

PARSHAH SUMMARY & COMMENTARY

Ki Teitzei

Deuteronomy 21:10-25:19

Torah Reading for Week of August 31-September 6, 2003

The Parshah of *Ki Teitzei* ("When you go out") contains a significant portion of the Torah's laws: no less than 74 mitzvot (out of a total of 613) have been counted by the Halachic authorities as deriving from our Parshah. The first of these is the law of the "beautiful captive woman"

When you go out to war on your enemies, the L-rd your G-d shall deliver them into your hands, and you shall capture from them captives.

If you see among the captives a beautiful woman, and you desire her, and take her as your wife. You must [first] bring her home to your house, and she shall shave her head, and let her nails grow. And she shall put the raiment of her captivity from off her, and shall remain in your house, and bewail her father and her mother a full month; and after that you may go in to her, and be her husband, and she shall be your wife.

And it shall be, if you have no desire in her, then you shall let her go free, and you may not sell her at all for money; you shall not exploit her, because you have afflicted her.

This law is followed by two others — the law forbidding giving precedence to a son of a favorite wife —

If a man have two wives, one beloved and another hated, and they have born him children, both the beloved and the hated; and if the firstborn son

Commentary

WHEN YOU GO OUT TO WAR ON YOUR ENEMIES, THE L-RD YOUR G-D SHALL DELIVER THEM INTO YOUR HANDS (DEUTERONOMY 21:10)

The Hebrew phrase *al ovecha*, "on your enemies," can also be understood in the literal sense of "on top of your enemies." In every battle, the way to achieve victory is to gain the higher ground. We must never stoop to the level of evil to fight it on its own terms; in the words of our sages, "One who wrestles with a filthy person becomes dirtied, as well." Rather, we should rise above it, affirming our belief that there is no true existence other than G-d, and that nothing contrary to His goodness and truth has any real power. When our going to war is in a manner of "on your enemies," we are guaranteed that "G-d shall deliver them into your hands."

(The Chassidic Masters)

IF YOU SEE AMONG THE CAPTIVES A BEAUTIFUL WOMAN, AND YOU DESIRE HER, AND TAKE HER AS YOUR WIFE.... (21:11)

The Torah is speaking only to counter the *yetzer ha-ra* (evil inclination). For if G-d would not permit her to him, [the soldier] would take her illicitly. [In essence, however, the Torah views this as a negative thing:] if he marries her, he will ultimately come to despise her, as it says after this, "If a man has [two wives—one beloved and the other despised]..." (verse 15). Moreover, he will ultimately father through her a wayward and rebellious son (see verse 18). For this reason, these [three laws] are juxtaposed.

(Midrash Tanchuma; Rashi)

IF YOU SEE AMONG THE CAPTIVES A BEAUTIFUL WOMAN, AND YOU DESIRE HER... (21:11)

Sometimes a most holy soul is imprisoned in the depths of the *kelipot* (the "husks" which conceal G-dliness in our world). Thus it comes to pass that the Jewish soldier is attracted to a captive woman — because his soul recognizes the "beauty" imprisoned within her. (This is why the Torah refers to her as a "beautiful woman," even though — as the Sifri derives from the verse — the same law applies if one is attracted to a physically ugly woman). Hence the Torah provides the procedure by which she is to be

cleansed of the impurity of the *kelipot* and "brought into your house" — and included in the holy community of Israel...

(Ohr HaChaim)

WHEN YOU GO OUT TO WAR UPON YOUR ENEMIES... AND CAPTURE FROM THEM CAPTIVES (21:10)

Also from one's spiritual enemies one must "capture captives." Anything negative in man or in the world can be exploited for the good, if one learns how to derive from it a lesson in the service of the Creator.

(Rabbi Israel Baal Shem Tov)

I learned seven things from the thief: 1) What he does, he keeps to himself. 2) He is willing to take risks to attain his goal. 3) He does not distinguish between 'major' and 'minor' things, but takes equally exacting care of each and every detail. 4) He invests great effort in what he does. 5) He is swift. 6) He is always optimistic. 7) If at first he fails, he is back time and again for another try.

(Rabbi Zusha of Anipoli)

HE IS A GLUTTON AND A DRUNKARD... (21:20)

The law of the "wayward and rebellious son" applies only if he steals [money] from his father and consumes at one meal a tartemar of meat and half a log of Italian wine. Rabbi Yossi says: A maneh of meat and a log of wine...

The wayward and rebellious son is executed on account of the future, as the Torah penetrates to his ultimate intentions. Eventually, he will squander his father's money, seek what he has become habituated to, not find it, and stand at the crossroads and rob people [killing them, thereby incurring the death penalty]. Says the Torah, "Let him die innocent, rather than have him die guilty..."

(Talmud, Sandhedrin 70a, 72a)

AND HIS FATHER AND HIS MOTHER SHALL GRAB HOLD OF HIM... (21:19)

Both his parents must bring him to the court: if his father wants [him declared a "wayward and rebellious son"] but his mother doesn't want to, or if his mother wants but his father doesn't want to, the law cannot be applied...

Said Rabbi Shimon: Because he ate a tartemar of meat and half a log of Italian

PARSHAH SUMMARY & COMMENTARY

Ki Teitzei

Deuteronomy 21:10-25:19

Torah Reading for Week of August 31-September 6, 2003

be hers that was hated.

