Yad Avraham Institute

WEEKLY TORAH COMMENTARY SERIES

Parshas Ki Seitzei

September 16, 2005

Presented By: Rabbi Yosef Kalatsky, *Shlita*

Dedicated by Rabbi Kalatsky *shlita* and family
And Mrs. Jennie Kalatsky

In loving memory of
Reb Moshe Ben Yosef Kalatsky z'l
May his neshama have an aliyah

Also dedicated by

The Spiegel Family

In loving memory of
Reb Yisroel Ben Tzvi Spiegel z'l
May his neshama have an aliyah

And

Dr. Albert Waitman and Family

in Loving memory of
Reb Yitzchak Eliyahu Ben Yehudah Waitman z'l
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About the Yad Avraham Institute

The Yad Avraham is a Torah learning institute located in midtown Manhattan. Classes are offered every day during the week starting at 5:50am and throughout the day. Classes in Chumash, Halacha, Hashkofa, Gemara, and general topics are well attended by businessmen, professionals, and students. The Yad Avraham invites you to participate in our extensive offerings of classes and events.

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Yad Avraham Institute **B"H**
New York, NY
September 16, 2005

Parshas ***Ki Setizei***

Presented by
Rabbi Yosef Kalatsky, ***Shlita***
Dean

1. The Mitzvah to Remember What Amalek Had Done to the Jewish People

The Torah states, **"Remember what Amalek did to you, on the way when you were leaving Egypt…"** It is a positive commandment to remember what Amalek had done to the Jewish people after the Exodus and recite the verses that relate to this. The Midrash cites a verse from Psalms that refers to Amalek (who descends from Esav), " 'Remember the sin of his (Esav) Forefathers to G'd and the sin of his mother should not be obliterated'" From the simple reading of this verse, it seems that the Patriarchs are in some way culpable/accountable for the evil of Esav. The Midrash asks, "In what way did Avraham, Yitzchak, and Rivka fail that they should be culpable for Esav?"

The Midrash explains that the verse from Psalms actually is referring to the sins of Esav against his Forefathers and not any failing on their part – "Avraham was denied five years of his life. If he had lived to witness the sins of Esav, it would have been contrary to G'd's promise to him that he would pass away 'at a good old age (without hardship).' This is the sin that Esav had committed against his grandfather Avraham. As a result of Esav's sinful behavior, his father Yitzchak became blind and was confined to his home. Esav's mother, Rivka, was at a spiritual level that she could have been the matriarch of the twelve tribes of Israel; however, because when Esav was born he had damaged one of her reproductive organs, she was unable to bear more children. This is another claim against Esav. Thus, the words of King David in Psalms are instructing us not to forget the sins that Esav had perpetrated against Avraham, Yitzchak, and Rivka."

When the Jewish people were about to enter into the land of Canaan, Balak (the king of Midian) had commissioned Bilaam (the prophet of the nations) to curse them. Balak appointed Bilaaam because he had understood that the basis for the success/victory of the Jewish people emanated from their leader Moshe, whose power lied in his words. He thus needed to commission a person whose ability also lied in his mouth. The Torah stresses the fact that when Bilaam was killed by the sword. Rashi cites Chazal who explain that Yitzchak had given the blessing of the power of speech to Yaakov – as it states in the Torah, "The voice is the voice of Yaakov (which refers to Torah and tefilah (prayer))." He gave the blessing of physical might to Esav – "The hands are the hands of Esav."

Since Bilaam had resorted to the power of speech to curse the Jewish people he was assuming the posture of Yaakov/the Jewish people. Therefore Yaakov/the Jewish people assumed the posture of Esav and had thus taken Bilaam's life with the sword. Yitzchak's blessing was specifically directed to Yaakov and Esav. He had quantified the essence of each of them. What relevance does Yitzchak's blessing ('the hands are the hands of Esav') have to Bilaam, who was not an Edomite and thus not a descendant of Esav?

Initially Esav could have been the Patriarch of the Jewish people because he was the son of Yitzchak and Rivka. If Esav would have chosen to be devoutly righteous/tzaddik the blessing would have been "the voice is the voice of Esav." However, because of his choice of evil, this blessing came upon Yaakov his brother. It is understood that the essence of the nations of the world is based on their physicality. Thus, their power emanates from their physical prowess. However, Esav, who descended from a Patriarch and a Matriarch of spiritual lineage, had to be designated as the physical person because he had departed from the spiritual path. When Yitzchak's blessing was given to Yaakov, it established and set in motion the spiritual identity and destiny of Yaakov and the physicality of Esav – each assuming their own diverse roles in existence. Thus, Esav assumed the posture of the nations of the world because of his choice to be the physical person.

