

ב"ה
Torah
Tidbits

ISSUE 1530



26 AUGUST 2023 • ט' אלול תשפ"ג

פרשת כי תצא
PARSHAT KI TEITZEI

AVOT CHAPTER 2



Probing the Prophets
Rabbi Nachman Winkler
Page 30



Candle Lighting
Rebbetzin Zemira Ozarowski
Page 56

לֹא־תַחַרֵּשׁ בְּשׁוֹר־זָבַחַמֵּר יַחַדּוֹ דְּבָרִים כֵּבִי

YERUSHALAYIM SHABBAT TIMES PARSHAT KI TEITZEI

CANDLES 6:36PM • EARLIEST 5:50PM • HAVDALA 7:49PM • RABBEINU TAM 8:28PM



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Table of Contents

04	Dear Torah Tidbits Family Rabbi Avi Berman
08	Memory, Identity, and Positivity Rabbi Moshe Hauer
12	Aliya By Aliya Sedra Summary Rabbi Reuven Tradburks
20	The Rich Fruits of Forgiveness Rabbi Dr. Tzvi Hersh Weinreb
24	The Limits of Love Rabbi Lord Jonathan Sacks zt"l
30	Probing the Prophets Rabbi Nachman Winkler
32	OU Israel Schedule
40	Importance of Hakarat Hatov Rabbi Shalom Rosner
42	Incredible Impact Rebbetzin Shira Smiles

44	Baderech Rabbi Judah Mischel
48	Simchat Shmuel Rabbi Sam Shor
50	Free Will in the Messianic Era Rabbi Moshe Taragin
54	From Embarrassed to Embraced Rebbetzin Dr. Adina Smidman
56	Candle Lighting Rebbetzin Zemira Ozarowski
58	Whose Responsibility Is Raising the Wall? Rabbi Daniel Mann
60	The Y-Files Weekly Comic Netanel Epstein
62	Torah 4 Teens by Teens Dassi Zelig // Yehuda Sunshine

THIS WEEK'S COVER IMAGE!

Photographd by Yaakov Adler, Ramat Bet Shemesh

This reminds me of the mitzvah of Kelayim. But in a different sense, the separation of heaven and the growing earth. They never mix.



HELPFUL REMINDERS



7 Days After Molad 7 Elul/ Wed. night ,Aug. 23

Last Opportunity to Say Kiddush Levana until 14 Elul, Wed. night. Aug. 30, all night

A SHORT VORT | BY RABBI CHANUCH YERES

Rav, Beit Knesset Beit Yisrael, Yemin Moshe

זכור את עשה ה' אלוֹקֶיךָ לַמִּרִים בְּדֶרֶךְ בְּצִאתְכֶם מִמִּצְרַיִם (כד:ט)

"Remember what the L-rd your G-d did unto Miriam, by the way as you came out of Egypt." (24:9)

Rashi quotes the Sifrei that if you desire to guard yourself against being smitten with leprosy, do not relate to evil talk. This can be proven from the case of Miriam. As soon as she spoke Lashon Harah about her brother Moshe, she was stricken with plagues.

Yet, why is the intense language of "Zachor"- "Remember" used by Miriam?

Nachmanides (Rabbi Moshe ben Nachman 1194-1270) explains the importance in stressing this mitzvah of remembering the case of Miriam because even though it may seem improper to talk about what a righteous woman did and even seems as we would be talking Lashon Hara ourselves by discussing what she did, the Torah commands us to publicize what happened in order to emphasize the warning against Lashon Harah. This verse contains a great admonition to refrain from it both in public and private, whether with intent to hurt and to shame or with no intent to harm at all.

Shabbat Shalom

CANDLE LIGHTING AND HAVDALA TIMES



OTHER Z'MANIM



	KI TEITZEI			KI TAVO		
	CANDLES	EARLY	HAVDALA	CANDLES	EARLY	HAVDALA
Yerushalayim / Maale Adumim	6:36	5:50	7:49	6:28	5:43	7:40
Aza Area (Netivot, Sderot et al)	6:54	5:53	7:51	6:45	5:46	7:42
Beit Shemesh / RBS	6:55	5:51	7:50	6:46	5:44	7:41
Alon Shvut	6:52	5:51	7:49	6:43	5:44	7:40
Raanana / Tel Mond / Herzliya / K. Saba	6:53	5:52	7:51	6:45	5:45	7:42
Modiin / Chashmonaim	6:53	5:52	7:50	6:44	5:44	7:41
Netanya	6:54	5:53	7:51	6:45	5:45	7:42
Be'er Sheva	6:53	5:52	7:50	6:44	5:45	7:41
Rehovot	6:53	5:52	7:51	6:45	5:45	7:42
Petach Tikva	6:36	5:52	7:51	6:28	5:45	7:41
Ginot Shomron	6:52	5:51	7:50	6:44	5:44	7:41
Haifa / Zichron	6:44	5:52	7:51	6:35	5:45	7:42
Gush Shiloh	6:52	5:51	7:49	6:43	5:43	7:40
Tel Aviv / Givat Shmuel	6:54	5:53	7:51	6:45	5:45	7:42
Givat Zeev	6:56	5:51	7:49	6:47	5:44	7:40
Chevron / Kiryat Arba	6:52	5:51	7:49	6:43	5:44	7:40
Ashkelon	6:54	5:53	7:51	6:46	5:46	7:42
Yad Binyamin	6:53	5:52	7:50	6:45	5:45	7:41
Tzfat / Bikat HaYarden	6:47	5:50	7:50	6:38	5:43	7:40
Golan	6:51	5:50	7:49	6:42	5:43	7:39
Nahariya/Maalot	6:53	5:52	7:51	6:44	5:45	7:42
Afula	6:52	5:51	7:50	6:44	5:44	7:41
Rabbeinu Tam (Jerusalem) - 8:28PM • Next Week - 8:19PM						

All Times According to MyZmanim (20 mins before Sunset in most Cities;
40 mins in Yerushalayim and Petach Tikva; 30 mins in Tzfat and Haifa)

Daf Yomi this Shabbat: Kidushin 13



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JERUSALEM

Ranges 11 days Wed - Shabbat
August 23 - Sept 2 / 6 - 16 Elul

Earliest Tallit and Tefillin **5:16 - 5:23**
Sunrise **6:09 - 6:15**
Sof Zman Kriat Shema **9:25 - 9:26**
Magen Avraham **8:46 - 8:49**
Sof Zman Tefila **10:30**
(According to the Gra and Baal HaTanaya)
Chatzot (Halachic Noon) **12:41 - 12:38**
Mincha Gedola (Earliest Mincha) **1:14 - 1:10**
Plag Mincha **5:52 - 5:42**
Sunset (Including Elevation) **7:19 - 7:06**



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DEAR TORAH TIDBITS FAMILY

RABBI AVI BERMAN
Executive Director, OU Israel

What harm can a silly meme (often a captioned photo) truly cause? While I set very strict social media limits for myself, every now and then I come across a meme or photo that I think will bring someone a smile, and forward it along. But while I enjoy content that captures the honesty of the lives we lead, there are two subject matters I never engage with: those that are lighthearted about the education of children or put a negative light on marriage.

While most content is shared in good fun I believe there is a strong possibility a person will choose to adopt the perspective of what they see as their truth. This might not seem particularly significant, but when that person is a child, it can have a direct impact on their growth. While in jest, as a parent I am fully aware that the things I choose to laugh at will likely shape how my children view that subject matter whether or not they understand my viewpoint.

This Shabbat signals the end of summer vacation, and summer break is never easy for parents - especially those living in Israel. The late-August pressure in which camp ends and parents are tasked with finding meaningful activities to keep their kids engaged while juggling jobs is a significant burden. OU Israel is made up of 10% of the OU's global employee base, with roughly 350 dedicated employees - many of whom are parents. During this time OU Israel offices around the country are often emptier than usual as parents take

vacation to be with their kids, and I remain grateful for their dedication while juggling between supporting the needs of *Am Yisrael* and their children.

This pressure is reflective of a larger dynamic that is challenging for those who have the *zechut* of raising children in *Eretz Yisrael*, where the high cost of living forces many parents to work to keep finances in order. During the school year this means many parents are unable to shoulder the responsibility of *chinuch habanim* alone, and rely on teachers to guide the bulk of their children's growth. As a result, come September 1st my phone begins to buzz with the latest memes shared by tired parents, reflecting relief that teachers are once again taking charge of creating structured learning for their kids.

Such memes often showcase parents dropping kids off at school with a caption, "Tag, you're it!" as they head out to the beach for a vacation. I deeply struggle with this sentiment and am disheartened by this type of content. As parents, we are never



The OU Israel Family mourns the passing
of our beloved friend and long-time supporter

Mel David ז"ל

We send continued wishes
of nechama to his entire family

המקום ינחם אתכם בתוך שאר אבלי ציון וירושלים

absolved of our responsibility to teach our children and involve ourselves in their growth - even when they are in school. During the school year teachers and parents engage in a direct partnership, sharing the burden of *chinuch habanim* while molding our children to follow in our shared vision. This partnership must be treated seriously.

While a meme might only be a meme, I find it indicative of a larger issue of *chinuch habanim* facing our generation. Too often I hear complaints from parents, “I have a hectic work schedule and spend money to send my child to an amazing school. And yet I’m not impressed with the results I’m seeing.” Of course, while every teacher - including Moshe Rabbeinu - makes mistakes, there is so much to be grateful for and the attitude we show our children toward their teachers will be the one they too adopt in the coming year.

I believe there is a connection between the input of parents and the outcome of children - that one action leads to another, and this week’s *parsha* shows us this in an extreme form. *Ben Sorer U’moreh* is the wayward and defiant son who does not listen to his parents when they discipline him. According to Rashi in *passuk* 18, the wayward son follows a path which ultimately leads to his destruction.

As a rebellious child he steals. When he steals he uses the money to maintain his gluttonous habit. To maintain his lifestyle,

the son abuses those around him to steal from them. The *sifsei chamamim* explains that ultimately, the son will become so wicked in his ways that he’ll stop at nothing to get what he wants that the *Torah* predicts he will eventually kill people to get what he wants. Because of this, the *Torah* decrees that the *Ben Sorer U’moreh* be killed. Chazal teaches us that the case of *Ben Sorer U’moreh* never existed and provides insight into the ways in which one action can lead us down a dangerous path.

Parents today face unprecedented chal-

lenges in *chinuch habanim*. The streets of Israel are flooded with teenagers, many of whom are involved in dangerous behavior. OU Israel’s programs for teens, including The Pearl & Harold Jacobs Zula Outreach Center, the Jack E. Gindi Oraita



Rav Lior teaching Mordechai Berman and his friends

Program and Makom Balev centers in 20 cities across the country are brimming with teens looking for stability.