When it comes to pass the day that he makes his sons to inherit that which he has, he may not give the preference to the son of the beloved wife, over the son of the hated wife who is the firstborn. Rather, he shall acknowledge the son of the hated as the firstborn, by giving him a double portion of all that he has; for he is the beginning of his strength, the right of the firstborn is his.

— and the law of the “wayward and Rebellious Son”:

If a man have a wayward and rebellious son,

who will not obey the voice of his father, or the voice of his mother; and that, when they have chastened him, will not hearken to them.

Then shall his father and his mother lay hold of him; and they shall bring him out to the elders of his city, and to the gate of his place. And they shall say to the elders of his city: This our son is wayward and rebellious, he will not obey our voice; he is a glutton and a drunkard.

And all the men of his city shall stone him with stones, that he die, and you shall eradicate the evil from amongst you; and all Israel shall hear, and fear.

This is followed by laws legislating the dignity of the dead and the obligation to bring a body to prompt burial, and the mitzvah to care for and return a lost object (if the owner can provide identifying signs), and the duty to help lift up a fellow’s beast of burden “falling down by the wayside”

Also: “A woman shall not wear a man’s articles, neither

Commentary

wine, his father and mother will take him out to be stoned? Indeed, [a case of a “wayward and rebellious son”] never was, and never will be. So why was it written in the Torah? So that it should be studied and we should be rewarded [for studying it].

Rabbi Yonatan says: I saw such a case, and I sat at his grave.

(Talmud, Sanhedrin 71a)

FOR A HANGED PERSON IS A CURSE TO G-D (21:23)

This is a degradation of the Divine King in whose image man is created, and the Israelites are G-d’s children. This is analogous to a case of two identical twin brothers. One became king, while the other was arrested for robbery and hanged. Whoever saw him, would say, “The king is hanging!”

(Talmud, Sanhedrin 46b; Rashi)

RETURN THEM, RETURN THEM TO YOUR BROTHER (22:1)

Our masters taught: There was a “dealing stone” in Jerusalem. Anyone who lost something would go there, and anyone who found something would go there. This one would stand and announce [this find], and the other would stand up, give identifying signs, and take it.

(Talmud, Bava Metzia 28b)

If one finds scrolls, he should read in them once in 30 days [to air them out]; if he can’t read, he should unfurl them. But he should not study something in them for the first time, or read from them together with someone else. If he found a garment, he should shake it out every 30 days, and spread it for its needs — not for his own honor...

If he finds wooden utensils, he should use them, so that they should not rot. Copper vessels can be used with hot food, but not over fire, which wears them; silver utensils should be used with cold, but not with hot, which

blackens them. Gold and glass utensils should not be touched until the coming of Elijah...

(Talmud, Bava Metzia 28b)

A man once passed by the doorway of Rabbi Chanina ben Dosa’s home, and left behind some chickens. Rabbi Chanina’s wife found them, and Rabbi Chanina said to her: “Don’t eat of their eggs.” The eggs and the chicken multiplied and became a trouble for them. So he sold them and bought goats with the money. One day, the man who lost the chicken passed by, and mentioned to his friend: “Here’s where I lost my chickens.” Rabbi Chanina heard him, and asked him: “Do you have an identifying mark?” Said he: “Yes.” He told him the sign and received the goats.

(Talmud, Taanit 25a)

Alexander the Great came to the king of Katzya, and was shown much silver and gold. Said he: “I didn’t come to see your silver and gold; I came to see your laws and customs.” As they were sitting, two people came for litigation before the king. Said one of the: “My master, the king! I purchased a ruin from my friend. I demolished it and found a hidden treasure inside it. So I said to him: ‘Take your treasure. I purchased a ruin, not a treasure.’”

And the other one said: “Just as you fear the punishment of theft, so do I. I sold you the ruin and everything in it — from the depths of the earth to the heights of heaven!”

The king summoned one of them and asked him: “Do you have a son?” Said he: “Yes.” He then summoned the second one and asked him: “Do you have a daughter?” Said he: “Yes.” Said the king to them: “Let them marry each other, and the treasure shall belong to the two of them.”

Alexander was amazed. Said the king to him: “Did I not rule well?” Said he: “No, you did not.” Said he: “If such a case came before you in your country, what would you do?” Said he: “I’d cut off both their heads and send the treasure to the royal palace.”

Said the king of Katzya to Alexander: “Does the sun shine in your country?”

Said Alexander: “Yes.”

take the mother bird together with the young.

You shall surely send the mother off, and take the young to you; that it may be good with you, and that you may prolong your days.

It is your responsibility to ensure that you, or your property, are not the cause of damage for a fellow: "When you build a new house, you shall make a parapet for your roof; do not bring blood in your house, when the falling person falls from it."

Hybrids and Tzitzit

You shall not sow your vineyard with divers seeds... You shall not plow with an ox and an ass together. You shall not wear a garment of divers kinds, of wool and linen together </article.asp?AID=2284>.

PARSHAH SUMMARY & COMMENTARY

Ki Teitzei

Deuteronomy 21:10-25:19

Torah Reading for Week of August 31-September 6, 2003

shall a man put on a woman's garment; for all that do so are abomination to G-d."

Sending Off the Mother Bird

If a bird's nest chance to be before you in the way, in any tree or on the ground, whether they be young ones, or eggs, and the mother bird is sitting upon the young, or upon the eggs; do not

Commentary

"And do rains fall upon you?"

"Yes."

"Perhaps there are cattle and herds in your land?"

"Yes, there are," said Alexander.

