionally invested in the people of that society we will accept G-d's decision rather than fight. However, from an emotional point of view, from the perspective of caring, from the understanding that every human being has both the intrinsic value of being G-d's intended creation as well as the value of whatever potential he or she represents, we should fight! In the end we must also trust that G-d's decision is just and charitable and the only decision that will best benefit all involved.

The second law in this week's Parsha is the case of the "Rebellious Son." (21:18-21) Regardless of whether or not such a case ever happened, the mere notion of parents bringing their child to the Sanhedrin (supreme court) and requesting that he put to death defies our emotional sensibilities. Yet, that is what the Torah describes! How can that be? The answer is obvious. If we trust G-d that He only does those things that benefit us and the rest of the universe then we also trust that He only commands those things that are good and that will benefit all involved. As I asked at the very beginning of this essay, how far are we willing to truly trust G-d?

What about position? Are we willing to trust G-d when He designated our position within humanity and within society. What about man vs. woman? The eternal battle between the sexes; how much are we willing to trust and accept? (22:5) "A woman should not wear male clothing and a man should not wear a woman's clothes..." Regardless of the specifics of the Mitzvah, the fact is that the Torah states as clear as can be that clothing is not optional. Whatever the mechanism for designating male vs. female garments, there will always be a distinction between men and woman in the manner of their dress that must be respected; otherwise, "...it is an abomination to G-d."

This is not a question of equality or chauvinism; it is purely a question of trust. Do we trust that G-d knew what He was doing when He separated the original Adam into male and female? Do we accept that His intention in doing so was to designate distinction and purpose as created and mandated by Him alone? Do we understand that when we attempt to blur those distinctions under whatever rationalization and justification we might contrive we are desecrating G-d's intention and proclaiming that we know better than G-d what is good for the individual and humanity!

Remember, the underlying value is that all people, Jew or non-Jew, man or woman, are intrinsically valuable because we are all G-d's intention. Therefore, separation between people and nations should never result in bigotry, racism, and prejudice. Just the opposite! The respect we show each other should be the most expected standard of human behavior. No matter where we go and whom we encounter we should know that we are safe from harm to person, property, or ego. Unfortunately that is not yet so. As the children of Avraham, as the heirs to the Promised Land, as G-d's designated teachers of what it means to be created in His image of charity and righteousness, we must first trust G-d. We must trust that all He commands and all that He does is for our benefit and the benefit of the entire universe. © 2005 by Rabbi A. Tandler & torah.org

RABBI DOV KRAMER

Taking a Closer Look

The second topic covered by Moshe in our Parasha (Devarim 21:15-17) is the birthright, whereby the firstborn son gets a double-portion of his father's inheritance (Choshen Mishpat 277:1). The Torah makes it absolutely clear that this applies to the first son to be born, no matter which wife it is from; even if a younger son was born to a "loved" wife while the oldest was born to a "hated" wife.

The Talmud (Yevamos 23a) tells us that the Torah is not referring to the husband's feelings towards these women (as that would never be thought to affect which son gets the birthright), but to a marriage that is either "hated" or "loved" by G-d. Why would G-d "hate"

a particular marriage? Because He forbade it, such as when a Kohain marries a divorced woman. Rav Papa proves from here that even though a prohibition was violated, it is considered a marriage nonetheless - despite it being despised by G-d. The Torah is telling us that not only is it a full marriage (requiring a divorce, et al), but if his first son comes from this relationship, he still gets the birthright.

What about a relationship that is not considered a "marriage," where there is more than a prohibition? If the souls of the couple are "cut off" from the nation ("karais") because of this liaison (such as with a married woman or a brother and sister), and his first son is the result of this illicit relationship, does the son still get the birthright? After all, even if this couple performed a marriage ceremony and lived together for many years, it is not considered a marriage.

