

Yad Avraham Institute
Weekly Torah Commentaries Series
Ki Seitzei

August 27, 2009

In loving memory of Mr. Kenneth Spetner

K'has ben Avraham Yitzchak z'l

By his children

Rabbi and Mrs. Yosef Kalatsky and Family

Presented By: Rabbi Yosef Kalatsky, *Shlita*

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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.

Ki Seitzei

Presented by

Rabbi Yosef Kalatsky, Shlita

Dean

1. The Lesson to be Learned From the Rebellious Son

The Torah states, **“If a man will have a wayward and rebellious son, who does not hearken to the voice of his father and the voice of his mother, and they discipline him, but he does not hearken to them, then his father and mother shall grasp him and take him out to the elders of his city and the gate of his place. They shall say to the elders of his city, ‘This son of ours is wayward and rebellious; he does not hearken to our voice; he is a glutton and a drunkard.’ All the men of his city shall pelt him with stones and he shall die.”** The Gemara in Tractate Sanhedrin explains that this individual only assumes the status of the “rebellious” son when he steals from his parents to buy a small measure of meat and a half a pint of undiluted wine to satisfy his desire. When his parents become aware of his errant behavior, they take him to the Bais Din (Court) and he is given lashes. If he should repeat the behavior, and his parents choose to take him again to the court, he is judged as a “rebellious” son and is put to death by stoning.

The Gemara explains that although this child had only stolen a small amount of money to satisfy his desire (If this errant behavior repeats itself), he is put to death because as Chazal explains “It is better that he should die in an innocent state than in a more liable state.” If this addictive behavior should continue he will ultimately consume the assets of his father and resort to murder to support his habit.

The Gemara in Tractate Sanhedrin tells us that the case of the “rebellious son” never actually happened and will never come to being because it is not possible to meet all the criteria that are set forth by the Torah. The Mishna asks, “If the case of the ‘rebellious son’ is a law that is not relevant because it cannot be implemented, then why does the Torah discuss all the aspects pertaining to the rebellious son that lead to his death?” The Mishna answers “It is for the purpose of study in depth and to receive reward for its study.”

Rabbeinu Bachya asks, if the purpose of this portion is purely for the sake of being meritorious for its study, then why is this subject matter chosen regarding the mitzvah of studying Torah? One could have studied any portion of the Torah and have been worthy of reward. Rabbeinu Bachya cites Rashbah (Rabbeinu Shlomo Ben Aderes) who explains that there is a special lesson to be learned from this portion. It is a lesson of to what degree one must demonstrate his love for G’d.

The Torah describes a situation in which a mother and father take their son to the Rabbinic Court to be prosecuted and reprimanded for his glutinous and defiant behavior. They do this despite the fact that they understand he will ultimately be put to death because of their initiative. Although their child’s errant behavior could have been dismissed and attributed to immaturity, they chose to heed the directive of the Torah, recognizing the state of his predicament, and bring him to justice. They as parents were able to suppress their natural love for their child because their love for G’d supercedes all. Rashbah explains that the parents initiative regarding the “rebellious” son is the equivalent of Avraham’s demonstration of his love for G’d through the Akeidah (The Binding of Yitzchak).

The Binding of Yitzchak (for the sake of being a burnt offering) was the most difficult of the ten tests that were presented to Avraham our Patriarch. The test was meant to see if Avraham’s love for G’d would surpass his love for his most beloved child Yitzchak who was born to him in his old age. As difficult as it was, Avraham was able to subordinate his love for Yitzchak because of his greater love for G’d. Similarly, the lesson to be learned from the “rebellious son” is that every Jew’s love for G’d must be primary. This is the meaning of the statement in the Mishna “to delve into it to receive reward.”