"By my life!" said king of Katzya. "It is for the sake of the cattle and herds that the sun shines for you and the rains fall upon you..."

(Jerusalem Talmud, Bava Metzia 2:5)

DO NOT TAKE THE MOTHER BIRD TOGETHER WITH THE YOUNG (22:6)

One who says (in prayer), "Your mercy extends to a bird's nest..." should be silenced... Since this reduces the mitzvot to humane laws, when in truth they are divine decrees.

(Talmud, Berachot 33b)

Notwithstanding the above citation from the Talmud, both Maimonides (in his Guide for the Perplexed) and Nachmanides (in his commentary on Torah) give logical and humane reasons for this mitzvah, and the similar commandment (in Leviticus 22:28) not to "slaughter and animal and its young on the same day."

Maimonides writes that the reason for these mitzvot is so that "one should not kill the child in sight of the mother, for the animal has great pain from this. There is no difference between the concern of a person and the concern of an animal for their children, because a mother's love and compassion for the fruit of her womb is not a function of the intellect or speech, but a function of the thought process that exists in animals as in people."

Nachmanides takes issue with this explanation, arguing that if that were the reason, it should only be forbidden to kill the young before the mother, not vice versa. "It is more correct to say," he writes, that the reason for these commandments is "so that we should not have a cruel heart that is devoid of compassion" — since, in any case, killing a mother and its young on the same day is an act of cruelty. He also offers another reason: "Because the Torah would not permit a practice that could cause the destruction of the species, though it permits the slaughtering of a single member of the

species."

Both Maimonides and Nachmanides point out that their explanations seem to contradict the above-cited passage from the Talmudic tractate Berachot, which warns against explaining the mitzvah of "sending away the mother" as deriving from G-d's compassion on the mother bird. Maimonides also cites the Midrash Rabbah, which states: "Does it make a difference to G-d whether one slaughters an animal from the throat or from the back of the neck? In truth, the mitzvot were given only to refine the human being."

Maimonides explains that there are, in fact, two opinions as to the nature of the mitzvot: a) that the mitzvot are supra-rational divine decrees; b) that there are reasons for the mitzvot, even if the reasons for certain mitzvot have not been revealed to us. The mishnah in Berachot, says Maimonides, expresses the first opinion, "that the mitzvot have no reason other than that they are the divine desire, while we hold with the second opinion, that every mitzvah has a reason."

Nachmanides takes a different approach, arguing that there is no contradiction between his explanation and the Talmud's statement. The Talmud objects to explaining the reason for the mitzvah as G-d's compassion for the bird or animal; rather, it is to teach us compassion and prevent the trait of cruelty from taking root in our hearts. In the words of the Midrash, "the mitzvot were given only to refine the human being." In this connection, Nachmanides also cites the verse (Job 35:6-7), "If you sin, how have you affected Him? If your transgressions multiply, what do you do to Him? If you are righteous, what do you give Him? What can He possibly receive from your hand?" The things that G-d commands us to do are not anything that He wants or needs, nor are the divine prohibitions things that "bother" Him — He is above that all. The "reasons" for the mitzvot are the ways that they are beneficial to us, sanctifying our lives and refining our character.

DO NOT BRING BLOOD IN YOUR HOUSE, WHEN THE FALLING PERSON FALLS FROM IT (22:8)

The Torah calls him "the falling person" because it was ordained from Heaven that he would fall, in any case. Nevertheless, you should not be the one to bring about his death; for meritorious things are executed through meritorious people, while things of ill-fortune are executed through guilty

PARSHAH SUMMARY & COMMENTARY

Ki Teitzei

Deuteronomy 21:10-25:19

Torah Reading for Week of August 31-September 6, 2003

You shall make for yourself fringes upon the four corners of your garment, with which you cover yourself.

Sexual Crimes and Restrictions

A person who libels his wife, claiming that she was unfaithful to him because he desires to divorce her, is fined a hundred shekels of silver, and can never divorce

her against her will. Adultery (relations between a man and another man's wife) is punishable by death, both for the man and the woman; a woman taken by force, however, is blameless. If a man forces himself on an unmarried woman, he is obligated to marry her (if she so desires) and cannot divorce her "all of his days."

The Torah also specifies a number of forbidden incestuous relationships, as well as a list of persons who are precluded from marrying into the community of Israel (e.g., a bastard). Ammonites and Moabites "shall not enter into the congregation of G-d, even to their tenth generation," but Egyptians and Edomites who convert to Judaism are accepted after three generations.

More Laws

Also in our Parshah: regulations to ensure the hygiene and spiritual purity in military camp; the rule not to return an escaped slave to his master; the exhortation that "there shall be no female prostitute of the daughters

Commentary

people.