Since Esav has no relevance to and is devoid of spirituality, his descendents the Amalekites, were not moved when they witnessed the miracles of Egypt and the splitting of the Sea. Although the entire world trembled before the Jewish people because of what had occurred,

the Amalekites attacked the Jewish people without hesitation. This was because they did not have the capacity to process anything of a spiritual nature.

The positive commandment of remembering Amalek should assist the Jew in understanding and appreciating the nature and essence of the Amalekite people. Through this understanding and appreciation, perhaps the Jew will come to appreciate his own sensitivity and relevance to spirituality. Thus, understanding what is primary and secondary.

2. The Far Reaching Effects of Inappropriate Behavior

The Torah states, **"When you will go out to war against your enemies…and you will see among the captured women one who is of beautiful form *(aishes yefas toar),* and you desire her, you may take her to yourself for a wife."** The Torah permits the Jew who is in the midst of battle to cohabit with the non-Jewish woman that he desires. Why does the Torah allow such a relationship? Rashi cites the Gemara in Tractate Kiddushin which explains, "The Torah is addressing the evil inclination of the individual in battle. If the Torah would not permit this relationship, the individual would cohabit with the non-Jewish woman (aishes yefas toar) in a non-permitted state." It is evident from the Gemara that the act is inappropriate; however, since the person in battle has difficulty containing himself, the Torah permits the Jew to engage with the non-Jewish woman because - "it is better that he eat the meat of an animal that is about to die in a slaughtered state then eating the meat that has not been ritually slaughtered (which is forbidden)."

The Midrash Tanchumah states, "*Mitzvah goreres mitzvah. Aveira goreres aveira.* (A mitzvah encourages another mitzvah. A transgression encourages another transgression.) What is an example of the application of this principle? Engaging with the aishes yefas toar (the woman who is attractive to the Jew in battle). One must shave her head and let her nails grow so that she will no longer be appealing to him." The Torah attempts to discourage this relationship by compelling the Jew to subject the captured woman to many things which will make her less desirable and even detestable to him. The Torah then discusses the situation in which a man has two wives – "one beloved and one hated, and they bear him sons… If a man will have a wayward/rebellious son, who does not hearken to the voice of his father…"

The Midrash explains that if one engages with the aishes yefas toar it will set off a chain of negative events. After engaging with the non-Jewish woman he will return with her to his home. Consequently, he will have two wives – one who is beloved to him and the other detested by him (or both detested). Then, he will have a rebellious son (ben soreir u mora) who does not hearken to his words. The rebellious son is one who behaves in a gluttonous manner and may eventually be put to death by the court. It is clear from the Midrash that the rebellious son is born of this union not because of the pedigree of the mother (who initially was not Jewish), but rather, it is a consequence of aveira goreres aveira (a transgression encourages another transgression). Despite the fact that the aishes yefas toar is permitted by the Torah, the Torah nevertheless discourages this relationship by revealing the series of events that will ensue.

It is interesting to note that the usual application of the principle of aveira goreres aveira is to the individual himself. Namely, when one transgresses it will lead him to further transgression. However in the case of the aishes yefas toar Chazal are telling us that the negative inclination of the rebellious child is an outgrowth of the wrong of the father. Since the father engaged in something that the Torah considers inappropriate, it results in the rebellious son who is destined to lead a life of gluttonous behavior.

The Midrash continues, "As we see with King David…Since he desired Maacha who was a non-Jewish princess, Avshalom was born of that union and wanted to kill his father (King David). Avshalom had relations with the ten concubines of his father in a public setting. As a result of the conflict between Avshalom and his father tens of thousands of Jews were killed and a schism was created among the Jewish people. This series of negative events is rooted in the concept of aveira goreres aveira." Although King David – when he took Maacha as an aishes yefas toar he did not transgress in the literal sense by taking her as a wife, nevertheless, because the action itself is inappropriate – it resulted in a son as Avshalom. King David's decision to marry Maacha caused a chain of many negative and disastrous events.

Although the Torah may permit certain types of behavior or actions, one must make an evaluation to determine if that action/behavior pattern has any relevance to kiddusha (holiness). If it does not – although it may be permitted - it is considered negative by the Torah and it will generate a negative result that will precipitate a chain of events that are negative. Chazal are telling us that negative consequences of aveira goreres aveira not only affect the individual himself but also have a far-reaching effect on the Jewish people as a whole.

