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PARSHA INSIGHTS

by Rabbi Yaakov Asher Sinclair

The Marital Recipe

“And he wrote her a bill of divorce” (24:1)

Nothing is sadder than family break-up. Divorce is the scourge of our modern world. In all sectors of the community, divorce is on the rise. In some areas, more people now get divorced than stay married. Prenuptial agreements are par for the course. More and more couples enter marriage with fewer and fewer expectations.

The Torah acknowledges that not all marriages will be successful. If necessary, it gives us the mitzvah of divorce with a document called a get. The concept of “till death us do part” is not really a Jewish idea. However, divorce, while being a mitzvah, is no source for joy. Judaism teaches that when a couple gets divorced, the *mizbeach* (holy altar) weeps.

How are we to understand this idea that the altar weeps? Nothing in Judaism is merely poetic. And why specifically should it be the altar that weeps? Why not the Tablets of the Covenant? Why not the husband’s tefillin? Why not the wife’s Shabbat candelabra?

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

But marriage is not about finding someone to fulfill you. It’s about finding someone you can fulfill. Marriage is a machine for giving. Marriage is about living the principle that you are not the center of the world. In the Book of Genesis, the Torah says, *It is not good for man to live alone*. When you live alone, you only have one person to give to – yours truly. The world revolves around you. You are the center of the universe.

The *mizbeach* is the place where man gives to Hashem. Man gives of his best and offers it to his Creator. The word *korban* (woefully inadequately translated as sacrifice) derives from the root “closeness.” When you give, you become close. When you take, you distance yourself.

The Torah tells us that no *korban* could be offered on the *mizbeach* without salt. Salt is the archetypal giver. Salt has only one purpose: to give taste to something else. By itself, it is nothing. When a person sees himself as salt, when he sees the whole purpose of his existence is to give, he has added the vital ingredient to his marriage. He has added the spice of life.

TALMUD TIPS

by Rabbi Moshe Newman

Kiddushin 2-8

Finding a Soulmate

“It is the way of a man to pursue a wife, and not the way of a woman to pursue a husband. This is comparable to a man (“Adam” in Hebrew) who lost something. Who searches for “whom”? The man who lost it looks for what he lost.”

The basic Torah verse about marriage states: “If a man *takes* a wife... (Devarim 22:13). Rabbi Shimon asks in a *beraita*, “Why does the Torah write that ‘a man *takes*’ (with her consent of course!), instead of writing that ‘a woman is taken to the man?’” He answers that “it is the way of a man to pursue a wife, and not the way of a woman to pursue a husband”. He follows this answer with the above parable, in which the man’s (i.e., Adam’s) lost object is his rib, and it is the way of the man (“Adam” is Hebrew for “man”) to search for and pursue his “missing rib” – i.e., Eve, his wife. (Rashi)

But why do we need this parable of a “loser” looking for his lost object in order to understand why it is the way of a man to look for a wife? One great commentary explains that a person searches for a lost object since he understands he will gain and be enriched by finding it. Otherwise, he would not make the effort. Likewise, a man searches for a soul-mate since he realizes that he would benefit and immensely gain by being with a proper wife. Adam had his “rib” taken from him by Hashem without his knowledge while in a deep sleep (Gen 2:21), and it was “lost” to him. But what he received from Hashem in its place was so much more praiseworthy. As the Talmud (Sanhedrin 39a) states: “Wasn’t it Adam’s *gain* that he was deprived of a ‘rib’ and given a wife?” He would certainly have made every effort to find his partner since Chava was so much more valuable than what he lost. This is the attitude every man has when looking for a wife – and therefore it is the way of a man to look for a wife, in order to find his priceless soulmate. (Maharsha)

▪ *Kiddushin 2b*

Multi-Generational Children

“The children of one’s children are considered as one’s children.”