"If the firstborn is a "mamzer" (one born from a couple that gets "karais" for having the relationship) he gets a double-portion, as it says, 'for the first-born son from the hated one should be recognized (as having the birthright)' which refers to the (nature of the) marriage being "hated" (Choshen Mishpat 277:10 and Rambam Hilchos Nachalos 2:13). As the Lechem Mishneh asks, how can the Rambam (and the Tur and Shulchan Aruch after him) say that a "mamzer" qualifies for the birthright if the verse we learn it from is only dealing with relationships that allow for a valid marriage?

The Sifray, however, understands the verse differently. Rather than referring to relationships within a valid marriage, the verse is explained as referring to children coming from a relationship where both parties can be part of a valid marriage - even if not with each other. Therefore, since (for example) a brother can legally marry others, just not his sister, and a sister can marry others, just not her brother, the son they produce that was his eldest would get the birthright - despite the fact that he is a "mamzer."

If the Rambam was following the Sifray, we could understand why he concluded that a "mamzer" qualifies. However, the Sifray also says that a child born by cesarean birth qualifies, while the Rambam (2:11) and the Tur and Shulchan Aruch (277:7) all say that he is disqualified - indicating that they are not following the Sifray. Besides, it would be out of the ordinary for them to go against the Talmud - which explicitly says that the verse is referring to a valid marriage.

Why does the Sifray explain the verse to refer to people that could *conceivably* be in a valid marriage (which would only exclude non-Jews and non-Jewish servants who could not enter a valid marriage with any Jew) rather than the more straightforward limit of marriages that are *actually* valid? The verses mention the "loved one" 3 times, and the "hated one" 5 times, and we have already seen that this refers to the type of relationship, not the person. The Sifray goes through why each of these mentions is needed, learning out various circumstances that require the firstborn son to

get the birthright. One of these "extra" mentions is said to specifically teach us that even a relationship that causes "karais" is included. Now, if the son of such a relationship - which is not a valid marriage - qualifies, it would seem very difficult to limit the type of relationships included to only valid marriages. Therefore, when the Torah mentions that "if a man has a relationship" the Sifray feels forced to explain this "relationship" as even an invalid one.

The Talmud, on the other hand, may be coming from a different angle. It understands the "relationship" as being a valid one, or else the Torah could not have recognized it as a "relationship." Nevertheless, there are extra mentions of this "hated" relationship, and although this "derasha" is not brought in the Talmud, it does say that a "mamzer" is included in all aspects of his father's inheritance (Yevamos 22a-b), implying that this also applies to the birthright (BaisYoseif, C"M 277). The Rambam is adding that the "derasha" of the Sifray is a valid source even according to the Talmud. However, whereas the Sifray felt that the extra mention forces us to explain the original reference of the "relationship" as an invalid one too, the Talmud sticks with its straightforward explanation of "relationship" as only being a valid one, with the extra mention of a "hated" relationship not included in the original expression of the relationship ("sihiyena"). First the Torah mentions a valid relationship in a "hated" context (i.e. a case of a prohibition) - which shows us that even such a relationship constitutes a "valid," if hated, marriage; then the Torah adds that the birthright applies to a different kind of hated relationship too - the invalid relationship that brings "karais."

Even though the Rambam's source for the laws of the birthright was not the Sifray, since this aspect is consistent with it, it may share the same "derasha" as its Biblical source. © 2005 Rabbi D. Kramer

RABBI AVI WEISS

Shabbat Forshpeis

One of the most esoteric laws in the Torah is yibum, the law of the Levirate marriage. The Torah forbids a man from marrying his brother's wife, but if one brother dies childless, one is obligated to marry his deceased brother's widow. (Deuteronomy 25:5-10)

The Torah offers a rationale for this command. The marriage takes place so that the deceased name will continue on. In truth, the words of the Torah: "The first born (from the Levirate marriage)...shall succeed to the name (shaim) of his dead brother, so that his (the dead brother) name not be blotted out...from Israel." (Deuteronomy 25:6)

In truth, this law is saturated with the principle of chesed-kindness. The greatest kindness may be helping the dead who are after all, unable to help themselves. Through yibum, the deceased leaves a

legacy in the world—a child born of those closest to him who carries the name of the deceased.