In many cases, these teens have dropped out of school systems and do not have structured learning to support healthy productivity and growth. In this setting OU Israel advisors strive to serve as the positive role models these children cannot find at home, and I admire their ability to connect with kids from all backgrounds, giving them a place of comfort and warmth to turn to.

My wife and I recognize that if we adopt a lighthearted approach to education, our children will most certainly follow suit. We

therefore make a concerted effort to show our kids the respect we have for education and gratitude for their teachers. Fortunately, we have seen the impact of amazing teachers on our children - last Shabbat being our most recent example.

As I wrote last week, my family spent last Shabbat in Netanya. For *Seudah Shlishit*, I took my boys to Heichal Eliyahu. I struck up a conversation with the man sitting to my left. Once I introduced myself the man shared his enjoyment of the Radio Galey Yisrael radio show I host with Rav Shmuel Eliyahu *shlita*, and we chatted a bit more.

Realizing the man looked familiar I asked where he was from, when my 10-year-old son Mordechai leaned over and said, “Abba, this is my *rebbe* from *gan*!” The rav looked at him again and burst into a huge smile and with tremendous warmth began to catch up with my son.

I wasn’t surprised to see Mordechai’s face beaming with joy and pride. Although I’m not quite sure how much my son remembers from *gan*, the love he felt from his *rebbe* and the *girsas d’yankuta* (lessons learned as a young child) clearly made an impact on him. As they continued their conversation I was overcome with heartfelt gratitude to the *Borei Olam* for allowing my children to be molded by such caring and impactful

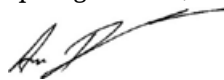
educators who are helping my wife and I raise our children to become *bnei Torah*.

This week in particular, parents are presented with a critical moment in *chinuch habanim*. As we send our kids off to school I daven that *HaKadosh Baruch Hu* gives us the *sechel tov, binah* and *daat* to identify the opportunities for our children’s growth in the coming year. I encourage parents to take a moment to be *mechazek* the educators taking on the responsibility of teaching our children in the coming days. May we all be successful in our shared mission of raising children who follow in the path of Torah.

In the spirit of recognizing the importance of education, I turn my attention to the recent loss the OU experienced with the passing of Mel David a”h. A dear friend and mentor, Mel was instrumental in supporting many OU educational programming together with his wife Sylvia. They helped get Yachad off the ground in the US, supported the development of OU Israel and The Zula.

Giving everything they could to ensure the next generation of Jewish children would receive what they need to thrive and reach their potential, Mel was a role model to many struggling teens who came his way. I remain deeply moved by the heartfelt way with which Mel gave himself to *Klal Yisrael*. May we merit to follow in his footsteps. Wishing the David family comfort during this time.

Wishing you all an uplifting and inspiring Shabbat,



Rabbi Avi Berman
Executive Director, OU Israel
aberman@ouisrael.org

May the Torah learned from this issue
of Torah Tidbits be זל"ל my son

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(Jeffery) z”l**

on his 30th Yartzheit - 7 Elul

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FROM THE DESK OF RABBI MOSHE HAUER

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Memory, Identity, and Positivity

Memory is identity. This was expressed beautifully by Rabbi Sacks z”l in his Haggadah commentary:

“There is a profound difference between history and memory. History is *his* story – an event that happened sometime else to someone else. Memory is *my* story – something that happened to me and is part of who I am. History is information. Memory, by contrast, is part of identity. I can study the history of other peoples, cultures, and civilizations. They deepen my knowledge and broaden my horizons. But they do not make a claim on me. They are the past as past. Memory is the past as present, as it lives on in me. Without memory there can be no identity.”

The Rebbe of Slonim, author of *Nesivos Shalom*, wrote similarly regarding the *sheish zechiros*, the six incidents that we are mandated to always remember (*Kuntrus Haharuga Alecha*):

“The essence of a Jew is not transient, limited to the time he spends on this earth, rather the Jew’s existence is eternal, embracing the past, the present, and the future... The connection we forge to the eternity inherent in our Jewish soul and to

the world of Klal Yisrael is accomplished through the *zechiros*, the core elements that comprise our national memory. When a Jew remembers Sinai, the Exodus, or the perpetual threat personified by *Amalek*, etc., this binds him to both his own eternal soul and to the world of Klal Yisrael, and the more we connect to that eternity the more we are nourished by it.”

Our Parsha contains two of the Torah’s six critical elements of memory, *Amalek* and Miriam. Remembering the perpetual threat of *Amalek* is sadly and unsurprisingly core to our Jewish identity; we can never afford complacency relative to the ongoing physical and spiritual threats that arise in each and every generation. But why is the same true of the memory of Miriam’s leprosy, a result of her speaking critically of Moshe? While we understand the terrible damage caused by harmful speech and recognize the Mitzvah value of *shemiras halashon* (guarded speech), in what way does this memory and vigilance constitute a critical part of our identity?

Magen Avraham (OC 60:1) cites a fascinating passage from the Kabbalistic teachings (Shaar Hakavanos) of Rav Yitzchak Luria, the Arizal, where he suggests that we should explicitly recall each of those six core elements of memory around our recitation of the *Shema* every morning. Regarding remembering Miriam, he posits that when we say the words *v’keiravtanu l’shimcha hagadol selah b’emes, l’hodos*

l'cha, speaking of Hashem's bringing us close to Him in order that we can express our gratitude to Him, it is then that we should recall what happened to Miriam, as "we were created to be grateful rather than to speak negatively." This idea is expressed in the well-known verse (Tehillim 34:13) that speaks of guarding our speech: "Who is the man who desires life, loves days, to see good."

The opposite of slander is not silence but effusive positivity and gratitude, and a non-cynical, grateful mindset is indeed a matter of identity. There is no greater identifier than one's name, and we are all named Jews, *Yehudim*, meaning – grateful people. That gratefulness colors how we look at each other, at life, and at G-d.

It is not only historical events and experiences that forge identity. Our identity will also be an expression of our attitude and perspective. Gratitude and positivity is a huge part of that. Recalling Miriam, and expressing that memory through an attitude and perspective of positivity and gratitude, is a fundamental part of who we are and who we are meant to be. ■

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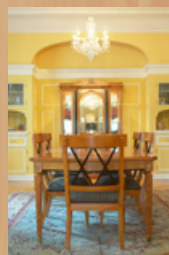
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PARSHAT KI TEITZEI

The Parsha contains 74 mitzvot, the most of any parsha in our Torah. It is the third of the parshiot of Mitzvot; Re'eh, Shoftim and Ki Teitzei. Moshe began his long address in Sefer Devarim with narrative, reviewing the central experiences of the desert and their lessons; his intent was to ensure success in the entry to the Land. He then switched to speaking not about *entering* the Land, but how to live *in* the Land; the building of the Jewish nation. In Re'eh and Shoftim, he outlined Jewish National society beautifully. It is to be an ethical monotheistic society; hence, he outlined the laws of avoiding idol worship, the centrality of what would be Jerusalem and laws of generosity, of sharing with others. He then moved on from the principles of ethical monotheism to Nation building; the judiciary, the executive and the legislature. And now in Ki Teitzei, he focuses on personal mitzvot. Nation building requires checks and balances on government and courts. But the government does not make a great nation; it regulates behavior within certain broad frameworks. Greatness will lie in the day-to-day life of the people;

fidelity to our G-d, how we treat each other, help each other, what we say and what we give, how we live with kindness and generosity in day-to-day life. That is where the greatness of the Jewish nation will lie. Perhaps said differently: Parshat Shoftim will produce headlines. The court system, the king, the wars. Now those make good headlines. Parshat Ki Teitzei will never make the headlines: returning a lost object, paying wages promptly, healthy relationships in marriage. Regard for others doesn't make great headlines, but it does make great nations.



1ST ALIYA (DEVARIM 21:10 - 21)

Captive Woman: One may not marry a woman captured in war until 30 days have elapsed and the passion subsided. **First born:** The rights of the first born to a double portion shall not be diverted to the first born of a more favored wife. **Ben Sorer U'moreh:** a boy entering adulthood who is brazen and gluttonous shall be judged on the fear of future more egregious behavior.

The soldier is able to marry the non-Jewish woman captured in war; but only after a month of seeing her daily in an unkempt manner. However, what is left unsaid is far more important: war is accompanied by rape and pillage of women. Women are viewed as the spoils of war. Not in the Jewish army. The permission granted to marry this non-Jewish woman after a month screams out the far more basic war ethic:



Mazal Tov to **Saadia & Merav Gopstein**
upon the engagement of their son
Oz Moshe Zalman to Menucha Rahel Azar

war should never ever be seen by the Jewish army as license for abuse of women.



2ND ALIYA (21:22 - 22:7)

Burial: Do not allow the body of one sentenced to death to be hung. He is to be buried immediately. **Returning Lost Property:** Don't look away from lost property; return it to its owner. Help up an overly **burdened animal** who has buckled; don't look away. Do not **cross dress**. **Send** a mother bird away before taking the eggs or chicks.

There is an implied ethic in the mitzvah of burying the one put to death. A person sentenced to death has committed the most serious of sins. Nonetheless, human beings never lose the right to dignity. Even one sentenced to death is a human being; their body is not to be left hanging, but to be buried immediately. Human beings may sully their dignity by terrible crimes deserving of death; but they never forfeit their essential human dignity.

A further implied ethic is contained in the return of lost property. Laws are to protect: legal ethics can only regulate that I do not damage your property. But Jewish ethics mandates that we go much further; I need to jump to help your property. There can be no innocent bystanders; we need to jump to save lives of others and property of others.



3RD ALIYA (22:8 - 23:7)

Build a **fence on your roof** to prevent accidents. **Do not: plant** vines and grain together, **plow** with ox and mules together, **wear** wool and linen **together**. A man shall not: **slander** a new bride claiming her not to be a virgin, nor commit **adultery** with a married woman, nor with a betrothed bride, nor **rape** a

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single woman. One may **not marry** a mamzer, nor a male from Amon or Moav.

In this aliya we have mitzvot about the most basic of daily life: our homes, our fields or livelihood, our clothes and our relationships with our partners. Each one of these regulates the basic aspects of our lives. In this lies the profound meaning of this parsha; the Torah infuses our lives with meaning. Our relationships, our homes, our food, our clothes; all these things take on meaning when regulated by mitzvot. Rav Soloveitchik called this redemption, or geula; man's mundane life is redeemed from vulgarity and emptiness by mitzvot. Suddenly, the trite and trivial, the banal life we live becomes meaningful, an expression of loyalty to our Creator and His love of us by commanding us.



4TH ALIYA (23:8 - 23:24)

One **may marry** one from Edom or Egypt. **Military encampments** shall be treated with a degree of **cleanliness**; bathroom facilities shall be outside the camp. Since G-d's presence goes with you, your camp has holiness. **Shelter** a runaway slave. Do not engage in **prostitution**, nor accept its gains as offerings. Do not exact **loan interest**. **Do** that which you **vow**; do not delay its fulfilment.