There is another lesson to be learned from the case of the “rebellious son.” The timeframe for one to be convicted as a “rebellious son” is only from the time when he becomes 13 years old (when he enters into adulthood) until the age of 13 and three months. If the parents do not bring their son before the Court within this timeframe, he can no longer be prosecuted. After the Torah discusses the

case of the “rebellious son” it states, **“If a man shall have committed a sin whose judgment is death, he shall be put to death...and you shall not leave his body overnight on the gallows...”** The Torah juxtaposes the portion of the person who is put to death to the portion of “rebellious son” to teach us that even if the person was not put to death as the “rebellious son” his evil ways would intensify thus causing him to be liable for the death penalty – such as one who commits murder. This intensification of evil is rooted in the concept of *“aveira goreris aveira* - a sin encourages another sin.” When one commits a sin (even a minor infraction), it causes a negative influence to come upon the individual which encourages him to commit further sins. Therefore, as Chazal tell us, one should be as careful to adhere to even the seemingly less severe mitzvos as to the more severe.

2. The Disqualification of the Ammonite and Moabite People

The Torah states, **“An Ammonite or Moabite shall not enter the congregation of G’d, even in their tenth generation....because of the fact that they did not greet you with bread and water on the road when you were leaving Egypt, and because they hired against you Bilaam...”** One who descends from the Ammonite or Moabite nations, even if he should to convert to Judaism he is nevertheless considered to be an illegitimate Jew and cannot marry into the Jewish people.

Ramban points out that although the Ammonites did not offer the Jewish people bread and water, the Moabites did. The Moabites, like Edom, offered their bread and water for a fee. Although Edom did not offer their bread and water gratis, as an act of kindness, they are not disqualified from marrying into the Jewish people if they should convert. If this is so, why are the Moabites classified as illegitimate Jews?

Ramban explains, “Both the Ammonites and Moabites were beneficiaries of the kindness of Avraham our Patriarch. They are the grandchildren of Lot. When Lot, Avraham’s nephew, was taken captive by the Four Mighty Kings, Avraham waged war against them for the sake of his rescue. When Sodom and Gemorah were being destroyed, Lot and his daughters were extricated from that destruction in the merit of Avraham. It is only because of the kindness of Avraham that the Ammonites and Moabites exist. Thus there is a debt of gratitude that is owed to the Jewish people by them. However, not only did they not offer their hospitality as an expression of gratitude, the Moabites commissioned Bilaam to curse

them.” Rather than demonstrating their appreciation/recognizing the good (*hakaras hatov*) and reciprocating, they chose to destroy the Jewish people. According to Ramban, the claim against them is not that they did not do kindness to the Jewish people but rather something more fundamental. They did not have the capacity to appreciate the good that the forefather of the Jewish people had done on their behalf.

The Torah tells us that after Adam had eaten from the Tree of Knowledge, G’d had asked him, **“What have you done?”** He responded, **“It was because of the woman that You gave me...”** Rather than recognizing the value of the wife that G’d had provided to assist him in his mission, Adam chose to blame G’d for creating the setting for him to fail. As a result of this response, Adam was considered to be a *“kafui tova* (ingrate)” – one who not only does not recognize the value of the good that was done on his behalf, but believes that he was wronged/victimized.

The Jewish people complained during their 40th year in the desert that they no longer wanted to be sustained by the Manna, which they referred to as *“lechem ha klokeil* – light bread.” Although the Manna was the physical manifestation of the sustenance that was given to the angels in heaven, the Jewish people did not appreciate its value. They no longer wanted to partake of this spiritual food although it did not require them to do their bodily functions, because it was absorbed into their innards. As a result of their complaint, G’d said to Moshe regarding the Jewish people, “They are ingrates who descend from an ingrate,” – referring to Adam. Because of their inability to recognize the Manna as being in their best interest, but rather as something to their detriment, they are quantified as the descendants of Adam – as the rest of humanity. They shed their unique characteristic of appreciation that they had inherited from their Patriarch Avraham.

Lot had never shared with his children all the good that Avraham, his uncle, had done on his behalf. He was a consummate ingrate. His life, his wealth, and his status were due to Avraham. The Ammonites and Moabites, being the direct descendents of Lot, should have had a sense of gratitude to the Jewish people. However, they did not appreciate that there was any basis for reciprocation for what Avraham had done on their behalf. Their behavior was in conformance with the corrupted characteristic of their forefather Lot.