Chofetz Chaim explains that if one has the ability to encourage Torah study (either through establishing elementary Torah education or a yeshiva of higher learning) and does not, he would be held culpable for the lack of the Torah influence that would have been generated (and was not). If one has an obligation and addresses it then he is putting the concept of mitzvah goreres mitzvah (a mitzvah encourages another mitzvah) in motion. However if one did not act upon his obligation then consequently he has created a negative energy and outcome.

We read in Pirkei Avos (Ethics of our Father), "One should not underestimate the value of a mitzvah or the severity of a transgression -regardless of how minor it may be- because mitzvah goreres mitzvah and aveira goreres aveira." Chazal are teaching us that one should not be shortsighted and not appreciate the value of the positive or the severity of the negative (regardless of how minor it may seem) because of its far-reaching ramifications.

The Gemara in Tractate Kiddushin tells us that one must see the status of all humanity in the balance– "50% positive and 50% negative (tottering on the brink of destruction - either to be swayed to the right which would classify the world as righteous – or be swayed to the left to be classified as evil (causing the destruction of the world)." One must see his own actions (positive or negative), as minute as they may be, as the determining factor if the world will continue or go into oblivion. The Gemara in Tractate Kiddushin is addressing the immediate consequences of one's actions. The Midrash is teaching us that although there may not be an immediate consequence of the action, he must be cognizant of the far-reaching consequences (positive or negative) - mitzvah goreres mitzvah and aveira goreres aveira.

3. How One Must Perceive A Torah Sage

The Torah states, **"If a man shall have committed a sin whose judgment is death, he shall be put to death, and you shall hang him on a tree (gallows). His remains shall not remain for the night on the tree, rather you shall surely bury him on that day, for hanging a person is a curse of G'd and you shall not contaminate your Land which Hashem, your G'd, gives you as an inheritance".**

Ohr HaChaim HaKadosh explains the verses on an allusionary level- "The Torah is alluding to the Torah Sages of the generation. They must be vigilant to supervise the behavior of the people so that they should not transgress the Torah –since people are inclined to sin. One who is defiant and continues to sin shall die. It is said that "he shall be put to death." What caused him to have his life taken? The individual chose to sin- thus he is responsible for forfeiting his own life. Nevertheless the Torah is teaching us that the failing of this individual is attributed to the Torah Sage of the generation. As the verse states, "you shall hang him on the tree." (Torah and Torah Sages are compared to the tree). The Torah Sage is the one who is held culpable for the bad fruit that he causes to come forth. The Torah Sage is responsible to admonish and rebuke the individual who sinned to the point that the sinner responds. Because the Sage did not sufficiently rebuke and admonish the sinner to bring him to a state of doing teshuvah (repentance), he is held culpable for the failing of that individual."

Ohr HaChaim HaKadosh continues, "The Torah states, "His remains (niveilah/carcass) shall not remain for the night on the tree." We find that the term "carcass/niveilah" refers to sin. Thus, when the Torah states "his remains (niveilah)" it means that although the Sage has a degree of culpability for allowing the individual to sin, one should not allow this blemish/claim to remain on the Sage beyond a night. [If the Sage's reputation is tarnished on an ongoing basis, his authority and effectiveness will be undermined.] Seeing a Torah Sage in a negative light is a Chilul Hashem (Desecration of G'd's Name) because he is G'd's representative in this world. The Gemara in Tractate Berachos states, 'If one sees a Torah Sage sinning in the nighttime period, he should assume that he definitely did teshuvah by the morning.' Thus, the Torah states, "bury him on that day." Meaning the failing that initially was attributed to the Torah Sage should be forgotten because he definitely made the correction through teshuvah. Thus, the reputation of the Torah Sage is not tarnished. If it is not seen in this context, it is something which is will not be tolerated by G'd. As it states in Tractate Shabbos, "Jerusalem was destroyed because of the lack of respect given to the Torah Sages. As the verse states–'they were disgracing the angels of G'd (Sages).'" If the Sage is rejected and disgraced it will ultimately lead to our Land falling into the hands of the nations of the world – you shall not contaminate your Land which Hashem, your G'd, gives you as an inheritance."