(Sifri; Rashi)

YOU SHALL MAKE YOU FRINGES UPON THE FOUR CORNERS OF YOUR GARMENT (22:12)

There was once a man who was very scrupulous about the precept of tzitzit. One day he heard of a certain harlot overseas who took four hundred gold dinars for her hire. He sent her four hundred gold dinars and appointed a day with her. When the day arrived he came and waited at her door, and her maid came and told her, "That man who sent you four hundred gold dinars is here and waiting at the door"; to which she replied, "Let him come in." When he came in she prepared for him seven beds, six of silver and one of gold; and between one bed and the other there were steps of silver, but the last were of gold. She then went up to the top bed and lay down upon it naked. He too went up after her in his desire to sit naked with her, when all of a sudden the four fringes of his garment struck him across the face; whereupon he slipped off and sat upon the ground. She also slipped off and sat upon the ground and said, "By the Roman Capitol, I will not let you go until you tell me what blemish you saw in me." "I swear," he replied, "that never have I seen a woman as beautiful as you. But there is one precept which our G-d has commanded us, it is called tzitzit, and with regard to it the expression "I am the L-rd your G-d" is twice written, signifying: I am He who will exact punishment in the future, and I am He who will give reward in the future. Now the tzitzit appeared to me as four witnesses." Said she: "I will not leave you until you tell me your name, the name of your town, the name of your teacher, the name of your school in which you study the Torah." He wrote all this down and handed it to her. Thereupon she arose and divided her wealth into three parts; one third for the government, one third to be distributed among the poor, and one third she took with her in her hand; the bed clothes, however, she retained. She then came to the study hall of Rabbi Chiyya, and said to him: "Master, give instructions about me that they make me a proselyte" ... Those very bed-clothes which she had spread for him for an illicit purpose she now spread out for him lawfully.

(Talmud, Menachot 44a)

AND SHE SHALL BE HIS WIFE; BECAUSE HE HAS FORCED HER, HE MAY NOT DIVORCE HER ALL HIS DAYS (22:29)

Our sages tell us that when the Children of Israel assembled at the foot of Mount Sinai, "G-d held the mountain over them like a jar and said to them: 'If you accept the Torah, fine; if not, here shall be your grave'"

(Talmud, Shabbat 88a)

But the Jewish people had already expressed their desire and willingness to enter into the covenant with G-d. Why did G-d coerce them? But perhaps G-d desired to ensure that their bond will be eternal and irrevocable. By forcing Himself on them, He was binding Himself with the law that "he may not divorce her all his days"...

(The Chassidic Masters)

AN AMMONITE OR A MOABITE... EVEN TO THEIR TENTH GENERATION SHALL THEY NOT ENTER INTO THE CONGREGATION OF G-D (23:4)

From here we learn that someone who causes a person to sin does worse to him than one who kills him; for one who kills him, kills him only in this world, whereas one who leads him to sin removes him from both this world and from the world-to-come. Therefore, Edom, who came forth against them with the sword, was not [completely] despised. Similarly, Egypt, who drowned them. The Moabites and the Ammonites, however, who caused them to sin (with the daughters of Midian — see Numbers 25), were completely despised.

(Sifri; Rashi)

BUT G-D YOUR G-D WOULD NOT HEarken TO BALAAM, AND G-D YOUR G-D TURNED THE CURSE INTO A BLESSING... (23:6)

Said Rabbi Abba bar Kahana: They all reverted back to curses, except for the blessing regarding the synagogues and houses of study. As it is written: "and G-d turned the curse into a blessing" — the curse, in the singular — not the curses.

(Talmud, 105b)

IF A MAN TAKES A WIFE... AND IT COME TO PASS THAT SHE DOES NOT FIND FAVOR IN HIS EYES, BECAUSE HE HAS FOUND A MATTER OF UNSEEMLINESS IN HER, HE SHOULD WRITE HER A BILL OF DIVORCE... (24:1)

PARSHAH SUMMARY & COMMENTARY

Ki Teitzei

Deuteronomy 21:10-25:19

Torah Reading for Week of August 31-September 6, 2003

of Israel, nor a male prostitute of the sons of Israel"; the prohibition to charge interest on a loan to a fellow Jew; the obligation to keep one's word and fulfill one's vows; and the commandment to allow an employee working for you in food production to "[eat on the job](/article.asp?AID=57212)" (later in the Parshah, this rule is extended even to animals — "You shall not muzzle the ox when he treads out the corn.")

Divorce and Marriage

If a man takes a wife, and marries her; and it come to pass that she does not find no favor in his eyes, because he has found a matter of unseemliness in her, he should write her a bill of divorce, and give it in her hand, and send her out of his house.

And when she is departed out of his house, she may go and be another man's wife.

She may not, however, remarry her first husband, if she has been married to someone in the interim.

Many of the laws of marriage are derived from the vers-

es legislating the rules of divorce, which are also followed by the following rule:

When a man has taken a new wife, he shall not go out to war, neither shall he be charged with any business; but he shall be free at home one year, and shall cheer his wife whom he has taken.

Kidnappers, Debtors, Paymasters

Kidnapping a person to sell him into slavery is a capital crime.

When taking possession of an object as a pledge for the repayment of a loan, certain restrictions apply: it is forbidden to impound the debtor's tools of trade — such as his millstones — for then you "take a man's life for a pledge." Also:

When you lend your brother anything, you shall not go into his house to fetch his pledge. You shall stand outside, and the man who is in your debt shall bring out the pledge to you.

And if the man be poor, you shall not sleep with his pledge. You shall surely deliver him the pledge again when the sun goes down, that he may sleep in his own garment, and bless you; and it shall be as righteousness to you before G-d your G-d.

Pay your employees on time. Day workers must be paid within 12 hours of the conclusion of their their workday or work-night (hence a night worker must be paid before sundown) — "for he is poor, and sets his life upon it; lest

Commentary

The School of Shammai rules: A man should not divorce his wife unless he discovers in her an immoral matter...

The School of Hillel holds: [He may divorce her] even if she burnt his meal.

Rabbi Akiva says: Even if he found another more beautiful than she.

AND YOU FORGET A SHEAF IN THE FIELD... (24:19)

Certain opportunities and potentials are so lofty, that they cannot be accessed by the conscious self; they can only come about "by mistake." An example of this is the mitzvah of shikchah, which can only be fulfilled by forgetting.