It is, in fact, a conscious decision of the living brother and the childless widow to keep the name of the deceased alive that permits what is otherwise an incestuous relationship—the marriage of a man to his sister in law.

Rabbi David Silber notes that three cases in Tanach of yibum follow an interesting pattern.

In the first, Lot has relations with his daughters. Of course, this is not the exact case of yibum. Still, the intent of the daughters was the same—to continue their father's seed. But in this case of yibum, Lot who is drunk, has NO consciousness of the act being performed. (Genesis 19:30-38)

In the second, Yehudah (Judah) has relations with his daughter in law Tamar. This too is not the exact case of yibum. Still, Tamar's intent was to have a child from Yehudah. Here, Yehudah is originally unaware that he was engaging in an act of yibum, as Tamar was dressed as a harlot. In time, however, Yehudah comes to recognize what he had done. And, AFTER the fact, he realizes that he had continued his seed through Tamar. (Genesis 38)

In the third, Boaz has relations with Ruth. This too is not the exact case of yibum since Boaz was the second redeemer in line. Still, the goal was to continue the line of Ruth's deceased husband. In this case, Boaz engages in the Levirate marriage with full intent and consciousness BEFORE the act. (Ruth Chapter 4)

The pattern of yibum in Tanach is clear. From lack of consciousness, to consciousness after the act, to consciousness before. Not coincidentally the Messiah comes from Lot and his daughters, Judah and Tamar, Ruth and Boaz. Individuals engaged in acts of kindness on behalf of others are destined to redeem the world.

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RABBI SHLOMO RISKIN

Shabbat Shalom

“When a man takes a woman and has relations with her...” (Deut. 24:1)

Our Biblical portion deals with marriage and divorce, but I would like to devote this particular commentary to the Rabbinic concept of marriage. Our Sages took the two opening phrases of the above cited verse to refer to two separate aspects of Marriage: "when a man takes a woman" in the act of betrothal or engagement (Kiddushin or Erusin; the groom's gift of a ring accepted by the bride in the presence of two proper witnesses, reciting the formula "Behold, you are sanctified to me with this ring in accordance with the laws of Moses and Jerusalem"), "and has relations with her" in their home, as an expression of marriage (Nissuin, literally taking her up to his home, when they actually live together as husband and wife; in Mishnaic times, one year after the

betrothal). Certainly by the Gaonic period (700-1000 CE) the two phrases were combined in one ceremony, beginning with the betrothal, then the reading of the Ketubah (marriage contract awarding alimony and an insurance policy to the wife) as a form of intermission, and—as the climax—the recitation of the seven blessings of marriage under a nuptial canopy symbolizing the new home; Ashkenazic Jews even conclude the ceremony with the bride and groom spending at least 7-8 minutes alone behind locked doors in a guarded room (Yihud).

However, despite what I have just recorded, there is a fascinating disagreement amongst our Sages (12-16th centuries) as to whether or not there is a bona fide commandment to get married. Asheri, known as the Rosh, insists that there is no such commandment; the only real command is to have children ("Be fruitful and Multiply" Gen 1:28), and the natural—and legal—preparation for procreation is marriage. If one does not wish to—or is biologically incapable of—having children, marriage is not at all necessary.

He derives his position from the very unique formulation of the Betrothal blessing: "Blessed art thou O Lord our G-d King of the Universe, who has sanctified us with His commandments and has commanded us against forbidden relationships... Blessed art thou, who has sanctified his nation Israel by means of the nuptial canopy and betrothal (Sanctification)." He argues that the usual blessing of a commandment is clear-cut and specific: "Blessed art thou who has sanctified us with his commandments and commanded us to...", rather than this formulation, which tells us which sexual relations are forbidden! He therefore concludes that this rather uncharacteristic blessing is praising G-d for providing a concept such as marriage, but is not at all a blessing over a commandment to marry (Asheri to B.T. Ketubot, chapter 2). For Asheri, marriage is merely a precursor for procreation!