The charging of interest on a loan is not permitted. This is a Torah legislated type of welfare. When a person is in trouble and needs a loan, he is vulnerable to loan sharking. If he needs money and is desperate, what better recipe for milking him for all he is worth. The Torah forbids preying on misfortune. Find another way to profit; not off the misfortune of others.



5TH ALIYA (23:25 - 24:4)

Harvesters may eat grapes or grains while harvesting.

Divorce: Divorce need be done through a bill of divorce (a Get). If the woman marries another man, she may subsequently not return to remarry the first husband.

Allowing the worker to eat that which he is harvesting is the introduction of employer ethics. Being an employer comes with responsibility; people's lives are in your hands. Allowing the worker to consume what he is harvesting is merely an example of sensitivity to the feelings of employees. Worker's rights have their basis in these verses.

Divorce is accomplished through a Get, or a document of divorce. While the creation of a marriage is called kiddushin and has holiness, this holy union may be dissolved through divorce. While we view marriage as holy, it is holiness in the difficult realm of human interactions, which sometimes sour. The Torah allows the dissolution of the marriage; an expression of the recognition of the complexity of life. While marriage is holiness, allegiance to the marriage does not require one to live a life of misery.



6TH ALIYA (24:5 - 13)

First year marriage: Do not go to war in the first year of marriage: bring joy to the new bride. **Kidnapping** is a capital offense. Remember Miriam's **Tzara'at** and keep its laws. **Collateral** may be taken, but only with the owner's cooperation. If the owner needs this collateral, return it to him nightly.

If I lend you money and am concerned that you will not pay me back, I may secure my loan with collateral. That makes sense.

But the granting of collateral, while fair, should be fair to the borrower as well. Monetary laws are all the balancing of conflicting interests. That which benefits the lender disadvantages the borrower. And benefitting the borrower, has a cost to the lender. The Torah alerts us to be sensitive in all monetary dealings; an action that benefits one, hurts the other. Balancing the needs of both is the message of the rules of the taking of collateral.



7TH ALIYA (24:14 - 25:16)

Do not withhold **wages**: workers are to be paid before the end of the day. Do not **pervert justice** of the foreigner or widow. When **harvesting** grain, olives or grapes, leave the dropped produce for the needy. No more than 40 **lashes** shall ever be given. **Yibum**: a brother shall marry the childless widow of

his brother and hence maintain his name. Maintain only **accurate weights** and measures. Remember what **Amalek** did to you in attacking the weak when you left Egypt. Erase any memory of him.

In one aliya we have mitzvot of wages, of justice, of kindness, of lashes, of levirate marriage, of honesty in business and of Amalek. The lack of a clear pattern to these mitzvot is itself instructive. Perhaps Moshe is deliberately moving from generosity to justice to business to war. He wants to cover mitzvot in all aspects of our life. Our lives include homes and relationships and work and war and honesty and justice and paying our workers....and on and on. Moshe is describing our life. And telling us that in all aspects of our lives we have mitzvot; ways to do things nobly and with holiness. And that there is nary a part of life void of mitzvot. It is this richness of behavior in our personal life that is truly the necessary ingredient of nation building. The Jewish nation will be built on ethical monotheism, on national institutions that are kept in check; but ultimately a great nation is built in the homes and in the private lives of its citizens. The nation is built on the quiet, private behavior of its people, in all the facets of their lives.

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YESHAYAHU 54

This week's *haftorah* is the fifth of a series of seven "*Haftarot* of Consolation." The navi, Yeshayahu, compares the city of Jerusalem to a barren woman devoid of children. Hashem enjoins her to rejoice, for the time will arrive when the Jewish nation will return and repopulate the Holy

City. The prophet promises the Jewish people that Hashem has not forsaken them. Although at times Hashem hides His countenance He will certainly gather them from the *galut* with great mercy.

“For like the waters of Noach shall this be for Me: As I have sworn never again to pass the waters of Noach over the earth, so have I sworn not to be wrathful with you or rebuke you.” ■

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STATS

49th of the 54 sedras; 6th of 11 in Devarim.

Written on 212.8 lines; ranks 21st.

44 parshiyot; 2 open, 42 closed; rank: 1.

110 pesukim; ranks 28th (5th in Devarim).

1582 words; ranks 23rd (5th in Devarim).

5856 letters; ranks 26th (6th in Devarim).

MITZVOT

74 mitzvot - 27 positive, 47 prohibitions.

Ki Teitzei has the most mitzvot (both positive and prohibitions) in the Torah.



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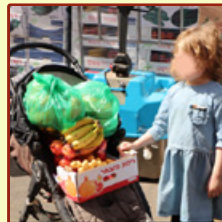


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Yoni thanks Hashem for having the opportunity of having Tziporah in his life, to learn of her caring, patience and happiness, to overcome her challenges. May Tziporah's Neshama be a light onto the world, in a time of darkness, and may her Neshama shine to Gan Eden. Yoni misses Tziporah with tears in his eyes, as Hashem gave him a gift, a crown jewel, now he returns her to Hashem.

With thanks and Toda. Love, Yoni

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THE PERSON

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IN THE PARSHA

The Rich Fruits of Forgiveness

The spirit of forgiveness is in the air.

Since the beginning of this month, the month of Elul, Sephardic communities have been reciting *selichot*, prayers petitioning the Almighty for his forgiveness. They have been doing so each and every day, rising before dawn in order to get to the synagogue on time. Ashkenazic communities, following their custom, will delay the recitation of these petitionary prayers until the week before Rosh Hashanah.

No matter one's liturgical custom, the theme of forgiveness is uppermost in the consciousness of every Jew. For some, beseeching the Almighty for His forgiveness is their primary concern. Others focus upon obtaining forgiveness from those whom they have offended during the course of the past year. Still others struggle with that most difficult task: begging forgiveness from those whom they have offended. One way or the other, forgiveness is our dominant concern for at this time of year.

When we turn to the Torah portions during these weeks it is only natural

to search the text for references to this important theme. Sometimes those references are readily apparent. For example, last week we read this moving prayer: "Our hands did not shed this blood... Absolve, O Lord, Your people Israel...And do not let guilt for the blood of the innocent remain among Your people Israel...And they will be absolved of bloodguilt." (*Deuteronomy* 21:7-8).

But this week's Torah portion, *Ki Tetzei* (*Deuteronomy* 21:10-25:19), presents us with a challenge. Don't get me wrong. This week's *parasha* contains numerous laws about some very important topics, such as moral warfare, returning lost objects, proper treatment of runaway slaves, divorce, honesty in business affairs, and the concluding cautionary paragraph, urging us not to forget that vilest of our enemies, Amalek. But explicit references to forgiveness are absent.

Several years ago, I decided to meet the challenge and to burrow beneath the surface and find such references. The Talmud teaches us, "If you toil, you will find." Following this Talmudic advice, I toiled indeed. And I did not toil in vain, for I found quite a few hidden references to

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our central theme, one of which I hereby share with you.

There is a passage in this week's Torah portion which, far from exuding a spirit of forgiveness, reflects almost inexplicable harshness. Near the very beginning of our *parasha*, is the passage that deals with the *ben sorer u'moreh*, the wayward and defiant son. It reads:

"If a man has a wayward and defiant son, who does not heed his father or mother and does not obey them even after they discipline him, his father and mother shall take hold of him and bring him out to the elders of his town...They shall say to the elders of his town, 'This son of ours is disloyal and defiant; he does not heed us. He is a glutton and a drunkard.' Thereupon the men of his town shall stone him to death. Thus you will sweep out evil from your midst..." (Deuteronomy 21:18-21)

There is no trace of forgiveness in these verses. Our Sages questioned the fairness of such a harsh punishment for such a young lad. Rashi, following Talmudic sources, reasons that this boy is not being punished for his current behavior. Rather, this behavior is indicative that he is headed for a life of great criminality, in which he will eventually steal and even murder in order to satisfy his gluttony and desire for drink. But those of us who read the text, especially if we are or have been parents ourselves, understandably search for some ray of hope for this wayward teenager.

One such ray of hope is found in this passage in the Babylonian Talmud, Tractate *Sanhedrin* 88b: "This wayward and defiant son, this *ben sorer u'moreh*, if his parents

wish to forgive him, he is forgiven."

At first blush we wonder about this leniency. After all, if we are to follow Rashi's explanation of why he is so harshly condemned, we should be concerned that by forgiving him his parents have let loose a dangerous murderer upon society. The Torah seems convinced that this young lad is inevitably destined for a severely anti-social career. A strict reading of the text demands that we eliminate this potential murderous hazard from our midst. Why should parental mercy of a father and mother be allowed to endanger the welfare of society?

One approach to understanding the power of parental forgiveness is provided by Rabbi Chaim Zaitchik, in a collection of masterful essays, entitled *Maayanei HaChaim* (Wellsprings of Life). He argues that whereas it can generally be assumed that a young man so wayward and so defiant can never overcome his perverse tendencies, such an assumption must be abandoned if experts can testify that he can be rehabilitated. Asks Rabbi Chaim, "What greater experts can there be than this boy's own parents?" They know him better than anyone else and if they forgive him, it must be that they have detected in him the capacity to shed the passions of youth which have heretofore led him astray.

This is one lesson of forgiveness. If you know a person well, you know that he can change his ways, and hence merit our

Mazal Tov to
Arlene Friedson Saslow and Ruth Friedson
and family on the birth of their
great (great) granddaughter



forgiveness.

I would like to suggest another approach to understanding this passage in the Talmud. My approach rests upon my own observations during the course of my career as a psychotherapist. It was during those years of psychotherapeutic practice that I learned that forgiveness changes the behavior of the person who is forgiven. People who have offended others are often so moved by the fact that those others have forgiven them that they commit to a future of exemplary behavior. The experience of having been forgiven by the others signals them that those others trust them. They are so inspired by that new experience of being trusted that their behavior improves radically.

In the words of a preacher that I overheard on the radio long ago, “We don’t forgive people because they deserve it. We forgive them because they need it.”

Sometimes we think that there is a risk to forgiving those who have offended us. After all, we ask ourselves, “Are we not letting him ‘off the hook’? Are we not absolving him from his responsibilities? Does he not consider us ‘suckers’ for having forgiven him?”

But I have found that the opposite is often true. Forgiving the offender ennobles him, and sends him a message which enables him to correct his past habits. In the words of none other than Abraham Lincoln: “I have always found that mercy bears richer fruits than strict justice.”

I must conclude by citing a “higher authority” than the greatest of American presidents. I present you with a verse from *Psalms*, as explicated by the great medieval

commentator, Abraham ibn Ezra. The verse is *Psalms* 130:4, recited in many communities during the period from Rosh Hashanah until Yom Kippur.