This statement, made by the *gemara* on our *daf*, helps explain a halacha regarding the daughter of a *kohen* being permitted to eat *teruma*. Before marriage to a non-*kohen*, she may eat *teruma*. However, if she marries a non-*kohen*, she may not. But if she is widowed or divorced and does not have children, she may once again eat *teruma*, as the verse states, “But if the *kohen*’s daughter becomes widowed or divorced, and she has no offspring (“*zera*”), she may return to her father’s household as in her youth, and eat of her father’s food (*teruma*)....” (Vayikra 22:13). Based on the above principle that her grandchild is like her child, then if she had a son who died, but her son had a son who is alive, she is considered as having a child and may not return to eating *teruma*. (Rashi)

Rashi explains that this rule of one's grandchildren being considered as one's children is derived in another *sugya* (Yevamot 62b). The *gemara* there cites verses in *Nach* (Prophets and Writings), showing that a specific grandchild mentioned by name, is in fact called "the child" of that person.

Without taking away from this proof, the fact that the *gemara* proves this idea in the way that it does instead of citing other numerous possible verses in Chumash as the source for this same idea – such as when Hashem promised Avram, "And I will make your seed like the dust of the earth, so that if a man will be able to count the dust of the earth, so will your seed (*zaracha*) be counted. (Ber. 13:16)" – is seen as puzzling by at least one Torah commentary. (*Rashash*)

▪ *Kiddushin 4a*

PARSHA OVERVIEW

The Torah describes the only permissible way a woman captured in battle may be married. If a man marries two wives, and the less-favored wife bears a firstborn son, this son's right to inherit a double portion is protected against the father's desire to favor the child of the favored wife. The penalty for a rebellious son, who will inevitably degenerate into a monstrous criminal, is stoning. A body must not be left on the gallows overnight, because it had housed a holy soul. Lost property must be returned. Men are forbidden from wearing women's clothing and vice versa. A mother bird may not be taken together with her eggs. A fence must be built around the roof of a house. It is forbidden to plant a mixture of seeds, to plow with an ox and a donkey together, or to combine wool and linen in a garment. A four-cornered garment must have twisted threads *tzitzit* on its corners. Laws regarding illicit relationships are detailed. When Israel goes to war, the camp must be governed by rules of spiritual purity. An escaped slave must not be returned to his master.

Taking interest for lending to a Jew is forbidden. The Jewish People are not to make vows. A worker may eat of the fruit he is harvesting. Divorce and marriage are legislated. For the first year of marriage, a husband is exempt from the army and stays home to rejoice with his wife. Tools of labor may not be impounded, as this prevents the debtor from earning a living. The penalty for kidnapping for profit is death. Removal of the signs of the disease *tzara'at* is forbidden. Even for an overdue loan, the creditor must return the collateral daily if the debtor needs it. Workers' pay must not be delayed. The guilty may not be subjugated by punishing an innocent relative. Because of their vulnerability, converts and orphans have special rights of protection. The poor are to have a portion of the harvest. A court may impose lashes. An ox must not be muzzled while threshing. It is a mitzvah for a man to marry his brother's widow if the deceased left no offspring. Weights and measures must be accurate and used honestly. The Torah portion concludes with the mitzvah to erase the name of Amalek, for, in spite of knowing about the Exodus, they ambushed the Jewish People.

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Q & A

Questions

1. Why must a captured woman mourn her family for a month in her captor's house?
2. What fraction of the inheritance does a first-born receive if he has a) one brother, b) two brothers?
3. What will become of a *ben sorer u'moreh* if his parents don't bring him to court?
4. Why is it a degradation to G-d to hang a criminal's body on the gallows overnight?
5. What do you do if you find a lost object that costs money to maintain?
6. Why does the Torah forbid wearing the clothing of the opposite gender?
7. Why does the Torah link the mitzvah of sending away the mother-bird with the mitzvah of making a railing on the roof of your house?
8. When is it permitted to wear wool and linen?
9. What three things happen to a man who falsely slanders his bride?
10. Although the Egyptians enslaved the Jewish People, the Torah allows marriage with their third-generation converts. Why?
11. Why is causing someone to sin worse than killing him?
12. If one charges interest to his fellow Jew, how many commandments has he transgressed?
13. What is the groom's special obligation to his bride during their first year together?
14. When is a groom required to fight in a non-obligatory war?
15. What type of object may one not take as collateral?