Maimonides strongly disagrees, insisting both in his Book of Commandments (command 213) and in his magnum opus Mishneh Torah (Laws of Marriage 1,1) that there is a separate and mandatory commandment incumbent upon everyone to get married!

Built into this difference of opinion is a conceptual divide over the fundamental purpose of marriage as well as the possibility of birth control, or sex without procreation. According to Asheri, marriage is solely for the purpose of procreation, and he seems to preclude sex unless it can (at least possibly) lead to pregnancy. Maimonides holds open the door for the possibility of sex without procreation, whether it be with the use of birth control (under certain conditions approved by a rabbinical authority) or after the period of menopause.

Even more significantly, Rav Yosef Karo, author of the famed religio-legal compendium Set Table (16th cent), opens the section dealing with the laws of personal status, "It is incumbent upon every man to marry a woman in order to be fruitful and multiply"

clearly siding with Asheri (Shulhan Arukh Even HaEzer Chapter1, law 1). Rav Moshe Isserles immediately disagrees, citing many other reasons for marriage aside from procreation: "Whoever has no wife is bereft of blessing, is bereft of Torah, is bereft of joy, and is considered to be only half a person"(ibid).

His position on marriage as a companionship between two "loving friends" looks back to the sixth of the seven nuptial blessings, ("Rejoice, yes rejoice, loving friends, just as your creator enabled you to rejoice in the ancient Garden of Eden..."), as well as to the introduction to the Laws of Personal Status of the Tur written by Rabbenu Yaakov, the son of Asheri, who says, "May the name of the Holy one blessed he be blessed, because He wishes only good for his creatures, and He knows that it is not good for the human being to be alone!, therefore, He made for him a help-mate, a wife. An additional thing (but not the main reason) is that it is the intent of creation that the human being be fruitful and multiplies, and that is impossible without a help-mate." These two authorities, Rabbenu Yaakov and Rav Moshe Isserles, are confirming the view of Maimonides, that marriage is a far deeper experience than mere procreation, that human beings existentially require loving companions who will mitigate existential and social loneliness and will allow for loving partnership in the rearing (not only bearing) of a family.

From this perspective, the blessing at the time of betrothal becomes very clear. Husband and wife have an exclusive relationship, a oneness of body and soul, which enables them to be very special "loving friends" with a mutual commitment of faithfulness more powerful than any other human bond. Hence other sexual relationships are forbidden, and the Almighty sanctifies His nation by means of a commandment more exalted than any other, an act whose very name is sanctification (Kiddushin), the commandment of marriage. © 2005 Ohr Torah Institutions & Rabbi S. Riskin

BRIJNET/UNITED SYNAGOGUE - LONDON (O)

Daf HaShavua

by Rabbi Philip Ginsbury, South London Synagogue

There are two mitzvot in the Torah for which a reward of long life is promised. The first, included in the Ten Commandments, is honouring parents. The second, in this week's Sidra, is to send away the mother bird if you wish to take its eggs or fledglings. The first is considered the most difficult mitzvah to fulfil properly-the second, the easiest. This shows, as R. Yehudah ha-Nasi states in Pirkei Avot, that we can never assess the relative value of mitzvot and have to treat them all as equally important.

It also seems to show that the promised reward for a good deed will be granted in the world to come and we must not expect to receive it in this world. For, supposing a person had been told by a parent to go to the top of a building and fetch him some young birds;

and he did so, sending away the mother as prescribed- and on his return he fell and was killed-where is his length of days? (Chullin 142a). In fact according to the Talmud Yerushalmi, it was just such a scenario, witnessed by Elisha ben Avuya, which turned him into a heretic. He did not realise that the reward refers to Olom Ha-ba (the world to come). R. Yaakov formulates this teaching unequivocally : "There is no reward for mitzvot in this world" (Kiddushin 39b).