The verse reads: ‘But with You there is forgiveness; therefore, You are feared.’”

As some of you know, I authored a volume of essays on the *Book of Psalms*. Here is how I phrased the difficulty of this verse: “How does God’s forgiveness lead to our fear of Him? Quite the contrary; one would think that we would be less fearful of a forgiving God, knowing that he would not punish us, but would readily forgive us?”

And here is how I presented ibn Ezra’s response: “He points out that if sinners were convinced that there was no forgiveness for their iniquities, they would persuade themselves that repentance is hopeless. Why reform one’s ways if one was damned to punishment anyway? Precisely the fact that God does forgive removes that hopelessness from them. They realize that if, out of fear of God, they approach Him and beg His forgiveness, they can be hopeful of attaining it. The fact that God forgives...motivates repentance and personal change.”

As we approach the High Holidays, Days of Awe, but also Days of Mercy and Forgiveness, let us be moved by the Almighty’s power of forgiveness to forgive others, to forgive ourselves, and to improve our ways so that we deserve His blessings for a blessed New Year. ■

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The Limits of Love

In a *parsha* laden with laws, one in particular is full of fascination. Here it is:

If a man has two wives, one loved, the other unloved [*senuah*, literally “hated”], and both the loved and the unloved bear him sons, but the firstborn is the son of the unloved wife, then when he wills his property to his sons, he must not give the rights of the firstborn to the son of the beloved wife in preference to his actual firstborn, the son of the unloved wife. He must recognise [the legal rights of] the firstborn of his unloved wife, so as to give him a double share of all he has, for he is the first of his father’s strength. The birthright is legally his. (Deut. 21:15-17)

The law makes eminent sense. In biblical Israel the firstborn was entitled to a double share in his father’s inheritance.¹ What the

law tells us is that this is not at the father’s discretion. He cannot choose to transfer this privilege from one son to another, in particular he cannot do this by favouring the son of the wife he loves most if, in fact, the firstborn came from another wife.

The opening three laws – a captive woman taken in the course of war, the above law about the rights of the firstborn, and the “stubborn and rebellious son” – are all about dysfunctions within the family. The Sages said that they were given in this order to hint that someone who takes a captive woman will suffer from strife at home, and the result will be a delinquent son.² In Judaism, marriage is seen as the foundation of society. Disorder there leads to disorder elsewhere. So far, so clear.

What is extraordinary about it is that it seems to be in the sharpest possible conflict with a major narrative in the Torah, namely Jacob and his two wives, Leah and Rachel. Indeed the Torah, by its use of language, makes unmistakable verbal linkages between the two passages. One is the pair of opposites, *ahuvah/senuah*, “loved” and “unloved/hated”. This is precisely the

1. This is already implicit in the story of Jacob, Reuben, and Joseph (see below). The Sages also inferred it from the episode of the daughters of Tzelophehad; see Numbers 27:7; Baba Batra 118b.

2. Sanhedrin 107a.

way the Torah describes Rachel and Leah.

Recall the context. Fleeing from his home to his uncle Laban, Jacob fell in love at first sight with Rachel and worked seven years for her hand in marriage. On the night of the wedding, however, Laban substituted his elder daughter Leah. When Jacob complained, "Why have you deceived me?" Laban replied, with intentional irony, "It is not done in our place to give the younger before the elder."³ Jacob then agreed to work another seven years for Rachel. The second wedding took place a mere week after the first. We then read:

And [Jacob] went in also to Rachel, and he loved also Rachel more than Leah ... God saw that Leah was unloved [*senuah*] and He opened her womb, but Rachel remained barren. (Gen. 29:30-31)

Leah called her firstborn Reuben ("God has seen my suffering, maybe now my husband will love me,"), but her hurt at being less loved remained, and we read this about the birth of her second son:

She became pregnant again and had a son. "God has heard that I was unloved [*senuah*]," she said, "and He also gave me this son." She named the child Simeon. (Gen. 29:33)

The word *senuah* appears only six times in the Torah, twice in the passage above about Leah, four times in our *parsha* in connection with the law of the rights of the firstborn.

There is an even stronger connection. The unusual phrase "first of [his father's]"

3. Genesis 29:25-26. A reference to Jacob buying Esau's birthright and taking his blessing.

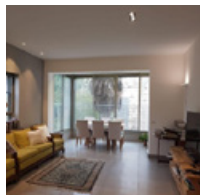


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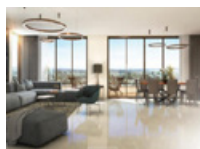
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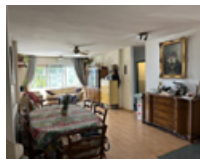
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strength” appears only twice in the entire Torah: here in Ki Teitse (21:17) “for he is the first of his father’s strength”, and in relation to Reuben, Leah’s firstborn:

“Reuben, you are my firstborn, my might and the first of my strength, first in rank and first in power.” (Gen. 49:3)

Because of these substantive and linguistic parallels, the attentive reader cannot help but hear in the law in our *parsha* a retrospective commentary on Jacob’s conduct vis-a-vis his own sons. Yet that conduct seems to have been precisely the opposite of what is legislated here. Jacob *did* transfer the right of the firstborn from Reuben, his actual firstborn, son of the less-loved Leah, to Joseph, the firstborn of his beloved Rachel. This is what he told Joseph:

“Now, the two sons who were born to you in Egypt before I came here shall be considered as mine. Ephraim and Manasseh shall be just like Reuben and Simeon to me.” (Gen. 48:5)

Reuben should have received a double portion, but instead this went to Joseph. Jacob recognised each of Joseph’s two sons as entitled to a full portion in the inheritance. So Ephraim and Menasseh each became a tribe in its own right. In other words, we seem to have a clear contradiction between Deuteronomy and Genesis.

How are we to resolve this? It may be that, despite the rabbinic principle that the patriarchs observed the whole Torah before it was given, this is only an approximation. Not every law was precisely the same before and after the covenant at Sinai. For instance, Ramban notes that the story of Judah and Tamar seems to describe a

slightly different form of levirate marriage from the one set out in Deuteronomy.⁴

In any case, this is not the only apparent contradiction between Genesis and later law. There are others, not least the very fact that Jacob married two sisters, something categorically forbidden in Leviticus 18:18. Ramban’s solution – an elegant one, flowing from his radical view about the connection between Jewish law and the Land of Israel – is that the patriarchs observed the Torah only while they were living in Israel itself.⁵ Jacob married Leah and Rachel outside Israel, in the house of Lavan in Haran (situated in today’s Turkey).

Abarbanel gives a quite different explanation. He proposes that Jacob transferred the double portion from Reuben to Joseph because God told him to do so. The law in Ki Teitse is therefore stated to make clear that the case of Joseph was an exception, not a precedent.

Ovadia Sforno suggests that the Ki Teitse prohibition applies only when the transfer of the firstborn’s rights happens because of the father favours one wife over another. It does not apply when the firstborn has been guilty of a sin that would warrant forfeiting his legal privilege. That is what Jacob meant when, on his deathbed, he said to Reuben: “Unstable as water, you will no longer be first, for you went up onto your father’s bed, onto my couch and defiled it” (Gen. 49:4). This is stated explicitly in the book of Chronicles which says that “Reuben ... was the firstborn, but when he defiled his father’s marriage bed,

4. See Ramban to Gen. 38:8.

5. Ramban to Gen. 26:5.

his rights as firstborn were given to the sons of Joseph son of Israel” (1 Chron.5:1).

It is not impossible, though, that there is a different kind of explanation altogether. What makes the Torah unique is that it is a book about both *law* (the primary meaning of “Torah”) and *history*. Elsewhere these are quite different genres. There is law, an answer to the question, “What may we or may not do?” And there is history, an answer to the question, “What happened?” There is no obvious relationship between these two at all.

Not so in Judaism. In many cases, especially in *mishpat*, civil law, there is a connection between law and history, between what happened and what we should or should not do.⁶ Much of biblical law, for example, emerges directly from the Israelites’ experience of slavery in Egypt, as if to say: This is what our ancestors suffered in Egypt, therefore do not do likewise. Don’t oppress your workers. Don’t turn an Israelite into a lifelong slave. Don’t leave your servants or employees without a weekly day of rest. And so on.

Not all biblical law is like this, but some is. It represents truth learned through experience, justice as it takes shape through the lessons of history. The Torah takes the past as a guide to the future: often positive but sometimes also negative.

6. This is the subject of a famous essay by Robert Cover, ‘Nomos and Narrative’, Harvard Law Review 1983-1984, available at http://digitalcommons.law.yale.edu/cgi/viewcontent.cgi?article=3690&context=fss_papers. Cover’s view was that “No set of legal institutions or prescriptions exists apart from the narratives that locate it and give it meaning. For every constitution there is an epic, for each decalogue a scripture.”



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Genesis tells us, among other things, that Jacob’s favouritism toward Rachel over Leah, and Rachel’s firstborn Joseph over Leah’s firstborn, Reuben, was a cause of lingering strife within the family. It almost led the brothers to kill Joseph, and it did lead to their selling him as a slave. According to Ibn Ezra, the resentment felt by the descendants of Reuben endured for several generations, and was the reason why Datan and Aviram, both Reubenites, became key figures in the Korach rebellion.⁷

Jacob did what he did as an expression of love. His feeling for Rachel was overwhelming, as it was for Joseph, her elder son. Love is central to Judaism: not just love between husband and wife, parent and child, but also love for God, for

7. Ibn Ezra to Num. 16:1.

neighbour, and stranger. *But love is not enough.* There must also be justice and the impartial application of the law. People must feel that law is on the side of fairness. You cannot build a society on love alone. Love unites but it also divides. It leaves the less-loved feeling abandoned, neglected, disregarded, “hated.” It can leave in its wake strife, envy, and a vortex of violence and revenge.

That is what the Torah is telling us when it uses verbal association to link the law in our *parsha* with the story of Jacob and his sons in Genesis. It is teaching us that law is not arbitrary. It is rooted in the experience of history. Law is itself a *tikkun*, a way of putting right what went wrong in the past. We must learn to love; but we must also know the limits of love, and the importance of justice-as-fairness in families as in society. ■

These weekly teachings from Rabbi Sacks zt”l are part of his ‘Covenant & Conversation’ series on the weekly Torah teaching. With thanks to the Schimmel Family for their generous sponsorship, dedicated in loving memory of Harry (Chaim) Schimmel. Visit www.RabbiSacks.org for more.