All references are to the verses and Rashi's commentary, unless otherwise stated.

Answers

1. 21:13 - So her captor will find her unattractive.
2. 21:17 - a) 2/3 b) 1/2
3. 21:22 - He will eventually rob and kill to support his physical indulgences.
4. 21:23 - Because humans are made in G-d's image; and because the Jewish People are G-d's children.
5. 22:2 - Sell it and save the money for the owner.
6. 22:5 - It leads to immorality.
7. 22:8 - To teach that one mitzvah leads to another, and to prosperity.
8. 22:12 - Wool *tzitzit* on a linen garment.
9. 22:18 - He receives lashes, pays a fine of 100 silver *selah*, and may never divorce her against her will.
10. 23:8 - Because they hosted Yaakov and his family during the famine.
11. 23:9 - Murder takes away life in this world, while causing someone to sin takes away his life in the World to Come.
12. 23:21 - Three: two negative commandments and a positive commandment.
13. 24:5 - To gladden her.
14. 24:5 - When he remarries his ex-wife.
15. 24:6 - Utensils used to prepare food.

WHAT'S IN A WORD?

By Rabbi Reuven Chaim Klein

Taking Collateral

Step into the fascinating world of Hebrew synonyms and explore the rich tapestry of linguistic nuances surrounding the concept of "collateral" and the act of "taking a collateral" from a debtor. For those who don't know, a collateral refers to a valuable asset or property that a borrower pledges to a lender as security for a loan. When one takes a loan, the lender wants to ensure that they have some form of assurance that one will repay the borrowed money. Collateral thus serves as a safety net for the lender, reducing their risk in case the borrower defaults on the loan. If the borrower fails to make loan payments, then the lender has the right to seize the collateral and sell it to recover their losses. In this essay, we delve into the heart of the Hebrew language to unravel the hidden meanings behind the Hebrew terms for "collateral" and the adjacent concept of "taking a collateral," shedding light on a realm where language and finances intertwine to create a profound web of significance.

The most popular Hebrew word that refers to a "surety for a loan" is *mashkon*. Although the noun *mashkon* does not appear anywhere in the Bible, it does make several appearances in the Mishna. Rabbi Eliyahu HaBachur (1469-1549) in *Sefer Tishbi* explains that the Mishnaic word *mashkon* is actually a declension of the Biblical Hebrew root SHIN-KAF-NUN ("dwelling," "settling," "neighbor"), with an added MEM to its beginning. He explains that *maskhon* relates to the original sense of this root because the collateral is an item that "dwells" in the house of another (i.e. the creditor) until it can be redeemed (by the debtor).

As HaBachur explains, once the word *mashkon* was formed, the initial MEM began to be treated as though it were part of the root, hence in Mishnaic Hebrew, the verb for "taking" a collateral or "designating" something as a collateral is *le'mashken* and its various inflections, which are obviously related to the noun *mashkon*. The Mishnaic term *mashkon* is also the etymological forebear of the Modern Hebrew *mashkanta* ("mortgage").

The verb *chaval* is another Hebrew term that refers to the act of "taking" a collateral, or security deposit, from one's debtors. The Torah uses this word when placing certain restrictions on a creditor regarding how he may take a collateral. For example, if a creditor takes a debtor's blanket as collateral, he must return it to the debtor every night (Ex. 22:25); a creditor may not take a debtor's millstone (or other utensils necessary for food preparation) as collateral (Deut. 24:6); and a creditor may not take a widow's clothing as collateral (Deut. 24:17). In all these cases, cognates of *chaval* is used. All in all, verbs related to *chaval* in the sense of "taking a collateral" appear 14 times in the Bible (according to Even-Shoshan's concordance).