Rambam (Teshuvah 9:1) has a different approach. He seems to suggest that there are rewards for performing mitzvot even in this world (after all, every morning we read a passage referring to the "fruits of particular good deeds" that we enjoy in the here and now) but we must regard these benefits as means to an end, and not as an end in themselves. If, he writes, we carry out the mitzvot joyfully and meaningfully, Hashem will respond by enabling us to live with tranquillity and happiness in this world, so that we can study Torah and live a fully committed Jewish life. The reward for a mitzvah is then truly another mitzvah, and we can understand the greeting we give to someone who has fulfilled one: "tizkeh le-mitzvot"-may you merit to perform further such good deeds. And, of course, there is also the reward waiting in the world to come.

Are we allowed to do a mitzvah with the intention of receiving a reward? It depends what type of reward we seek. If it is a spiritual reward, it seems that it is allowed, as we read in Rosh Ha-Shanah 4a : 'He who says "I give this coin to tzedakah on condition that my children will be healthy" (when the intention is that they will be enabled to study Torah and keep the mitzvot) -- such a person is considered truly righteous.

Perhaps this is a timely thought as we approach Rosh Ha-shanah and desperately seek life-to consider what sort of life we are seeking and to ensure that we put our G-d-given days to the best possible use, from the Jewish point of view. © 2005 Produced by the Rabbinical Council of the United Synagogue - London (O) Editor Rabbi Ephraim Mirvis, emailed by Rafael Salasnik

MACHON ZOMET

Shabbat B'Shabbato

by Rabbi Amnon Bazak

In this week's portion, the Torah prohibits returning a runaway slave to his master. "Do not return a slave to his master if he has run away to you from his master" [Devarim 23:16]. According to the Ramban, "the reasons for this mitzva are: (1) our nation serves G-d, and it would not be right for us to return him to his master in order to worship idols, and (2) he might study the entrance to our city, for many countries have been conquered in this way, when captured slaves have run away." Thus, the prohibition is based on practical reasons, to rescue the slave from the evil of idol worship or to avoid the danger of having the slave spy on us. In addition, a simpler reason may be suggested based on a moral approach. If the slave has run away

from his master, he has evidently experienced great suffering. Therefore the Torah prohibits returning him to his master. For this reason, the Torah is also interested in the welfare of the slave. "Let him remain with you, in the place that he chooses in one of your gates, where he will be satisfied. Do not oppress him." [23:17].

This passage contains a surprising phrase, "in the place that he chooses." This phrase appears twenty-three times in the Torah, almost always in the book of Devarim. In all other cases it refers to the site of the Temple-the place that G-d will choose to reveal the Shechina. This verse is the only time that this exact phrase appears in relation to a choice by a human being. Why does the Torah use this phrase in this way?

Evidently, the use of the phrase corresponds to one of the central themes in the book of Devarim, the moral obligation to maintain a positive attitude towards a slave. In several passages, it is implied that the way a master relates to his slave should be similar to the way the Almighty relates to the nation of Yisrael. This is explicit in the case of a Hebrew slave: "Remember that you were a slave in the Land of Egypt, and G-d redeemed you. Therefore, I command you this thing today." [15:15]. This also corresponds to the reason given in Devarim for the mitzva of Shabbat: "... so that your slave and maidservant will rest like you do. And you shall remember that you were a slave in the Land of Egypt, and G-d redeemed you from there... Therefore, G-d has commanded you to observe the day of Shabbat." [5:14-15]. The mitzvot related to the obligations of charity and kindness towards the weaker people are always justified by referring to the slavery in Egypt. "Do not subvert the judgment of an orphan or a stranger and do not take the garment of a widow as collateral. Remember that you were a slave in Egypt and G-d redeemed you from there, therefore I command you to do this thing today." [24:17-18]. Another example is what is written at the end of the passage of gifts to the poor in the field, "Remember that you were a slave in the Land of Egypt, therefore I command you to do this thing" [24:22]. (See also 16:12 and the commentaries of Ibn Ezra and the Ramban.) The very fact that Bnei Yisrael experienced the difficulties of slavery obligates them to maintain a high ethical standard with respect to people who are weaker than they are.