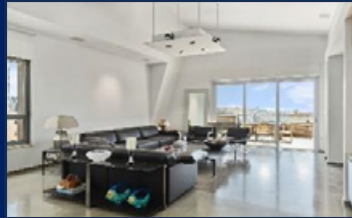
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There is very little to add to the short message expressed in of this week's haftarah. The ten verses describe so beautifully the dramatic rebirth of Eretz Yisrael and Am Yisrael when Hashem returns from galut with His people. And how beautifully does Rav Yigal Ariel point out the navi's the repetitive reassurances of Hashem's promises, echoing His pledges four times in but ten p'sukim and, each time, referring to G-d using four different endearing identities: "Amar Hashem", "Amar Elokayich", "Amar Go'alech", "Amar M'rachamech". Those simple appellations which describe G-d's relationship to Israel brought comfort and consolation

This year, while contemplating the haftarah's depiction of a rejuvenated nation and a revitalized Land, my thoughts turned to my dear friend, colleague and teacher and a source of inspiration for me and many others. It was just some weeks ago when the Torah world and the entire Jewish world lost this remarkable individual and I felt it proper to share with you one of his moving articles, that well reflect his love for Am Yisrael, Eretz Yisrael and Medinat Yisrael. I therefore present to you (in my abridged version) Rav Sholom Gold's view of the letter that the fruits of Israel were sending to us.

"We, the vegetables and fruits of the Land of Israel, want Jews to know what a dramatic transformation has been wrought over the

past century in our subterranean world.

"After the destruction of the Second Beit HaMikdash a message came from Heaven to all the flora and fauna of this land: "Stop growing!"

"The word spread from cedar to hyssop, from vine to olive, from flower to grain—everything must go dormant. And so, a slumber was slapped on the Land of Israel, and only when the Jewish people would return would we be allowed to begin producing anew.

"We were told not to respond to the foes of Israel who entered the land, and we obeyed. Indeed, over the centuries many foreign invaders came: Romans, Byzantines, Muslims, Crusaders, Turks and more. They all came...but we did not react to their attempts to bring us to life. The land remained barren.

"During that long interlude we, the Indigenous Fruits of the Land of Israel, waited, hoping and praying for the return of this land's Indigenous People.

"Then, toward the end of the 19th century, rumors began to race beneath the surface of the earth. Birds flying overhead and clouds cruising the skies said, 'They are coming.' And the great command came directly from Hashem: 'O mountains of Israel, shoot forth your branches, and yield your fruit to My people Israel; for they are at hand to come.' (Ezekiel 36:8) "Grow! Respond to the work of My peoples' hands!"

“You should have seen the joy beneath the surface. We awoke from hibernation, stretched our roots and smiled. G-d commanded us to turn this small, dry, arid and dusty land into a verdant, fruitful and agricultural world superpower.

“And the Lord further told us: ‘It makes no difference whether these chalutzim are religious or not - they are My children and they are coming home. And so, GROW! Impart your bounty. GROW!’

“And so we did... in abundance. We gave fantastic vineyards to the viticulturalists of modern Israel, from which world-class and holy wine is being vinified. And we brought forth almond, apple, apricot, banana, barley, bean, cabbage, cactus, cauliflower, corn, cucumber, date, fig, grapefruit, guava, kiwi, kumquat, lemon, lychee, mango, melon, , onion, pea, peach, pear, pepper, quince, radish, squash, watermelon, wheat... and so much more! Isn't this just amazing?

Rabbi Abba taught (Sanhedrin 98a) that “There is no greater sign of the geulah than the agricultural re-blooming of the Land of Israel,” while the Bach added (in Orach Chaim 208) that the shechina, enters the Jewish soul through the agricultural produce of Eretz Yisrael.

”They are bearers of a Divine message: that G-d has re-juiced the Land of Israel so that all His children can come home and live in plenty.

In all honesty, there are times that, upon reading Rabbi Gold's articles or hearing his lectures, I feel that the prophet himself had placed these messages in his heart. The underlying message of our haftarah is well expressed in Rav Gold's “letter”.

The vegetables were correct! The fruits got it right.

And, indeed, we should listen to the tomato...and to Rabbi Gold....

And to Yishayahu! ■

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TUE, AUG 29

9:15 AM

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Rabbi Yosef Goldin

9:30AM

Minchat Chinuch

Rabbi Breitowitz

2:00 PM

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THURS, AUG 31

9:00 AM

Parshat HaShavua
Rabbi Ari Kahn

10:15 am

Parshat HaShavua
Rabbi Baruch Taub

11:30 AM

Unlocking the Messages
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Rabbi Shai Finkelstein

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DATE: Sunday, August 27th - אור ל"א אלול -

TIME: 8:30pm (Maariv at 8:15pm)

PLACE: Kehilat Zichron Yosef,
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10:15AM Coffee and Refreshments

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Importance of Hakarat Hatov

לֹא־יָבֹא עִמּוֹנִי וּמוֹאָבִי בְּקֶהֱל ה' גַּם דּוֹר עֲשִׂירִי
לֹא־יָבֹא לָהֶם בְּקֶהֱל ה' עַד־עוֹלָם: עַל־דִּבְרֵי אֲשֶׁר לֹא־
קִדְּמוּ אֶתְכֶם בְּלַחֵם וּבִמַּיִם בַּדֶּרֶךְ בְּצֵאתְכֶם מִמִּצְרַיִם
וְאֲשֶׁר שָׂכַר עֲלֶיךָ אֶת־בְּלָעַם בֶּן־בְּעוֹר מִפְּתוֹר אֲרָם
נְהַרִים לְקַלְלָךְ: ... לֹא־תִתְעַב אֲדָמִי כִּי אֲחִיךָ הוּא לֹא־
תִּתְעַב מִצְרִי כִּי־גֵר הָיִיתָ בְּאֶרֶץ: בְּנִים אֲשֶׁר־יִוָּלְדוּ
לָהֶם דּוֹר שְׁלִישִׁי יָבֹא לָהֶם בְּקֶהֱל ה': (דברים כג:
ד-ח; ט)

An Ammonite or Moabite shall not enter the assembly of Hashem; even the tenth generation shall never enter the assembly of Hashem. Because they did not greet you with bread and water on the way, when you left Egypt, and because he [the people of Moab] hired Balaam the son of Beor from Pethor in Aram Naharaim against you, to curse you.... You shall not despise an Edomite, for he is your brother. You shall not despise an Egyptian, for you were a sojourner in his land. Children who are born to them [in] the third generation may enter the assembly of Hashem. (Devarim 23: 4-5; 8-9)

**AMON AND MOAV – CANNOT CONVERT;
EGYPTIANS CONVERSION - EFFECTIVE
AFTER THREE GENERATIONS**

The Torah highlights that a male from

Amon and Moav is not able to convert and become a part of the Jewish nation. The reason is provided as well. Because they did not provide certain necessities to us when we requested food and water on our journey from Egypt to Israel. Yet, surprisingly, the Torah informs us only a few pesukim later that an Egyptian who converts is able to become part of the Jewish nation after three generations.

Many commentators are bothered by this distinction. The Egyptians threw our children into the Nile and oppressed us, yet we allow them to enter the fold after three generations. Amon and Moav did not physically oppress us, they just withheld necessities from us. It would appear that the Mitzrim were crueler than Amon and Moav and should not merit joining our nation. Why does the Torah prohibit Amon and Moav from ever converting, and allows the Mitzrim to do so?

GRATITUDE

The Yam Simcha offers the following explanation. The Ramban suggests that since Avraham saved their ancestor Lot, Amon and Moav owe us a debt of gratitude. Although this occurred hundreds of years earlier, one should show appreciation for such an act. Their having withheld food and water from us portrays the *midah* of *Kafoy Tovah* (lack of appreciation).

With respect to the Egyptians, although they killed us, earlier in history they

provided us with a place to live as well as sustenance during the early days of the famine (in the time that Yosef was second in command). For this we are grateful and therefore eventually (after three generations) allow them to become part of our nation.

RETURNING SECURITY

Later in the parsha we are informed of the halacha that when one provides a loan and takes a security to secure the loan, he is obligated to return the security if the borrower is poor and needs the object.

הַשֶּׁבַח תָּשִׁיב לוֹ אֶת־הָעֹבֹט כְּבֹאֵה הַשָּׂמֶשׁ וְשָׁכַב
בְּשִׁלְמָתוֹ וּבִרְכָּהּ.... (דברים כד: יג)

*You shall return the security to him by sunset, so that he may lie down [to sleep] in his garment, and **he will bless you...*** (Devarim 24: 13).

The Torah dictates that when the lender returns the security to the borrower, the borrower should **bless** him. Why is it necessary to include this recommendation that the borrower **bless** the lender? Again, this is an example of offering gratitude (הכרת הטוב) for having voluntarily returned the security.

HUMILITY

In general, when one offers gratitude to another it is a humbling experience. The individual admits that he required assistance and appreciates that another provided him with it. As we begin to recite shlichot- we include the following statement: לך ה הצדקה, ולנו בשת הפנים - We are to be humbled. As a nation, we are referred to as יְהוּדִים from the root of the word להודות - to express thanks (as well as to admit). This time of year it behooves us to not only seek forgiveness

for any misdeeds we may have committed to others, but also to express our gratitude to others for all they have done and for being there for us. This includes our parents, spouse, children and friends. May we instill humility and express our gratitude so that we strengthen our bonds with others and make the most of the month of Elul. ■



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Incredible Impact

At its most basic level, the mitzvah of *hashavat aveida*, returning lost objects, seems to be elemental in a functioning society. Showing concern about the property and welfare of others creates an environment of care and mutual love. However, as the Torah can be understood on multiple levels, this *halachah* teaches us something even more profound and impactful.

The *Ohr Hachayim Hakadosh* understands this directive as a call to return “lost souls” to one’s “Brother” i.e., Hashem. We each have a responsibility not to ignore those who are on a wayward path, rather we are enjoined to gather them close and inspire them to return to Torah life. “*Ve’im lo karov achicha eilecha, ve’lo yadato, va’asafu el toch beitecha* - if your brother is not near you, or you don’t know who [the owner is], you must gather it in to your house,” (*Devarim* 22:2) Allegorically, this verse refers to the times pre -Mashiach during which we are told to bring these lost souls to the “house of Hashem”, to the Batei Midrash, and teach them Torah living.

The law of returning lost objects applies to anything that has even minimal value

and, further, there is no limit to how many times one must return something he finds. A relevant example would be if someone continuously leaves her water bottle at a shiur every week, the host of the shiur must keep giving it back. How much more so, teaches the *Chafetz Chayim*, one must do what he can to return a lost person, one who is far from his holy connection to Hashem! This mitzvah overlaps with the injunction, “*lo ta’amod al dam re’echa* – you shall not stand idly when your fellow’s life is in danger.”

Rav Moshe Rosenstein, in *Yesodei Hada’at*, offers a beautiful *mashal* to explain this idea. Imagine, a prince who is wandering lost in a forest. Although it is meaningful to provide for the prince’s needs, the greatest kindness one can do is to return him back to the King’s palace. All Jews are *benei Melech*, children of the King; the greatest kindness we can do is to return Hashem’s children back to His palace.