(The Chassidic Masters)

Thus if a person drops a sela, and a poor man finds it and is sustained by it, then he [who lost the coin] will be blessed on its account.

(Rashi; Sifri)

REMEMBER WHAT AMALEK DID TO YOU... HOW HE MET YOU BY THE WAY

(25:17-18)

[The Hebrew word, karchah, "he met you," can also mean "he cooled you"; thus the Midrash says:]

What is the incident (of Amalek) comparable to? To a boiling tub of water which no creature was able to enter. Along came one evil-doer and jumped into it. Although he was burned, he cooled it for the others. So, too, when Israel came out of Egypt, and G-d rent the sea before them and drowned the Egyptians within it, the fear of them fell upon all the nations. But when Amalek came and challenged them, although he received his due from them, he cooled the awe of them for the nations of the world.

(Midrash Tanchuma)

PARSHAH SUMMARY & COMMENTARY

Ki Teitzei

Deuteronomy 21:10-25:19

Torah Reading for Week of August 31-September 6, 2003

he cry against you to G-d, and it be a sin in you."

Justice and Charity

Fathers shall not be put to death for children, neither shall children be put to death for fathers; every man shall be put to death only for his own sin.

You shall not pervert the judgment of the stranger, or of the fatherless; nor take a widow's garment as a pledge. Remember that you were a slave in Egypt, and the L-rd your G-d redeemed you from there; therefore I command you to do this thing.

When you reap your harvest in your field, and forget a sheaf in the field, you shall not go back to fetch it. It shall be for the stranger, for the fatherless, and for the widow; so that the L-rd your G-d may bless you in all the work of your hands.

Also to be left to the poor are the "gleanings" — the solitary grapes, olives, etc. that remain on the vine or tree after the larger bunches have been harvested.

The active transgression of a biblical prohibition is punishable by 39 lashes.

Levirate Marriage

If brothers dwell together, and one of them die, and have no child, the wife of the dead shall not marry out to a stranger; her husband's brother shall go in to her, and take her to him to wife, and perform the duty of a *yibbum* (levirate marriage) to her.

And it shall be, that the firstborn which she bears shall succeed in the name of his brother who is dead, that his name be not wiped out in Israel.

If *yibbum* is not performed, the legal bond between the dead man's wife and brother must be released through the ceremony of *chalitzah* ("removal of the shoe"):

And if the man desires not to take his brother's wife; then his brother's wife shall go up to the gate to the elders, and say: "My husband's brother refuses to raise up to his brother a name in Israel, he will not perform the duty of *yibbum* to me."

The elders of his city shall call him, and speak to him; and he shall stand, and say: I do not wish to take her.

Then shall his brother's wife approach him in the presence of the elders, and remove his shoe from off his foot, and spit in his face, and shall answer and say: "Thus shall it be done to that man that will not build up his brother's house." And his name shall be called in Israel, "The house of him that had his shoe removed."

Remember Amalek

The last of *Ki Teitzei's* 74 mitzvot are the commandments to remember the deeds of the most vile of Israel's enemies, the nation of Amalek, and "blot out their remembrance from under the heavens":

Remember what Amalek did to you by the way, when you were coming out of Egypt.

How he met you by the way, and smote the stragglers at your rear, when you were faint and weary; and he feared not G-d.

Therefore it shall be, when the L-rd your G-d has given you rest from all your enemies round about, in the land which the L-rd your G-d gives you for an inheritance to possess it, that you shall blot out the remembrance of Amalek from under heavens; you shall not forget.

FROM THE CHASSIDIC MASTERS

EATING ON THE JOB

Three times a day we approach G-d to request our daily needs. “Give dew and rain,” we plead; “Bless this year and all the varieties of its produce,” “Grant complete cure and healing to all our ailments.” Our prayers for the blessings of material life reach their height during the month of Elul and the “High Holidays” of Rosh Hashanah and Yom Kippur, during which our material fate for the coming year is decided. “On Rosh Hashanah it is written and on Yom Kippur it is sealed: who shall live and who shall die... who shall enjoy tranquility and who shall suffer affliction, who shall be impoverished and who shall gain wealth...”

The Chassidic masters ask: On what basis do we make these requests for health and prosperity? Are we simply appealing to G-d’s benevolence, or do we have a “right” to these things? Many accept as a given the obligations of man towards his Creator; but do these, in turn, obligate the Almighty in any way toward His earthly servants? Specifically, what would Halachah (Torah law) dictate regarding the Almighty’s duties toward the earthly creatures He created and who labor in His behalf?

(For although G-d invented these laws, He too, by choice, is bound by them. In the words of the Midrash (Shemot Rabbah 30:6): “G-d’s way is not like the way of flesh and blood. The way of flesh and blood is that he instructs others to do, but does not do himself; G-d, however, what He Himself does, that is what He tells Israel to do and observe.”)

The Slave, the Employee and the Partner

To define G-d’s legal obligations to us, we first need to define our legal relationship with Him. There are, in fact, three models for this relationship: the slave, the employee, and the partner.

Which of these models our individual life fits into is entirely up to us. The Talmud (Megillah 12b) states: “In the manner in which man measures himself, so is meted out to him.” As we have elaborated in an , G-d leaves it to us to define our vision of life and our relationship with Him, and then relates to us accordingly. So it is up to us whether to perceive — and thus define — the labor of life via the mentality

of the “slave”, the attitude of the “employee”, or the perspective of the “partner”.