In view of this theme, it seems that the Torah is indeed trying to establish a link between the two issues. One of the conditions that G-d will cause the Shechina to appear "in the place that He chooses" is that Bnei Yisrael will allow an unfortunate and pursued man to live "in the place that he chooses."

When You Go Out to War

by Sar-Shalom Jerby, Secretary General of the Mafdal and grandson of Rabbi Meir Yehuda Getz

"When you go out to war against your enemies, your G-d will give him over into your hand, and you will take prisoners" [Devarim 21:10].

In the ancient wars of Yisrael, we never won battles with superior wisdom or military strategy, rather victory was due to G-d's salvation. Examples are Avraham in his wars and Yehoshua, who was helped by stars that left their normal paths and by stones that fell from heaven to earth. G-d is a "master of war" [Shemot 15:3], and we were given a promise that "G-d will fight for you, and you shall remain silent" [14:14]. One who has faith and feels secure will witness G-d's salvation with his own eyes. Another great example is the amazing victory of the young man David over the Philistine giant, a "war engine" that was immediately defeated, causing the entire camp to flee. David believed that if he would rise up against him, the battle would take care of itself. One who has the faith of David can expect the fulfillment of the verse, "Your G-d will give him over into your hand"- truth is eternal, truth leads to faith.

The master of all the prophets was able to foresee that when Bnei Yisrael would settle in their heritage, the promised land, every man in his vineyard and under his fig tree, the near and far enemies would try to reject this ideal Divine reality in the area surrounding the holy Temple. In modern times too, we can see the symbolic descendants of the enemies of Yisrael, and we have no alternative but to wage war against them.

There are many powerful enemies-what strength do we have? How can we be victorious? We must anticipate Divine salvation! How will this happen, and why do we deserve this privilege? Moshe reveals the key to victory in a few words: "When you go out to war"-in the singular. If we all act together, in unison, the end of the verse will be fulfilled, G-d will give them over "into your hand"-again in the singular. Peace and unity are G-d's will. This was true in the past, and it is even more relevant today.

My illustrious grandfather, Rabbi Getz, adds the following thought. "When you go out... your enemies... your G-d will give him over into your hand"- singular, plural, singular. Every war requires detailed preparations, the war against the evil inclination even more than a physical war, since the evil inclination is "an old (and experienced) king." The Rabbi adds, "Wage war through strategies" [Mishlei 20:18]. You must know that it is impossible to fight all the enemies simultaneously. This is a well known military tactic, and it is certainly true for the war against the evil inclination. One who wants to improve his ways should start by mending his actions one at a time. He should break his physical lusts stage by stage. Then he can be sure that he "will take his prisoners." This is a tactic that will lead to victory, "and your camp will be holy" [Devarim 23:15].

(Written in memory of Rabbi Meir Yehuda Getz, Rabbi of the Western Wall, on the occasion of the tenth

anniversary of his death. A day of study will be held in his honor on Tuesday, 23 Elul, in the Yeshivat Hamekubalim in the Jewish Quarter, Jerusalem.)

THE SALANT FOUNDATION

Parsha Insights

by Rabbi Zvi Miller

The fundamental axiom of the Torah rests on two pillars that comprise faith in the Oneness of HaShem: 1) to believe that HaShem is the Creator of the universe; 2) to believe that HaShem oversees every second of our life, He is with us every place we go, and He sees our actions and knows our innermost thoughts. In light of this principle, we can understand the reason that there is a radical difference between the armies of the nations, in contradistinction to the Jewish army as ordained by Toras HaShem.

The armies of the other nations operate on the assumption that the stronger and smarter the troops, the better the army. Whereas, the perspective of the Torah army is that their success is dependent exclusively on HaShem. Dovid HaMelech expressed this dichotomy in Tehillim: "Some [nations trust] in chariots, and some [nations trust] in horses, but we-in the name of HaShem, our G-d, we call out!"