It is fascinating to learn from the *Chovot HaLevavot* that there is no comparison between the merit of one who works on perfecting himself to one who positively impacts others. The latter is credited with not only the accomplishments of those whom they impacted for all time, they are also credited with the numerous merits of their families and offspring *ad sof kol hadorot*, for everlasting generations. One

does not need to be a “kiruv professional” to share an inspirational idea or a new halachah one has learned with family and friends thus helping to bring others just a little bit closer to “home.”

Rav Kestenbaum in *Olam Ha'avodah* shares another powerful way to impact others. He notes that after 120 years, you can potentially be credited with the return of hundreds of *ba'alei teshuva* that you had affected. “But I was never involved with these people!” you say with great surprise. “Ah,” responds the High Court, showing you the power of your tefilah when you recited the brachah “*Hasheveinu Avinu letoratecha*” in the Amidah. When we daven a heartfelt tefilah for Hashem’s children to return to His Torah, it is considered part of the mitzvah of *hashavat aveida*, returning lost souls to their Source. ■

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RABBI JUDAH

MISCHEL

Executive Director, Camp HASC

Author of *Baderech: Along the Path of Teshuva* (Mosaica 2021)

Baderech

Reb Yitzchak Meir Alter, the first Gerrer Rebbe, also known by the title of his writings, *Chiddushei haRi”m*, was a *talmid* of Reb Simcha Bunim of Peshischa and a brother-in-law of the Kotzker Rebbe. He took the Chasidic emphasis of *avodah* and turned it toward *limud haTorah* — coming close to Hashem through passionate study of Gemara and *Nigleh* (‘exoteric’ *sefarim*). As the beloved founder of the Gerrer Chasidus, he built and lead the largest group of *Talmidei haBaal Shem Tov*, ‘Students of the Besh’t’, in Pre-War Poland, with dozens of *chadarim*, *Yeshivos* and *shtiblach*. In those days, outside the more concentrated populated areas there were far less opportunities for learning. Therefore, families with means who sought serious Torah education would hire a *melamed*, a teacher who would often travel from town to town tutoring children.

A Yid once hired such a *melamed* for his son. This gentle and sweet child struggled to understand and retain learning. Day after day they toiled, and he just couldn’t seem to ‘get’ or remember any of the ideas they studied together. After a few months, the boy’s father excitedly announced that he would be taking his son on a *nesiya*, a special trip to visit his Rebbe, the *Chidushei haRi”m*. Bursting with pride, he told

everyone that he looked forward to the Rebbe *farhering* his son, testing him on the material he’d learned.

Knowing that the boy lacked the skills and ability to ‘speak in *learning*’ or repeat and explain anything they had studied together, the *melamed* became more and more anxious in the days prior to the meeting with the Rebbe. He volunteered extra hours and tried to cram as much information into the child as possible. When the father and son finally departed for their trip, the *melamed* was crestfallen, certain that he would be held accountable for the child’s ‘inability’ to learn anything whatsoever.

When the father and son returned from the trip, the *melamed*’s jaw dropped in shock when he heard how proud the father was of his talented young scholar. His son had performed beautifully, and the Rebbe had showered him with compliments!

Months later, the *melamed* had an opportunity to meet with the *Chidushei haRim* and asked, “How could it be that the Rebbe was so successful with my *talmid*? I learn with him every day, and he can barely read or understand anything...”

“Ah, my friend,” answered the Rebbe, his face turning serious, “the only way we measure ‘success’ in Torah and one’s ‘level’ in Yiddishkeit is in relation to the student’s *ratzon*, their desire to learn. It doesn’t

matter if they are studying *aleph beis* or the most complex *sugya* in Shas — as long as they are doing their best, they are on the right *derech*....”

Then, after a moment of reflection, Reb Yitzchok Meir, one of the most respected *geonim* of his generation, quietly concluded: “*Ur Mir kennen den* — and in any case, what do *we* really know?”

.....
לֹא־תִרְאֶה אֶת־חֲמֹר אָחִיךָ אוֹ שֹׂרֹו נִפְלִים בַּדֶּרֶךְ
וְהִתְעַלְמָתָּ מֵהֶם; הֲקִים תְּקִים עִמּוֹ

You should not see your brother’s donkey or his ox falling on the *derech* [under its load] and ignore them. Rather, you shall surely lift up the load with him.” (*Devarim*, 22:4)

Rashi clarifies the meaning of the phrase זוֹ טְעִינָה, “you shall surely lift”: הֲקִים תְּקִים, “This refers to [our obligation of] טְעִינָה, “loading,” i.e., *reloading* the burden that has fallen off the animal.”

By contrast, the mitzvah of *prika* is “unloading” a burden that is too heavy for the animal. This mitzvah appears earlier in the Torah:

כִּי תִרְאֶה חֲמֹר שֹׁנֵאךָ רֹבֵץ תַּחַת מִשְׁאוֹ וְהִדְלָתָּ
מֵעֹבֹל לוֹ עֹבֹל תַּעֲזֹב עִמּוֹ

“When you see the donkey of your enemy lying beneath its burden and you would refrain from raising it, you shall surely raise it with him.” (*Shemos*, 23:5)

Students of the Baal Shem Tov developed an expansive understanding of this *sugya*. The verses teach us how to relate to a Yid who is either ‘falling’ or ‘lying collapsed’ under his load — meaning under מלכות שמים, the ‘yoke’ of his Divine service.

It takes sensitive *chochmas chayim* to know when one or the other of these two mitzvos is required of us, and how to fulfill it.

Rebbe Yaakov Leiner, the Beis Yaakov of Izhbitz teaches that the mitzvah of *te’ina*, ‘loading’, implies helping a Jew who feels lacking or empty. Perhaps he or she has faltered in their ability or desire to uphold and carry מצוות, the yoke of mitzvah observance. *Te’ina* here is the opportunity to assist in picking up their load again, and strengthening them to shoulder their obligations and efforts in Yiddishkeit.

On the other hand, there are times on life’s path when the privilege of carrying Torah and Mitzvos can be so challenging and exhausting for a person that they are רֹבֵץ תַּחַת מִשְׁאוֹ, ‘crushed under their load’. Perhaps they are collapsed beneath the weight of the expectations of parents, teachers, community and institutional standards. Perhaps they are immobilized beneath the fear of disappointing such authorities, or even disappointing God Himself. This, explains the Beis Yaakov, calls for the mitzvah of *perika*, ‘lifting’, not in the sense of reloading, but in the sense of lightening their load. We sometimes need to help a person *lessen* the spiritual and emotional baggage that can accumulate in our lives of religious striving. Each person needs to find a balanced way to hold oneself up and carry the *zechus* of being a Jew, and this is not always so simple.

Thus, the Chasam Sofer says the phrase *noflim baderech*, “fallen on the path” refers to a brother or sister struggling with a spiritual load they can’t currently carry alone.

The responsibility to strengthen such a person is upon every one of us and we are forbidden *להתעלמות מהם*, ‘to look away’ and ignore their experience. Rather, *הקים תקים*, עמו “pick them up” or uplift them. If someone is off the *derech*, it means they need a wider concept of the path, or a little help or *chizuk*, to protect them from the danger of falling.

Yiddishkeit can be challenging, and many of us find it difficult to find *hatzlacha* in learning and *avodas Hashem*. Our *sedra* invites us to reconsider the metrics by which we measure growth, and reframe what it means to carry our own responsibilities and be ‘successful’ as *ovdei Hashem*. So many among us are struggling to carry great pressures, often while still hurting from stinging criticism or heavy labels

laid upon us in our formative years. If we were told as children that we are unable to succeed, we might strain precariously under the weight of this baggage for several decades.

No matter the challenges, may we know how to pick ourselves up — and to lift someone else up, lighten their burdens and be *mechazeik* them with a good word or compliment along the way.

And in any case, when it comes to one’s ‘level’ in the *derech* of Yiddishkeit... what do we really know? ■

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SIMCHAT SHMUEL

BY RABBI SAM SHOR

Program Director, OU Israel Center

As we read *Parshat Ki Teitzei* this *Shabbat*, we will read of the instruction to build a fence or railing around the rooftops of our home: *ki tivneh bayit chadash, v'asita maakeh legagecha*.

The *mitzvah* to affix a railing on the roofs of our homes seems like a very straightforward safety instruction. However, if this *mitzvah* is indeed solely about safety, why does the verse specify- *ki tivneh bayit chadash*- when you build a **new** home - Shouldn't this *mitzvah* apply under all circumstances?

Furthermore, why specifically on the roof, what about other areas of potential danger, for example a steep ravine on our property, or a swimming pool, etc? Might there be more to this instruction than simple safety considerations?

The Chasidic Masters point out that *Parshat Ki Teitzei* is always read in *Chodesh Elul*. During these days of *Elul*, we are preparing ourselves for *Rosh HaShanah*. **Rabbi Yaakov Yosef of Polnoye, the Toldot Yaakov Yosef zy'a**, explains that if we wish to rebuild ourselves, to prepare for the new year emotionally, it begins with safeguarding our proverbial personal rooftops - clearing our minds of any inappropriate thoughts, and getting to the proper head space for that new beginning. We must build a proverbial fence around our minds, to only let in that which is appropriate, and protect against outside influence.

The ***Netivot Shalom, the Slonimer Rebbe zy'a***, suggests that this interpretation offered by the *Toldot Yaakov Yosef*, is indeed the level of protection we need to seek as we begin to build for the new year. Each *Rosh HaShana* provides us with the opportunity to build anew, to conduct a spiritual renovation, ascend to new heights, and build the proper safeguards to enable us to excel in our *Avodat Hashem*.

Rabbi Moshe Wolfson, shlita further elaborates and suggests that all the spiritual work and growth we seek to accomplish during these days of *Elul* and subsequent days of the *Chagei Tishrei*, need to be the impetus for sustained spiritual growth for the entire year. Each year as one year draws to a close and we transition into the proverbial *bayit chadash*- new home of the coming year, we need to hold tight, to build a railing or protective fence around the growth we have hopefully achieved during these days of *Elul* and *Tishrei*, so that we may sustain this growth throughout the coming year.

Yehi Ratzon, May each of us be blessed to both ascend and grow spiritually in the days ahead, and to hold strong to that growth in the year ahead.

Shabbat Shalom. ■

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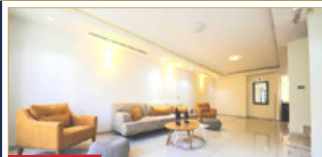


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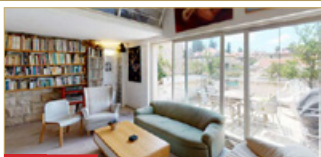
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Free Will in the Messianic Era

Recognizing the extraordinary pressures of wartime and human vulnerability under the threat of death, the Torah allows a Jewish soldier the indulgence of Yifat To'ar. Shockingly, he is permitted to marry an “attractive” Gentile captive despite the numerous halachic and moral red flags which this raises.