Some apt to see themselves as slaves of an autocratic master. I didn’t ask to be born — goes this line of thinking — nor was I consulted when the laws of life were formulated. All this was imposed on me. As the *Ethics* puts it, “Against your will you are born, and against your will you die.” My master is all-powerful, so I had best carry out His commands.

Others adopt the less apathetic attitude of the employee. I have a job to do, is their approach, and I’ll give it my best effort. And has G-d not promised to reward my toil? True, our sages have established that “There is no reward for mitzvot in this world”; but certainly the eventual rewards of the World To Come will more than compensate for my present-day labors.

This vision of life — life as a job — is expressed by the talmudic sage Rabbi Tarfon in the closing words of the second chapter of *Ethics of the Fathers*:

The day is short, the work is much, the workers are lazy, the reward is great and the Master is pressing... It is not incumbent upon you to finish the task, but neither are you free to absolve yourself from it. If you have learned much Torah, you will be greatly rewarded, and your Employer is trustworthy to pay you the reward of your labors. Know, that the reward of the righteous is in the World to Come.

Finally, there are those who experience life as a partnership. They, too, are “slaves” in the sense that they acknowledge G-d’s absolute mastery over their lives; they, too are “employees” in the sense that He has defined their life’s assignment and has promised to reward us for their labor. But they also believe that man has been granted the ability to elevate life into a *partnership* with G-d. As G-d’s partners, they develop their selves and their world in accordance with the Divine will not only because they must, nor merely to “do their job,” but as an intensely personal enterprise. Life is their joint venture with G-d — a venture conceived and enabled by Him, but fueled by their own initiative and ambition.

The Initial Verdict

So what does Torah law legislate in regard to these three models of the G-d-man relationship?

At first glance, it would seem that however we

FROM THE CHASSIDIC MASTERS

define our relationship with G-d, our life's toil on His behalf does not obligate Him toward us in any way, at least not regarding our material needs and wants.

If we are His slaves, G-d already owns the product of our toil. On the other extreme, if we are His partners, we are laboring for ourselves as well as for Him: for the “partner” — to again quote the *Ethics* — “The reward of a mitzvah is the mitzvah itself.” When the perfect world that is the aim of G-d and man's “joint venture” is complete, this will itself yield the ultimate spiritual *and* material reward for man. “At that time,” writes Maimonides in the closing words of his *Mishneh Torah*, “there will be no hunger or war, no jealousy or rivalry. For the good will be plentiful, and all delicacies available as dust... ‘For the world shall be filled with the knowledge of G-d as the waters submerge the sea’ (Isaiah 11:9).”

The only one who might seem to have any legal claim is the “employee.” Indeed, the Torah commands an employer, “Do not delay the wages of your employee overnight” (Leviticus 19:13). But this law applies only to a day-laborer, not to one who is hired for a longer period or to accomplish a specific task. In such cases, the law is that “wages must be paid only at the conclusion of the employment” (Talmud, Eruvin 22a). So when G-d tells us, “Today, is the time to do; tomorrow, to receive reward,” this is fully in keeping with the laws He instituted to govern the employer-employee relationship: He owes us our wages only upon the completion of the collective task for which He has “hired” us.

Get a Better Lawyer

This is what a cursory look at the law yields. But a more thorough examination reveals a series of laws that G-d commanded in His Torah which would obligate Him to provide us with our daily needs in all three cases — whether we define our duties toward Him as those of the slave, the employee or the partner.

The slave: “A master is obligated to make his Hebrew slave or Hebrew maid equal to himself in food, drink, clothing and dwelling. This is derived from the verse ‘for it is beneficial to him *together with you*’ (Deuteronomy 15:16.) — i.e., you cannot

eat fine bread and feed him coarse bread; drink aged wine and have him drink new wine; sleep on soft fibers and have him sleep on straw... Thus it has been said: one who acquires a Hebrew slave, acquires for himself a master...” (Mishneh Torah, *Laws of Slaves* 1:9; Talmud, Kiddushin 20a.).

The employee: In Deuteronomy 23:24-25 we read: “When you enter your fellow's vineyard (as an employee), you may eat your fill of grapes, at your desire... When you enter the standing crop of your fellow, you may pluck grain with your hands...” These verses are interpreted by our sages to mean: “Workers who are employed in processing produce of the earth that has not yet reached its final desired state... the employer is commanded to allow them to eat from the produce they are working with.” This is quite apart from the wages owed to the employee upon completion of the term of his employment. This law applies to work-animals as well; as the Torah (Deuteronomy 25:4) commands, “Do not muzzle an ox while it is threshing.” (Rashi on verse; Mishneh Torah, *Laws of Hire* 12:1.)

The partner: A law dealing with a partnership that parallels our own joint endeavor with the Almighty, reads: “If a person gives eggs to a chicken-farmer so that he seat his chickens on them until they hatch and raise the chicks, with the understanding that the profit is to be divided between them, he is obligated to also pay him his labor and feeding costs” (Mishneh Torah, *Laws of Agents and Partners* 8:1; Talmud, Bava Metzia 68b. To have the chicken-farmer hatch the eggs and raise the chicks solely for the promise of profit would be a violation of the prohibition against usury — see Rashi on Talmud, *ibid.*). So when G-d gives us a world to develop and perfect as a “profit-sharing” venture, Torah law mandates that He also provide us with the daily expenses our work entails.