Therefore, when a Jewish soldier is newly married, no matter how important his military role-he is exempt from serving in the army, even in a time of war. Rather, he is required to stay home and develop a joyous relationship with his new wife (Devarim 24:5). However, in the armies of the other nations, the priority is getting every capable man into the battle. Hence, even if his wedding took place the night before, the groom is expected to follow orders and go off to war the next morning. Since, they pin their hopes on the ability of their troops to wage the battle; it would be preposterous to grant exemptions to any able-bodied members of their army-including the newly married.

Conversely, Klal Yisrael deliberately takes measures to disengage any notion that victory is dependent upon the performance of its soldiers. For instance, Gideon led the army that defended ancient Israel against the attack of Midian and Amalek. Although he raised an army of some 30,000 fighter men, ultimately HaShem instructed him to pare his force to a mere 300 men!

From a Torah perspective, we have a better chance of victory with 300 men than 30,000. Indeed, HaShem told Gideon to minimize his forces "lest Yisrael will grow proud and proclaim, "The power of my own hand saved me." Similarly, in the army of King Saul, the only soldier who carried a weapon was King Saul, himself!

Nothing is more disheartening for a bride than to watch her husband going off to war. After all their efforts to unite in marriage nothing should deprive them of the opportunity of this joyous time in their lives. The

Torah has the sensitivity-and the faith-to grant the groom a one year exemption, so that he can devote himself to filling his wife with happiness.

Implement: Read one chapter of Psalms before you engage in your endeavors. [Based on Da'as Torah of Rabenu Yerucham HaLevi, parshas Ki Tatzet] © 2005 Rabbi Z. Miller & The Salant Foundation

RABBI BEREL WEIN

Wein Online

The Torah discusses the problems of war in this week's parsha. On the surface, it seems to be a continuation of the halachic rules of war already mentioned in the previous parsha of Shoftim. However, many of the commentators have transferred the scene of battle from warring with external physical enemies to a struggle with one's own self and one's base desires and inappropriate behavior. Going to war against "your enemy" is thus really going to war against one's own self. "We have met the enemy and they are us!" Therefore, in this light, the examples that the Torah gives us in this week's parsha are most relevant and telling regarding a war with one's own weaknesses and baseness. The Torah tells us of sexual desires that force a soldier to make a bad choice in marriage. Overwhelmed with physical desire, he brings a stranger, a person who is probably completely incompatible into his home and life. The rabbis warn that his lust for her will turn eventually into shame and even hatred. The basis for their family life will never be on firm ground and there is scant hope that their relationship will be loving, successful and respectful. The war against illicit sexual desire is an unending one.

The Torah then deals with monetary matters, especially as they pertain to a family situation. Money is a great cause of family rifts and quarrels. The rabbis cautioned that in one's lifetime one should not play favorites with children over monetary matters. And at one's death all wealth is to pass to heirs according to the Torah's rules of inheritance. Money is a great test in life. The rabbis stated that most people do not always pass this test successfully. One must constantly war with one's self regarding money and the means of gaining it and distributing it. Realizing that this is a war that must constantly be fought can aid in successfully pursuing this struggle and triumphing over our own inner enemy.

Finally, the Torah deals with the upbringing of children. One needs no license to become a parent. Usually we learn on the job itself and sometimes this is insufficient to meet the true needs of the child. One should avoid attempting to relive one's own life through one's child. The temptation to do so is very strong. Perhaps that is what the rabbis meant when they described the ben sorer u'moreh - the incorrigibly rebellious and sociopathic child - who appears in this week's parsha as "speaking in the exact voice as his

father and mother." A child must be allowed to speak in his or her own voice. The tendency to dominate our children is innate within parents. Overcoming that harmful behavior pattern requires a mighty struggle. Thus we see that the war with our own selves that we embark upon is multi-faceted, wide-ranging, and difficult but of supreme necessity and importance. Like all wars, we cannot fail, but must win. © 2005 Rabbi Berel Wein- Jewish historian, author and international lecturer offers a complete selection of CDs, audio tapes, video tapes, DVDs, and books on Jewish history at www.rabbiwein.com. For more information on these and other products visit www.rabbiwein.com/jewishhistory.