The Torah prefers that a morally compromised person operate within halachic confines rather than blatantly violating the Torah. As Rashi comments, the Torah acknowledges the powerful influence of the *yetzer harah*, and, in this rare instance, accommodates human desires, rather than challenging us to overcome them. This non-conventional halacha showcases how powerful human desire can be.

All human beings are crafted in the image of Hashem, noble and upright. Given our inner virtue, we are naturally drawn to the will of Hashem. Yet, despite this inner purity, our powerful urges and desires often get the best of us, swaying our decisions. We call these desires *yetzer harah*, which refers both to our inner cravings as well as to an external force tempting us and preying on our conscience.

Sometimes we are enticed by physical desire and other times we are confused by ideological bewilderment. Either way,

we are locked in unending battle with the *yetzer harah*, without which we would instinctively obey Hashem's will. Without the counterforce of the *yetzer harah* we would not possess free will, as we would be ineluctably drawn to Hashem's will. In this respect, the *yetzer harah* preserves human free will, and is elementary to human identity.

Will it always be like this? Will freedom of choice exist in the days of Moshiach? Or will Messianic conditions abolish the *yetzer harah* and alter the human psyche?

SHMUEL AND THE RAMBAM

Characteristically, the Rambam adopts an evolutionary view of the Messianic era, based upon the well-known phrase of the amora, Shmuel: אין בין העולם הזה לימות המשיח אלא שעבוד מלכיות בלבד

Shmuel asserted that, in general, the Messianic era will preserve our current order. Global violence will cease, antisemitism will abate, and we will enjoy renewed sovereignty. Shmuel's minimalist comments do not address the religious consequences of these global changes, but the Rambam (Hilchot Melachim chapter 11) elaborates: widespread tranquility will enable unhindered study of Torah and unobstructed appreciation of the divine will.

Under the Rambam's Messianic view, human freedom of choice remains, fundamentally, unchanged. We will continue to be challenged by the *yetzer harah* as we know it. Undoubtedly, enhanced spiritual conditions will influence our religious decision-making and will facilitate greater piety. In a world suffused with the knowledge of Hashem and saturated with divine presence religious belief and practice will be more obvious and the world will be more aligned with Hashem. However, we will still possess desires and urges and will still battle with the *yetzer harah*. Under Messianic conditions, human free will remains unchanged.

THE EXTINCTION

A different image emerges from a bold Messianic prediction of Yechezkel. Both in perek 11 and in perek 36, he cites Hashem's promise to provide a "new heart" and a new spirit, while replacing our "heart of stone" with a heart of flesh. Yechezkel's description of a "spiritual" heart transplant implies a drastic overhaul of human identity. He doesn't specify the religious implications of a "new heart", but it is obvious that Moshiach will alter human identity.

Similarly, a gemara in Shabbos (151b) views the Messianic era as a revision of human identity. In the 12th chapter of Kohelet, Shlomo Hamelech urges us to remember our creator in our youth before we reach the period of declining desires or שנים אשר אין לי בהם חפץ. Ostensibly Shlomo is encouraging religious commitment during our youth, before it gets too late and our desire for life wanes.

The gemara in Shabbat reinterprets Shlomo's phrase of "days without desire"



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as a reference to the Messianic era when Hashem will slaughter the *yetzer harah*, thereby eliminating free will and discontinuing reward and punishment. In contrast to Shmuel, whom the gemara assumes disagrees with this prophecy, Shlomo Hamelech envisions a Messianic future without a *yetzer harah*. The divinely promised new hearts of Yechezkel contain no illicit desire.

Elaborating both upon Yechezkel's prophecy and upon the gemara in Shabbat, the Ramban (Devarim 30:6) portrays the Messianic era as a return to an ideal and sinless state of Gan Eden. The *yetzer harah* will be entirely purged, and Man, no longer plagued by immoral or illicit leanings, will naturally veer to religion. The arrival of Moshiach will completely re landscape our emotional and psychological makeup, dramatically

transforming religious experience.

Some have qualified this Ramban: perhaps the *yetzer harah*, as we know it, will be abolished, but we will still encounter a different, less internal form of a *yetzer harah*. Currently, our *yetzer harah* is deeply embedded within human identity and exerts powerful influence upon our behavior. Under revamped Messianic conditions, the *yetzer harah* will be “externalized”, similar to the state of Adam Ha’rishon prior to his sin. Recovering Eden means that we too, will no longer possess inner desires but will face religious questions or temptations. Desire will feel more peripheral and exterior, rather than existential and internal, but it will still exist.

However, even if we adopt this moderated version of the Ramban, it is still obvious that, in the Messianic era human identity will be crafted very differently. We will possess less freedom of choice, but live in a world of greater presence of Hashem. It seems like a tantalizing tradeoff. Are we more interested in human experience or in divine presence? This Ramban forces us to reassess our value system! Would you exchange human choice for Hashem’s presence?

REVOLUTION OF CONSCIOUSNESS

Messianic vision demands that we not sheepishly accept our current condition as the perfect state or as the “only” state of human affairs. Redemptive imagination mandates that we anticipate massive changes to our world. We won’t just live in a different world, but will live the world differently. Institutions such as animal sacrifice and monarchy, which we currently abhor, will be restored and celebrated. Not only will our attitudes and values change, but human psychology will also transform. Hearts will be reinvented, and minds will be remapped. As free will becomes adjusted, human experience will be significantly modified.

The Rambam calls us to imagine a world we don’t yet inhabit. That is the call of redemption. ■

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YESHAYAHU 54:1-10

From Embarrassed to Embraced

אֶל-תִּירָאִי כִּי-לֹא תִבוּשִׁי וְאֶל-תִּקְלָמִי כִּי לֹא
תִחְפִּירִי כִּי בִשֶׁת עָלוּמִיךְ תִּשְׁכַּחִי וְחִרְפַּת אֶלְמְנוּתִיךְ
לֹא, תִזְכָּרִיעוּד

Fear not, you shall not be shamed; Do not be embarrassed, you shall not be disgraced. For you shall forget the embarrassment of your youth, and remember no more the shame of your widowhood.

In this week's Haftorah, the Navi foretells of a time when we will no longer suffer shame and embarrassment,

אֶל-תִּירָאִי כִּי-לֹא תִבוּשִׁי וְאֶל-תִּקְלָמִי כִּי לֹא
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While these terms, תִּבוּשִׁי וְאֶל-תִּקְלָמִי, seem to be synonymous, the Malbim aims to make a distinction between the two and provide insight into our national emotional experience.

Shame, בושה, is a self-conscious emotion associated with a negative evaluation of

one's own behavior. Recognizing one's own mistakes and shortcomings in comparison to one's goals and expectations leads to feelings of low self-worth and self-punishment. One says to oneself, how could I have done such wrong? What is wrong with me, why am I so weak, so sinful? While shame is inward focused, embarrassment, כלימה, has an external or public component. One is embarrassed when perceiving - accurately or not - that one is being judged negatively by others. In order to be embarrassed, one's actions must be known to others.

How does one move past shame and embarrassment? Brene Brown, in her famous Ted Talk on Listening to Shame, states that the antidote to shame and embarrassment is empathy. Knowing that there is patience and understanding allows a person to forgive oneself and forget the past.

In the fifth Haftorah of Comfort, Yeshe-yahu provides this empathy for our people. He encourages the Jewish people to forgive themselves and forget their sins. He assures us that we will forget the sins of our youth. As these sins happened long ago, their memory will fade as will the sense of shame. But we've also experienced embarrassment in our old age. We are the allegorical widow who was abandoned and rejected, left to wander alone. The Navi reassures us that we will no longer remember being alone,

וְחֶרֶפֶת אֶלְמִנּוּתֶיךָ לֹא תִזְכְּרֶי-עוֹד. While our youthful ways may be hard to remember and thus forgotten, our more recent experiences may be hard to forget as they are fresh in our minds. And thus, the Navi emphasizes that, לֹא תִזְכְּרֶי-עוֹד, we will no longer remember. Yeshayahu's empathy will allow us to move forward in our national redemptive journey.

This pasuk is used as the inspiration and template for the stanza recited weekly as part of **לכה דודי**:

לֹא תִבוּשִׁי וְלֹא תִכְלָמִי. מִה תִּשְׁתוּחָחִי וּמִה תִּתְהַמֵּי, *do not be shamed, do not be embarrassed*. Rabbi Shlomo Alkabetz, the famed author of this Tefilah expresses our collective feelings of being exiled and hope for salvation. He reassures us with the words of Yeshayahu that the גְּאוּלָּה, the redemption, will bring about a time when we can leave behind the shame of our personal limitations and the embarrassment of our national burdens in the hope that Hashem will redeem us. Each week we experience a taste of redemption with the weekly Shabbos experience. We hope and pray that with deep empathy we will abandon our shame and embarrassment and welcome the arrival of Moshiach. ■

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Real Life Rescues

Elderly Man Revived By Pool Staff And EMTs After Near-Drowning in Carmiel Pool

Carmiel - On Thursday afternoon, a man in his 70s lost consciousness while swimming in a public pool in Carmiel just after 2 P.M. He was pulled from the water by a lifeguard but he was unresponsive and without a pulse. The lifeguard immediately called for medical assistance and began CPR.

United Hatzalah volunteer EMT Israel Frankel was on his way to the hairdresser on his ambucycle when he received an alert on his communications device. Upon receiving the notification, Frankel flicked on his lights and sirens and raced to the country club where the emergency occurred. Arriving first at the scene in under 2 minutes, the volunteer entered the facility, where he found the lifeguard performing CPR. Frankel took out his defibrillator and attached it to the man, after which he took over administering chest compressions.

Additional first responders soon joined the efforts, allowing the joint medical team to provide assisted ventilation between the chest compression sets. The intensive care ambulance crew arrived five minutes later at the scene and began administering medication to the patient. After close to 15 minutes, the man's pulse was restored. The ambulance crew quickly transferred him to the ambulance and transported him to the hospital for further treatment.

Frankel, who is the deputy head of the Carmiel Misgav branch of United Hatzalah, reflected after the incident and said, "I missed my Shabbat eve haircut but I earned the opportunity to help save a life. I am thankful for the ability to do so, thanks to my training, my equipment, and my ambucycle which allows me to arrive at the scene quickly."

(Photo credit:
United Hatzalah)





TOWARDS MEANINGFUL SHABBOS

BY REBBETZIN ZEMIRA OZAROWSKI
Director of OU Israel L'Ayla Women's Initiative



Candle Lighting

As the clock strikes 6:52pm, the extreme rush and stress right before Shabbos comes to a sudden and abrupt halt as the Shabbos candles are lit, instantaneously bringing with them a beautiful peace and serenity to the home.