This is the basis for Maimonides explanation of the material, this-worldly rewards promised by the Torah when the people of Israel fulfill the commandments of the Torah (Mishneh Torah, *Laws of Repentance* 9:1):

Since we know that the reward for the mitzvot is... the life of the World To Come... why does it say throughout the Torah, “If you obey, you will receive such and such; if you do not obey, it shall happen to you such and such” — all this, things that are of the

FROM THE CHASSIDIC MASTERS

present world, such as plenty and hunger, war and peace, sovereignty and subjugation, inhabitation of the land and exile, success and failure, etc.? ... The explanation of this [apparent contradiction] is: G-d gave us this Torah, it is a tree of life, and whoever observes all that is written in it and knows it with a complete knowledge merits thereby the life of the World To come... Yet G-d also promised us in the Torah that if we observe it with joy... He will remove from us all things that may prevent us from fulfilling it, such as illness, war, hunger, etc., and He will bestow upon us all blessings that bolster our hand to observe the Torah such as abundant food, peace, and much gold and silver, so that we need not preoccupy ourselves all our days with our material needs but be free to lean the wisdom and observe the commandments by which we shall merit the life of the World To come...

So when we approach G-d in prayer — concludes the Rebbe — we can do so with the confidence that no matter what level we have attained in identifying with our life's mission — whether we have achieved the commitment of a partner, or only the responsibility of an employee, or merely the resignation of a slave or beast-of-burden — He will surely heed our requests and bless us with a health, sustenance and tranquility.

By Yanki Tauber, editor@chabadonline.com; based on the teachings of the Lubavitcher Rebbe, www.therebbe.org

WHAT IF YOU MESS UP?

Why does G-d tell you how to get divorced if He believes in marriage?

Not only does He believe in marriage, He believes that you should be married, and He wants you to be married to the person you are married to.

Why, then, does He allow you to get divorced? Not only allows it, but tells you how to do it?

As with all G-d's instructions in the Torah, getting divorced is a Mitzvah, a Divine Commandment. In fact, His instructions on divorce are very explicit. But why?

Because, having said what His instructions for marriage are, G-d doesn't abandon you when you get in trouble.

Because He is merciful and compassionate, kind and considerate, He gives you a second set of instructions in case you can't follow the first set.

That's like a cookbook that tells you what to do if you ruin the recipe. Two of my children were once following the instructions on a package of cookie mix. One of them read the instructions aloud, while the other prepared the mix. The child who was reading said, "Now you're supposed to stir the dough fifty times." The other one exclaimed, "But I'm already up to a hundred! What do we do now?"

So the first child said, "I don't know. I'll go back and see what it says to do." He checked the box, but the instructions didn't say anything about stirring the dough too many times. The two of them came to me and asked what they should do. "Should we throw it out? Should we start all over? The instructions don't tell us what to do if we mess up."

G-d isn't like that. That's not how Torah — His set of instructions is written. He tells you what to do if you ruin the recipe.

It's as though G-d says to you, "This is the person I have selected for you. This is the person I want you to be married to. You can't? It hurts too much? Then don't. Leave. But when you do, please shut the door behind you."

So He not only tells us we may get divorced, He tells us how: "Here is the Divine Commandment for how to get in, and here is another Divine Commandment for how to get out."

G-d talks to us that way because He's married to us.

Like everything else that exists in this world, marriage is a reflection of what exists in the spiritual world. There is an absolute marriage that exists between mankind and G-d.

Marriage requires that something which you take seriously and strictly upon yourself, you are very lenient and accommodating about with someone else. G-d is married to us, and that He takes very seriously. He is committed to the relationship. Therefore, He is lenient and accommodating when we don't always live up to His expectations.

G-d says to us: "You messed up? Then try again. You blew it? Then here is what you have to do. You forgot? Then next time, try to remember. You forgot a second time? Try a third time." That's how we know that He's committed to the marriage.

Sometimes G-d does even better than that. He asks

FROM THE CHASSIDIC MASTERS

us what our intentions were. For instance, He tells us not to mix meat and milk. What happens if we do? "Well," He says, "It depends on how much milk there was, and how much meat there was. And did you do it on purpose? Or was it an accident? If it was an accident, this is how you fix it. If it was on purpose, try not to let it happen again."

G-d expects you to be married, and to the person He has chosen for you. But He is compassionate and understanding when you tell Him that it's just too difficult.

Maybe He intended for you to get married and then get out; maybe the laws for divorce are your "escape clause."

No.

G-d intends for you to stay married. But if you can't, if it's too difficult for you, He understands, and He will help you out.

Does that mean your marriage was a mistake? You took a gamble, you lost, now admit it and get out? You made a mistake so G-d is telling you how to fix it?

Wrong again.

Your marriage wasn't a mistake. It was intended since the beginning of time. When G-d created your soul, six thousand years ago, He created your "intended" along with you.

Saying that you married the wrong person is like saying you gave birth to the wrong baby. Could you have somebody else's baby? A woman once said something like that to me. "You have how many children?" she asked, incredulously. I don't remember how many we had at that time, maybe ten or twelve.

"Don't you know there are some people who can't have children?" She was indignant. It was as if she were saying, "Give somebody else a break. Share a little. Don't have so many kids; let other people have a few." It doesn't happen like that. You don't give birth to someone else's children. The children that you have were meant to be yours.

As Einstein said, "G-d doesn't play dice with the universe."