In contrast, Avraham was exemplary in his capacity to appreciate the value of the good. Lot’s father was Haran, the brother of Avraham he had given his life

for G'd at the Kiln of Kasdim. He was given a choice by Nimrod to either bow to the idol or be thrown into the kiln. He assumed the position that if Avraham would emerge from the fire of the kiln, after being given the same choice, he would follow suit. Because Haran had given his life for G'd, which was considered the ultimate Sanctification of His Name, Avraham had a debt of gratitude to his brother. He therefore assumed full responsibility for his nephew Lot.

Despite, the fact the Avraham's father Terach was evil and had informed on him to be killed, because he had smashed idols of his father's. When Avraham was told to abandon his father and countrymen by G'd it was considered a test. It was only because of Avraham's sense of gratitude to his father, who had brought him into existence which allowed him to have the opportunity to fulfill the purpose of creation. He espousing G'd as being the Omnipotent One, it was therefore considered a test.

Avraham, our Patriarch, personified and inculcated within his own spirituality the characteristic of kindness and *hakaras hatov* (being appreciative). Thus, causing that these characteristics to become part of the fabric of the Jewish people. It is because the Ammonite and Moabite people possess a corrupted character of being ingrates that they are not permitted to marry into the Jewish people.

3. Assuring the Pristine Quality of Kindness

The Torah tells us that one who descends from the Ammonite or Moabite nations, even if he should to convert to Judaism is not permitted to marry into the Jewish people because his status is considered to be illegitimate. The Torah states, **“This is because of the fact that they did not greet you with bread and water on the road when you were leaving Egypt...”** Ramban explains that the failing of the Ammonites and Moabites goes beyond a deficiency in performing acts of kindness (*chesed*). These nations did not recognize the good that had been done on their behalf by Avraham, the Patriarch of the Jewish people. It was only because of Avraham's merit that their grandfather Lot had been spared from the destruction that came upon Sodom and Gemorah. Thus, they owe a debt of gratitude to the Jewish people for their very existence. The claim against them is that they were ingrates because they did not acknowledge this debt of gratitude. Therefore they are forever denied the right to become part of the Jewish people.

The Torah tells us that after the third day of Avraham's circumcision (at the age of 99) which is the

most difficult day of recovery, G'd had taken the sun out of its sheath (thus causing it to be the hottest day in the history of existence) so that Avraham should not be disturbed by wayfarers. When he saw three men approaching from a distance he ran towards them and offered his hospitality. The Midrash tells us that G'd valued every aspect of Avraham's hospitality and rewarded the Jewish people in kind during their 40-year trek in the desert. In the merit of Avraham offering the wayfarers bread, the Jewish people merited the Manna which sustained them in the desert. In the merit of the water that was offered to them, the Jewish people were provided with the wellspring of Miriam, which traveled with them. In the merit of offering the shade of his tree, the Jewish people were protected by the Heavenly Clouds of Glory.

The Midrash states, “How great is the reward for one who does with kindness (*chesed*) to one who does not need kindness...” The wayfarers who had visited Avraham were angels. Since they were not physical beings, they did not need or benefit from Avraham's kindness. Nevertheless, it was because of Avraham's act of *chesed* that the Jewish people merited great reward in the desert. The Midrash continues, “How much greater is the reward for one who does with *chesed* for one who is truly in need of *chesed*. What is the punishment for one who does not do *chesed* for the one who is not in need of *chesed*? Who were those who denied *chesed* to those who were not in need of it? It was the Ammonites and Moabites who did not offer their bread and water to the Jewish people.” The Jewish people were not in need of their bread and water because G'd had provided them with the Manna and the wellspring. If this is so, then why is the punishment for withholding the bread and water so severe?

According to the opinion of Ramban, we can say simply that their failing was not because they withheld hospitality from the Jewish people, but rather it was because of their inaction they are established as ingrates. They needed to offer the Jewish people bread and water as an expression of gratitude, regardless of their need. However, according to the understanding that the failing of the Ammonites and Moabites was their lack of doing *chesed*, how do we appreciate the failing of these two nations?