What is the meaning behind the Shabbos candles and how do they cause such a transformation?

Gemara Shabbos 25b brings down that there is a Rabbinic obligation to light Shabbos candles. The **Shulchan Aruch 263:2** writes that this mitzvah is of such importance that if one doesn't have enough money to buy candles, he would be obligated to go door to door and to collect money in order to buy candles!

What is so important about this mitzvah? The commentaries explain that the Shabbos candles provide three very significant aspects:

1. כבוד שבת (honor to Shabbos) - Every meal of importance takes place with light. By obligating us to eat in the light of the candles, we are making a statement that Shabbos is of utmost importance.

2. עונג שבת (enjoyment of Shabbos) - When one eats in the dark, he cannot really enjoy his food. Lighting candles

ensures that we will enjoy our Shabbos meal to the fullest.

3. שלום בית (peace in the home) - Darkness causes strife. When people can't see where they're going and they start tripping over the furniture, it causes frustration and irritability. On Shabbos, we want there to be peace and serenity in the house.

Rav Eliezer Melamed in his book **Prinei Halacha** explains beautifully - בנרות שבת "ישנו בטוי עמוק למהותה של שבת" The idea behind the Shabbos candles really mirrors the whole concept of Shabbos. It's hard for us to imagine because we live in a world of electricity. But imagine life before electricity (or life in a Yishuv where there are frequent power outages ☹). When the sun goes down, the entire world is pitch black. In the olden days, people generally went to sleep once the sun went down. But on Shabbos, the meal only began after dark. Picture the scenario if there were no Shabbos candles - as the family is serving the food, finding their seats, settling down to eat, they cannot see a thing. Their normal safe home has now become chaotic. They can't find anything, they're bumping into each other, and tripping over their own furniture. But the moment the Shabbos candles are lit, peace descends upon the home. Everything is calm and in its proper place.

The same is true of the world. During the week, when we look out at the world from a superficial perspective, everything

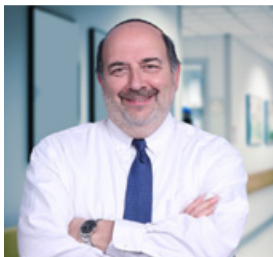
seems hopeless. There's a lot of chaos and difficulty, and we can't figure out what's going on. But on Shabbos, we're able to take a step back and look at the world with a more long-term perspective. We remember that Hashem is running the world and that there is a master plan behind all that is happening, there is purpose to all the confusion and strife. When we light the candles, we remind ourselves that we can help to bring some measure of peace to the world by adding the light of Torah and bringing good values to the world.

Rav Melamed concludes as follows –
 "זוהי מגמתה של השבת, להוסיף אור של אמונה וטורה בעולם. כמדומה שזאת הסיבה לחיבה היתרה שהמוני בית ישראל מחבבים את מצוות הדלקת נרות שבת, שיש בה רמז למגמה הכללית של ישראל - לעשות שלום על ידי תוספת אור".

This is the goal of Shabbat – to add the light of faith and Torah to the world. It seems that this is the reason for the great love that all Jews have for the mitzvah of Shabbat candles: It alludes to the overarching goal of the Jewish people – to make peace by adding light.

As we light the candles this coming Shabbos, let's try to take a moment to remind ourselves of this very meaningful message. ■

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Whose Responsibility Is Raising the Wall?

לעילוי נשמת
יואל אפרים בן אברהם עוזיאל זלצמן ז"ל

Question: I built my house years before the next-door property was developed, with an approximately meter-high wall between properties. My property is 2 meters higher than the next one; now they are excavating to build the other house, there will be a 5-meter drop, which I feel makes it dangerous for my children. [He seems to be building according to the permit he received.] My neighbor had agreed to pay for raising the wall, but now is unwilling to pay the significant cost. We cordially disagree whether it is his obligation. Have I misjudged the matter?

Answer: We praise you for asking sincerely. Generally, we do not comment on active monetary disagreements (see Rama, Choshen Mishpat 17:5). However, after hearing your situation, we felt this would be a case where it was proper to make an exception (see Pitchei Teshuva ad loc. 11; our column from Ki Teitzei 5776), which may be clearer at the end. We are neither interested nor able (due to a lack of information) to present clear conclusions but rather halachic ideas about this type of case.

One important question is whether the

present wall meets safety codes for the emerging situation, as these are generally legally and halachically binding to obligate and exempt from further steps (see Emunat Itecha #139, p. 87-96). This is not unlikely considering you received a *Tofes Arba* (occupancy permit) despite a significant drop and municipal plans for a future further drop. If so, if your very understandable concern for your children makes you want more, your decision will obligate you.

Most questions about paying for a wall between properties of different elevations concern its serving as a *kir temeich* (retaining wall). In most cases, the wall serves both homeowners, preventing collapse of parts of the ground that support the higher property from falling into the lower property. In such cases, the two owners are to pay for it jointly (see *ibid.*). The need for / benefit from a *kir temeich* is not always identical, which can impact on the division of payment. You have not told us how the two of you have dealt with the construction of a *kir temeich* and how it is connected to the wall you mention.

Regarding concern for falling, your wall was needed as a *ma'akeh*. While the formalistic *mitzva* requires a 10-*tefach* high fence for a roof (Shulchan Aruch, 427: 1,5),

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there is a broader and more fluid requirement to avoid danger (ibid. 7-8). While you seemed confident that it had been doing its job (according to most opinions, a meter is more than 10 *tefachim*), you view your neighbor's excavating as creating a dangerous situation that requires more than the existing level of caution.

Questions of damaging situations created by what neighbors do on their own property are governed by the often difficult-to-apply *halachot* of *nizkei shcheinim*. A broad question with many applications is whether the need to remove the danger/damage falls on the potential victim (*nizak*) or damager (*mazik*). Important determining factors are whether the damage comes immediately and directly (Shulchan Aruch, CM 158:32), the damage's significance (Shut HaRosh 108:10), and whether the *nizak* is capable of avoiding the damage (ibid.). We will not analyze your case's details in these regards because danger of falling has its own prototype – *bor* (a pit or cistern).

One whose *bor*'s opening is on the border of another's property must pay for damage to those who fall in (Shulchan Aruch, CM 410:6). For you, a pertinent question is the drop's proximity to your property (see S'ma 410:7). It is also possible that the fact that the drop is a result of natural topography and permitted building removes responsibility (see Shulchan Aruch ibid. 9 and commentaries). Also, a 10-*tefach* wall remedies a *bor* (Bava Kama

50a). Finally, cheaper methods might be feasible to remove the danger.

Therefore, it is unlikely that your neighbor needs to pay significantly to extend your wall. We trust that these ideas will impact your conversations with your neighbor and are optimistic you will enjoy a good relationship. ■

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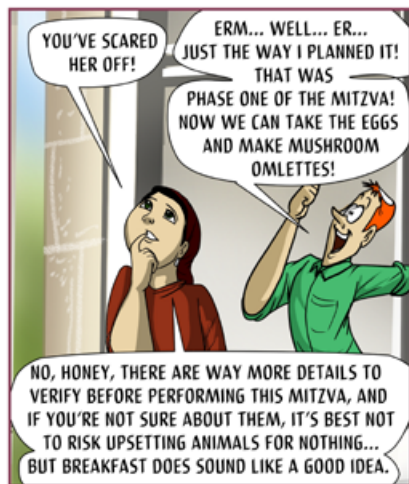
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Chapter Madricha

“Wings of Compassion: Reflecting on שילוח הקן and Elul”

In Parshat Ki Tetzei we are presented with the mitzvah of שילוח הקן, sending away the mother bird. רמב"ם explains that the rationale behind the mitzvah is compassion and prevention of the deepest form of pain to a parent. He explains that since the immense love that a parent has for a child is instinctual as opposed to intellectual or a learned behavior, even an animal can possess it and it would be cruel to take the egg without sending away the mother.

Through this explanation we see that the Mitzvah of שילוח הקן is a reflection of Kibud Av Ve'am. שילוח הקן is having Kavod for other's parents, specifically mothers. Furthermore, the Torah explicitly states that these mitzvot have the same reward of long life, למען יטב לך והארכת ימים.

I believe we can learn a valuable lesson from the apparent paradox of the Mitzvah of Kibud Av Ve'am. On a superficial level, it seems that Kibud Av Ve'am is בין אדם לחברו since this is a Mitzvah between people (i.e. parent and child). However, it is interesting to note that this Mitzvah is listed among the first 5 on the לוחות.

Why is a בין אדם לחברו Mitzvah on the side? רמב"ם suggests that the Mitzvah of Kibud Av Ve'am is unique as it bridges both the mitzvot of בין אדם לחברו and בין אדם למקום together. This Mitzvah has both aspects within it.

As we just entered into Elul and are spending the upcoming month introspecting, mending our relationship with Hashem and doing teshuva I believe it's vital to view this time as the bridge between בין אדם למקום and בין אדם לחברו. We ought to work on both of these aspects in each of our lives. Oftentimes we perceive תשרי and אלול as a time to only work on our relationship with Hashem but just as Kibud Av Ve'am bridges בין אדם למקום and בין אדם לחברו so too could this time period.

Shabbat Shalom!



Yehuda Sunshine

Raanana

12th Grade

Moving Beyond Hate

לֹא־תִתֵּעַב אֶדְמוֹמִי כִּי אֶחִידָה הוּא לֹא־תִתֵּעַב מִצְרִי כִּי־גֵר הָיִיתָ בְּאֶרֶץ

Do not hate an Edomite, because he is your brother. Do not hate an Egyptian, because you were a stranger in his land.

Why, as עַם יִשְׂרָאֵל is about to enter ארץ ישראל, does Moshe command them not to hate the Egyptians? Wouldn't they be justified to do so after the way they were

treated and persecuted? Has enough time really passed to have this expectation?

Rabbi Jonathan Sacks makes a very powerful statement about freedom. He says, "To be free, you have to let go of hate."

And with this idea in mind, we can understand Moshe better. Moshe declares this specifically as עם ישראל is about to enter the land as a fully free nation. He is teaching them one of the fundamental principles of freedom; freedom is not only one of the body, but also, and possibly even more importantly, one of the mind. עם ישראל has been physically free for 40 years from the harsh slavery and oppression in Egypt, but if they were to continue to hate the Egyptians, they would have remained psychologically enslaved to them.

In our time, 3300 years since leaving Egypt, we don't carry this anger towards

the Egyptians, yet Moshe's message is still relevant to us today. Throughout our lives, we have situations where we feel frustrated, hurt or angry with others and the lesson for us to learn is the importance of letting go. Holding on to anger can weigh us down. To really be free, Moshe teaches us the gift of letting go and the freedom it gives us.

שבת שלום וחודש טוב ■

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