If G-d doesn't play dice with atoms or molecules, then He doesn't play dice with hearts or minds or

souls.

You are married to the person you are intended to be married to. G-d arranged it. He set it up; He predestined it from the beginning. In other words, His mind is made up that that's the way He wants it.

You don't want it? Fine. Since He is married to you, He says, "Whatever you want."

Will it spoil "some vast eternal plan," as Tevye asks in *Fiddler on the Roof*? The answer is yes. Yes, if you get divorced, you will spoil some vast eternal plan, G-d's plan. But will He let you? Will He help you? Yes, He will let you, and He will help you.

The reason that G-d allows divorce, and commands divorce, is because by doing so, He is teaching you how to be married.

So even though G-d has rules, even though He has laws, even though He has Divine Commandments, when you sin, He tells you: "You messed up? Try again. You made a mistake and you admit it? Don't worry about it; you'll do better next time. You did it ten times already? Ask for forgiveness, and I'll forgive you ten times."

That's exactly how you should be married — by treating your spouse the way G-d treats you. With that much mercy and compassion; that much kindness and consideration.

Your wife did it to you again? Forgive her again. She did it ten times? Forgive her ten times.

Be as committed to making this relationship last as G-d has been committed to making His relationship with you last. The moral is, by offering to help you get divorced, G-d is helping you stay married for all time. The way He has stayed married to you.

Rabbi Manis Friedman, www.rabbifriedman.org a noted Chassidic philosopher, author and lecturer, is dean of Bais Chanah Women's Institute of Jewish Studies.

WHEN TO GET DIVORCED

Several months ago I came across one of those self-evaluation "tests" with those little checkboxes. This one was to gauge your stress level. If you're undergoing a divorce and/or getting married, award yourself 30 points. Changing jobs? 30 points; moving into a new home also gives you 30 points; the birth of a child, 20 points; and so on, all the way down to the little 5- and 3-point stresses. Then you're supposed to add up the points and consult a 0-100 scale that tells

PARSHAH SUMMARY & COMMENTARY

FROM THE CHASSIDIC MASTERS

you the level of stress you're currently experiencing.

The reason that this particular piece of Americana caught my attention was that, at the time, I had changed jobs, moved into our new home, and welcomed our newborn daughter into our family—all within a six-week period. (I am happy to report, however, that this stressed-out writer and his patient spouse are still joined in blissful matrimony.) What also struck me at the time was the equation of divorce, on the one hand, with changes in employment and residence on the other.

The parallels are there. In your home and community is invested a piece of yourself; in your job lies a part of your identity. There is your relationship with your employer and co-workers, your neighbors and social circle; the goals you are commonly committed to, your mutual dependence upon each other. But there are also grievances and dissatisfactions. Perhaps you find yourself in situations that are emotionally distressing or ethically problematic. Perhaps you feel deprived of the opportunity to realize your true potential. Or perhaps there's just the promise—or hope—of a better job or living environment elsewhere. So you agonize: do these considerations justify abandoning the current commitments and breaking up the current relationship?

According to Chassidic teaching, the parallel runs deeper yet. The Chassidic masters taught that every soul is given its own “portion of the world.” The fact that you live in a particular place and labor at a particular vocation is not by chance or fluke. The range of causes that brought you there—beginning with your inborn talents and inclinations all the way through the so-called “coincidences” that pepper every life—are guided by Divine Providence to bring you in contact with those particular “sparks of G-dliness” which you are charged to redeem. These sparks of spiritual potential depend on you to actualize them, and you need them for your spiritual fulfillment. Just as Heaven assigns a body to every soul and a marriage partner to every man and woman, so is every individual assigned a piece of creation to develop and elevate.

But that's not the entire story. Our Creator has granted us the most precious and dangerous of gifts:

freedom of choice. We have the power to improve on what we were given, and the power to destroy it. We can make such a mess of things that we may wake up one morning with the belief that our current relationship is unsalvageable and that the only feasible course of action is a new start somewhere else.

When is it time to get a divorce? The Talmud cites three opinions:

The School of Shammai rules: A man should not divorce his wife unless he discovers in her an immoral matter...

The School of Hillel holds: [He may divorce her] even if she burnt his meal.

Rabbi Akiva says: Even if he found another more beautiful than she.

(All three opinions derive from the same verse in the Torah —Deuteronomy 24:1—in the section dealing with the laws of divorce, depending on how a key phrase in that verse is interpreted.)

The *halachah* (final legal ruling) follows the opinion of the sages of Hillel. But pious behavior (*midat chassidut*), which holds itself to a standard “beyond the letter of the law,” is to accept the stricter criteria put forth by the disciples of Shammai.

In other words, a “divorce” is justified if there is actual damage to your well-being and deprivation of your needs. If you find yourself wed to a life that nightly burns your supper, fouling or depriving you of your material nourishment or spiritual nurture, the Torah understands and condones your decision to sever that relationship and seek a better “marriage”.

That is the “letter of the law.” But a more altruistic approach states that unless your current situation in life spells a violation of your ethical, moral and religious values (in which case even the sages of Shammai permit, indeed obligate, a dissolution of the marriage) the place to be is the place where you are. Your Creator has placed you there; He has also given you the resources and fortitude to make it work. Sticking it out is not a cop-out—it is to rise to the greater challenge of uncovering those resources and redeeming the “sparks of G-dliness” entrusted to your care.

By Yanki Tauber, editor@chabadonline.com; based on the teachings of the Lubavitcher Rebbe, www.therebbe.org