Rabbi Samson Raphael Hirsch (to Ex. 22:25) offers two ways of explaining how the verb *chaval* relates to the noun *chevel*: Firstly, he argues that the item that the borrower uses as a security deposit becomes "tethered" to the lender, in the sense that the borrower can no longer sell or otherwise damage that item (which could cause a loss to the lender). Alternatively, Rabbi Hirsch explains that the collateral is a tangible symbol of the borrower's personal responsibility to fulfill his financial obligations to the lender, and thus it essentially serves to "tie" the borrower to his debt, in the same way that a rope may be used to tie something down.

*To read the full discussion that goes into other words like *avit*, *apotekei* and *rahan*, please visit us online and check out the full version of this article:

http://ohr.edu/this_week/whats_in_a_word/

COUNTING OUR BLESSINGS

by Rabbi Reuven Lauffer

Havdalah Introduction (part 4): Farewell, My Beloved

“Hashem, my G-d, will illuminate my darkness”
(*King David, Tehillim 18:29*)

Havdalah continues: “For the Jews there was light, gladness, joy and honor, so it should be for us. I will raise the cup of salvations and I shall invoke the Name of Hashem.”

This next verse of Havdalah is from Megillat Esther 8:16, “For the Jews there was light, gladness, joy and honor, so it should be for us.” Rabbi Yehuda teaches that the light, gladness, joy and honor are veiled references to other dimensions of Jewish life. (Tractate Megillah 16b) Light refers to Torah, and that until Hashem demolished Haman’s genocidal plan, the Jewish People were not able to learn Torah with the necessary focus and concentration. Gladness is a reference to the Yamim Tovim, the Festivals. Joy refers to Brit Milah. And honor refers to Tefillin.

The Sefat Emet asks why the Megillah does not directly state, “For the Jews there was Torah, Yamim Tovim, Brit Milah and Tefillin”? Why do these concepts have to be hidden within other descriptions? He answers that one of the central lessons of our deliverance from Haman’s threat of annihilation was that true light, gladness, joy and honor are all Divine in their essence. It is easy to mistakenly imagine that our source of light is the sun. After being delivered from Haman’s evil decrees, the Jewish People understood that the only real source of light is the Torah. Only after the Jewish People realized that the Torah is the source of all light, were they able to comprehend that gladness, joy and honor can only be found within mitzvah fulfillment.

These are truly beautiful ideas. But how does this connect to Havdalah? As we bid farewell to Shabbat, after having spent such an elevated time in the presence of Hashem, it might be possible to think that we have nothing to look forward to until next Shabbat. We might expect the coming week to be bleak and devoid of spirituality. Our verse comes to teach us that nothing could be further from the truth. As we again enter the mundane, we do so with the knowledge that our lives and homes can be illuminated with the light and joy of the World to Come. By learning Hashem’s holy Torah and keeping His mitzvahs, we remain firmly united together with Him. The Mishna Berurah (669) cites the Arizal, who attested about himself that he attained all of his spiritual achievements because he performed the mitzvahs with great joy!

The final verse we recite before beginning the blessings of Havdalah is from Tehillim (116:13), “I will raise the cup of salvations and I shall invoke the Name of Hashem.” It fits into Havdalah, as Rashi explains, since “the cup” refers to a cup of wine. And, according to the Ibn Ezra, the cup refers to a person’s lot in this world. Whatever a person receives, whether they perceive it as good or as bad, should be raised up and dedicated to Hashem. Therefore, as we take leave of the delights of Shabbat, we lift our cup of wine and declare that everything comes from Hashem.

To be continued...

PEREK SHIRA

by Rabbi Shmuel Kraines

THE SONG OF THE SNAIL

The Snail says:

“Like a snail that dissolves as it moves, like the stillborn of a woman, that never see the sun.” (*Tehillim* 58:9)

The snail is particularly sensitive to dehydration, and therefore prefers to seek food at night and after cooling rain. It excretes moisturizing slime as it slithers, and effectively melts in hot temperatures.