The Gemara in Tractate Bava Basra tells us that members of a community need to pay taxes in order to cover the cost of public works and other communal needs. The Gemara states, "The Torah Scholar does not participate in the payment for watchmen to protect the

community because the Torah itself is his fortification/protection." It is important to note that a Torah Sage is the one "whose inside is the same as his outside." Meaning his outward behavior is consistent with his essence. Because it states, "There is no tzaddik in the land who does good and does not sin" there is no Sage who is perfect. However, if one faults the Torah Sage by claiming that he is guilty for something of the past, it is considered a Chilul Hashem because he has definitely corrected the failing through teshuvah.

Chofetz Chaim explains that while it is a grave transgression to speak lashon harah (evil/negative speech) about one's fellow, the liability of speaking lashon harah about a Torah Sage is much more severe. The Sage is meant to be the Torah role model for the Jew. If one speaks negatively about him, it will undermine his effectiveness – thus undermining the influence of Torah in the community. If the credibility of the Sage is called into question, the lifeline of the Jewish people is in jeopardy.

4. The Importance of Not Circumventing One's Mitzvah Obligation

The Torah states, **"When a camp goes out against your enemies, you shall guard against anything evil."** The Torah is communicating to us that within the context of battle, one must safeguard himself against anything that is considered evil. This is true even when one is not in the midst of battle. A Jew must live his life in conformity to the dictates of the Torah. If so, why then does the Torah emphasize safeguarding oneself against anything evil within the context of battle?

Rashi cites the Jerusalem Talmud which states, "One must safeguard against all evil during battle because satan prosecutes during a time of danger." The Gemara tells us in a number of locations that one is not permitted to place himself in a situation of danger (such as walking next to a wall that is about to topple) because it is a basis for causing prosecution to come upon him/ Attribute of Justice. It is only because of the continuous Attribute of Mercy (Midas HaRachamim) the world continues and is not destroyed.

When one deliberately places himself in danger, because he is acting irresponsibly he does not merit the Attribute of Mercy. At that moment, satan takes the opportunity to bring prosecution upon that individual. During the time of danger, one's record is examined and scrutinized to an exacting degree in order to evaluate if he is meritorious enough to be protected from danger. The Gemara in Tractate Shabbos tells us that even if one is involuntarily put in a state of danger, such as a woman in childbirth, prosecution is brought upon here. Therefore she must be meticulous in the observance of her personal mitzvos (candle lighting, tithing of chalah, family purity). When one is in battle, he is in danger and thus subject to the Midas HaDin. Therefore the Torah needs to inform us that it is essential that one should take extra precautions to do nothing that is even remotely evil. It is true that a Jew must adhere to the Torah at all times; however, when one is in battle satan brings prosecution upon him- thus causing immediate consequences. Under normal circumstances one is afforded time to do teshuvah (repent). However, within the context of battle/danger one does not have the time to do teshuvah because that moment may be his last.

Ramban explains, "It is known that within the context of battle people do many things that are abominable (such as eating abominations). There is no conscience or shame on the battlefield – even to the degree of engaging in sexual irresponsibility. …A soldier assumes a posture of cruelty in battle because in war one is in a position to kill or be killed... In this context one is vulnerable to many aspects of inappropriate behavior. Therefore the Torah states that one should guard against "anything evil" in a time of battle." It is interesting to note that Ramban cites Sifri who states, "One must guard against anything evil – including lashon harah (evil/negative speech) on the battlefield." Ramban explains that the reason for this is that one must maintain unity on the battlefield among the soldiers. If one were to speak negatively about his fellow it would create a division among the group and thus undermine their chance of victory.

The Gemara in Tractate Erchin tells us that the negativity of lashon harah is compared by G'd to the transgression of the three Cardinal Sins. If one needs to have special merit to be protected from Midas HaDin (in order to survive the battlefield), then one must refrain from something as grave as lashon harah.

The Gemara in Tractate Menachos tells us that Rav Ketina would make sure that when his outer coat was tailored, its corners were rounded off in order not to bring about the obligation of tying fringes to his four-cornered garment (tzitzis). An angel came to Rav Ketina and asked him, "Why do you not wear tzitzis on your garment?' Rav Ketina responded, "I am not obligated to wear tzitzis because the corners of my coat are rounded off." The angel replied, "It is true you are absolved from the obligation of tzitzis as you say, but if ever there would be a time of wrath against the world, you will be held culpable for not

performing this mitzvah. Because you could have easily performed the mitzvah of tzitzis but chose to extricate yourself from it, you will be held accountable. Therefore you should not extricate yourself from this mitzvah." Rabbeinu Yonah writes in Shaare Teshuvah (Gates of Repentance) that the claim against a person at a time of wrath is not limited to the Positive Commandment of tzitzis; when one evades any mitzvah that could have been performed with relatively little difficulty, it will cause him to be held accountable.