DR. AVIGDOR BONCHEK

What's Bothering Rashi?

Among the many laws we find in this week's parsha are the laws of returning lost articles to their owner. It should be noted here that the civil laws of other countries rarely if ever include laws that require the citizen to help his fellow man. Their laws revolve around not harming others. Our laws add the positive dimension of helping our fellow man. Let us see how righteous and wise laws are derived from an implied message.

Regarding recovering and returning a lost article we have the following verse:

"And if your brother is not near to you and you don't know who he is, then you must take it into your house and it should remain with you until your brother seeks it, then you shall return it to him." (Deuteronomy 22:2)

"And you shall return it to him"-RASHI: "So that there is a [real] returning (restoration). The [animal] should not eat in your house the worth of its own value. And you would then claim this [from the owner]. From here [the Sages] derived the principle: Anything that works and requires food (like an ox) should work and eat. Whatever does not work but requires food (like a sheep) should be sold (and that money returned to the owner)."

Rashi is telling us to understand the spirit, and not just the words, of the law. When a person loses something and someone finds it and returns it to him, he has done him a great service. The man's loss was retrieved. However, if a man finds a sheep and keeps it until its owner seeks it out, this could take weeks, maybe months, before its owner claims it. During all that time the finder must feed the sheep and keep it healthy, otherwise what kind of chesed is it to return an emaciated, sickly sheep to its owner? But feeding the animal costs money. Should the finder pay for this out of his own pocket? No, Torah law does not require this of a person. To demand such expenditures from a person would probably discourage most people from "getting involved," and they would pass by the lost article, which they saw on the way. So the Sages gave the following advice. If the animal can do work, like an

ox, put it to work, until the owner comes; that would more than cover its eating expenses. But if the animal is one that cannot do work, like a sheep, then in order to "return it" to its owner, you had best sell the sheep (the money received from the sale doesn't cost anything to hold), and give that money to the owner when he comes.

This is brilliant advice. This gets at the spirit of the law, which is to help a person retrieve his loss, without causing him other losses in the process.

An example of how serious the Sages took the mitzvah of returning the value of the lost article, and not just the article itself, is the following incident (recorded in the Talmud, Taanis 25a): "It happened that someone passed the home of Rabbi Chanina the son of Dosa, and left there roosters. His wife found them and Rabbi Chanina said to her 'Don't eat those eggs.' The eggs increased and they sold them and with the money they bought goats. Later the man who had forgotten his roosters passed by Rabbi Chanina's home and said to his friend, 'It is here that I forgot my roosters.' Rabbi Chanina overheard this and said to him 'Do you have identification that the roosters are yours?' He gave him a sign and Rabbi Chanina 'returned' to him 'his' goats!"

We see that the Sages' dedication to living by the spirit of the Torah is no less than their wisdom in interpreting it. © 2005 Dr. Avigdor Bonchek & aish.org

RABBI SHLOMO KATZ

Hama'ayan

“Remember what, to you, Amalek did on the way when you were leaving Egypt." (25:17)

R' Moshe Midner z"l asks why the verse says, "to you, Amalek did," rather than the more natural "Amalek did to you"? Also, what is added by the word, "ba'derech" / "on the way"? He explains:

The specific form of impurity spread by Amalek is doubt regarding matters of faith. Amalek attacked us "on the way... leaving Egypt," i.e., they preached that all of the miracles of the Exodus were simply the "way" of the world, that is, they were natural occurrences. This is alluded to in our verse, which is phrased as it is in order to juxtapose the word "Amalek" to the word "on the way."

In this light we can understand why Moshe fought Amalek by lifting his hands above his head. This reminded Bnei Yisrael that there are things that are supernatural and above our understanding ("over our heads"). And, thus we read (Shmot 17:12- 13), "His hands were faith... and Yehoshua weakened Amalek." (Quoted in Torat Avot p.126) © 2000 Rabbi S. Katz & torah.org