The snail sings of King David’s unique prayer regarding his enemies, who were Torah scholars yet slandered and hunted him without cause. In the same way a snail moves unhurriedly, knowing that it can find protection from predators within its shell, David’s enemies were unafraid of being punished for they relied on the great merit of their Torah. David therefore pleaded that they should forget their Torah and melt like a dehydrated snail, and not merit enjoying reward for their Torah in the World to Come, like “a stillborn that does not see the light.”

The snail’s song teaches about the futility of Torah study that is not stored within fear of Heaven and processed into virtuous conduct. As much as we strive to grow in Torah, we must strive to absorb it into every fiber of our beings, to spread its lessons, to perfect the world around us, and to merit the Torah’s all-encompassing blessings.

**Sources: Based partially on Seforno*

In loving memory of Harav Zeev Shlomo ben Zecharia Leib

LETTER AND SPIRIT

Insights based on the writings of Rav S.R. Hirsch by Rabbi Yosef Herschman

A Lesson in Parenting

The law of the *ben sorer u'moreh*, the rebellious son who is put to death in his adolescence at the request of his parents, is unusual in many regards. Our Sages have taught that there never was such a disobedient and recalcitrant son in the past, and there will never be one in the future. Rather, it was and will remain only a theoretical “problem,” as the conditions stipulated by law can never actually be satisfied. It was written, then, not as practical law, but a rich source of pedagogic truths, whose study is of great benefit for the educational work of parents.

Rav Hirsch's masterful explication of the laws of the *ben sorer u'moreh* spans many pages and distills several essential principles in education from the various details of the laws. We summarize here but a few.

The first aspect of the law that draws our attention is the age-span during which the death penalty is applicable – the first three months after a boy has reached the age of puberty, usually upon completion of his thirteenth year. We see that this period is regarded as a crucial phase in the formation of a child's character. While this period is marked by an awakening of the latent sensual impulses and appetites, it can, and should, also be marked by the awakening of the moral strength that will guide the child away from vice and base passion. That latter awakening is characterized with the joy of discovering the truth and is fueled by the desire to adopt great and noble values – the discovery of a higher-self. Precisely when the struggle is born, the wherewithal to succeed is also born, and must be carefully cultivated as the child “comes of age.” This is when a child becomes a *bar mitzvah*, literally a “son of the commandment” and acquires the discipline and striving necessary to overcome temptation and commit to the law.

If, at the time when he is supposed to be developing seriousness and maturity, he displays such defiant conduct – *zollel v'soveh*, out-and-out gluttony and drunkenness – then we can be certain that any further effort at character training will only end in failure. The glutton's desire for good food takes precedence over any moral considerations, such that he pilfers from his own parents. In addition, to be liable, not only must he have used the stolen money for his revelry, but he must have consumed it in the company of good-for-nothings.

To summarize: the *ben sorer u'moreh* must have displayed willful, perverse disobedience in general, excessive predilection for good food and alcoholic drinks, pilfering at home and keeping bad company. These sad criteria – which as defined have never and will never be met – should each engage our attention as parents and educators.

One of these traits in particular – gluttony – is one we sometimes unwittingly encourage. When cuisine is given high importance in the home – where the assortment of sushi or the price of wines and scotch is the gage of the happiness at a joyous occasion – we communicate base pleasure over refinement. Rav Hirsch encourages teaching and modeling moderate eating, including occasional finer cuisine, to help children discover on their own the limits of the happiness that a good steak or good wine can bring. When those limits are realized, an appetite can be developed for the finer joys of life.

Another requirement of the *ben sorer u'moreh* holds the key to child-rearing. This son can be liable only if his parents were of the same voice and heart. They must come to the judges declaring, *our child* does not listen to *our voice*. If this unity and consistency is lacking, then we fault the parents and not the child. To be successful parents, they must be equals, completely in agreement, of one heart and mind in their education of an influence over their child.

- Sources: Commentary, *Devarim 21:18*; *Collected Writings VII*, p.333 ff.