When one is in a state of danger (time of wrath upon the world), similar to the battlefield, one cannot allow himself to evade performing any mitzvah (as unimportant as it may seem). In fact, the Gemara in Tractate Eruvin tells us that one is obligated to wash his hands after partaking in a meal with bread – even if he is in the midst of battle. One is protected from prosecution and merits victory and success only by performing mitzvos.

The world is currently tottering on the verge of destruction. It can be considered "a time of wrath." Therefore we must not evade any mitzvah that is within our reach in order to safeguard ourselves from prosecution.

5. The Basic Motivating Factor in Man (From Shoftim)

The Torah states regarding bribery, **"You shall not pervert judgment…you shall not accept a bribe *(shochad)*, for the bribe will blind the eyes of the wise and make just words crooked."** When one accepts a bribe his objectivity and his ability to process things within a rational context are compromised. Thus, he is not able to render a proper judgment.

The Midrash states, "Rebbe Yishmael BR'Yosi (who was a Kohen) had said, 'Let us understand the negative affects of bribery. An individual had given me the first shearing of his flock as a gift to me as a Kohen. This person then had to appear in court for a judgment. I stood by his side and advised him, 'If the judges says such and such, it is an indication that you will win the case…' I was hoping that he would in fact win the case because he had given me the shearing of his sheep – although it was something that was rightfully mine (as a Kohen). Although the shearing that I had received were rightfully mine, I was influenced to a point that I felt an attachment and closeness to him… From this we learn that bribery truly blinds the eyes. If I, who received something that was rightfully mine (and was not considered bribery), was so severely impacted, how much more so will one be affected if he accepts bribery, which he has no right to receive?"

Why is the recipient of a favor/gift affected to see his benefactor in a positive light? The Mesilas Yesharim writes that there is a positive commandment to love G'd, (which indicates that man has the capacity to love). Although love is an emotion, it is possible to arouse this love and direct it to G'd. Since the heart of man has the need to love, it will seek out something to love. That love can either be inwardly directed/self love or outwardly/ directed to others- depending on the way one chooses to live his life. If one chooses to focus on his spirituality and understand G'd, his heart will filled with love for G'd. However, if the heart if devoid of spirituality, because the heart has a need to love, it will be self-love.

Similarly, Man was created with the innate ability to be appreciative/beholden. When one recognizes that he is the beneficiary of another's goodness, he will naturally respond to that kindness. The key issue is recognizing that one is in fact the beneficiary of another's goodness. Therefore man has the capacity to be beholden to G'd if he recognizes that He is his benefactor. Regarding bribery, the recipient clearly understands who had benefited him. Thus, he is naturally beholden to that individual. If G'd provides us with life and all of our needs on a continuous basis, then why are we not beholden to Him in a manner that is commensurate with the good that we receive? If one is immediately beholden to another who gives him a pittance, compared to what G'd gives him, then why is Man not beholden to G'd as he is beholden to his fellow? It is only because we do not recognize or appreciate the extent to which we are recipients of G'd's kindness.

If one were to truly to reflect on the state of his own existence, he would recognize the benefit that he receives from G'd. Thus, causing him to be continuously grateful and beholden. His focus would be to do His Will. It is only because we do not pay attention to the cause of our predicament, although it may be exceptional, that we are not naturally motivated to do His Will.

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6:15- 6:30 am	Mishna Berurah
6:30- 7:25 am	Halacha
6:30 -6:45 am	Mussar
6:45 -7:25 am	Talmud—Tractate Avodah Zorah
7:25 - 8:20 am	Davening Followed by Breakfast
8:20 - 8:45 am	Mishna
9:00 -10:00 am	Daf Yomi
2:00pm	Mincha

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11:15 – 12:15pm **Talmud: Sanhedrin**
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12:30 – 1:30pm **Talmud: Pesachim**
Location: Shandholt 488 Madison Avenue
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Tuesday
12:15 - 1:15pm **Torah Insight Based on the Parsha**
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Wednesday
11:30 – 12:30 pm **Talmud: Sanhedrin**
Location: Sunrise Capital 641 Lexington (25th FL.)
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1:00—2:00 pm Derech **Hashem**
Location: Yad Avraham

Thursday
10:30 –11:30am **Tehilim with Malbim**
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12:00 – 1:00 pm **Talmud: Sanhedrin**
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