The Jewish people had been wandering in the desert for 40 years. When the Ammonites and Moabites encountered them, they should have offered them bread and water, not because of their need of sustenance, but rather to acknowledge and value their existence as a people. The bread and water were only a means to

demonstrate this acknowledgement. However the Ammonites and Moabites did not have that sensitivity of chesed. Their understanding and capacity of chesed was limited to the physical need. If one did not have anything to eat or drink, they would be willing to provide. However, to have a sense of another's predicament that goes beyond the physical need, that they did not have. Thus, the Ammonites and Moabites were denied entry to become part of the Jewish people because it would dilute the quality and dimension of the chesed of the Jew.

4. *The Root of Anti-Semitism*

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 event. Malbim, in his commentary on this verse, writes that all the detailed information that is communicated in these few verses give an understanding and appreciation for the evil of the Amalekite people. He explains that usually when a nation goes to war it can be for a number of reasons. It is either for conquest of territory, or for defensive reasons. It can be for the sake of its religious beliefs (holy war). Regarding the Amalekites, none of these reasons apply. As the Torah states, **“They were attacked on the way...”** Meaning, the Jewish people did not have a land of their own. The Torah continues, **“They were fatigued and weary...”** indicating, that the attack was not for defensive reasons. The verse continues, **“And they (Amalek) did not fear G'd.”** The Amalekites were an atheistic nation. Their motive for attack was not for religious reasons. Nevertheless, the Amalekites attacked the Jewish people because they were G'd's people.

G'd states, “My Throne is not complete until Amalek is obliterated from under the heavens.” Because the Amalekite people cannot tolerate G'd's Presence in this existence. Wherever there may be a representation of His, they attempt to eradicate it. Thus, the Jewish nation, being G'd's people, is their enemy. Chinuch explains in his codification of the mitzvos that the commandment of “remembering” what Amalek had done to us when we left Egypt encourages the Jew to destroy this evil.

The Jew must remember Amalek and do whatever he can to obliterate their existence, it is not because he tried to destroy the Jewish people throughout the ages, but rather because Amalek's existence is an affront to G'd Himself. Meaning, that our focus on Amalek is not to settle a personal score, but rather to destroy a

personification of evil. Their mere existence is a desecration of G'd. The Jewish people are only the object of hatred because of their inextricable connection to G'd.

When G'd had commanded Moshe to wage war against the Midianites He said, **“Avenge the vengeance of Israel...”** However when Moshe communicated this commandment to the Jewish people, he said that the reason was to, **“Avenge the vengeance of G'd against the Midianites...”** The Midrash states, “G'd had asked Moshe, ‘When I commanded you to wage war against Midian I had told you that it was to avenge the vengeance of Israel. Why then did you tell the Jewish people it was to avenge My Vengeance?’ Moshe responded to G'd by saying, ‘Before we received the Torah at Sinai, we were not despised and persecuted by the nations of the world. However, after the Sinai event, the world at large detested us only because of what had transpired at Sinai. We were taken to be Your people. The Midianites attempt to destroy the Jewish people was an affront to G'd not to the Jew.’”

The reason Amalek should be obliterated from this existence is for the same reason that we pray that evil should be vanquished from the world. We supplicate in the silent prayer (Amidah), “...may all wickedness perish in an instant; and may all Your enemies be cut down speedily...” We are not beseeching G'd for our own sake, but rather, it is because we want to bring about the glorification of G'd, which is the objective of existence. As the Prophet states regarding Creation, “G'd said, ‘It is for My Glory that I created it.’” This is not an intellectual pursuit. Rather, the Jew must feel and internalize G'd's pain caused by the existence of evil. When the Jewish people mourn the destruction of the Temple, it is not because of their own personal loss but rather it is the pain that G'd feels because He is not with His children. As the Gemara in Tractate Berachos states, “A heavenly voice cries out three times a day, ‘Woe to the Father who has exiled His children from His table. Woe to the children that have been exiled from their Father's table and His Sanctuary that has been burnt and lies in ruins...’”

The objective of the Jewish people is to bring about the glorification of G'd. The Mishna in Ethics of our Fathers states, “Rebbe states, ‘What is the proper path that man should choose for himself?’ Whatever is glorious to himself and earns him the esteem of others.” Meaning, one's perspective in life must be to do whatever he can do to bring about the glorification of G'd.

5. *The Primacy of Torah* (from *Shoftim*)

The Torah states, **“Judges and officers shall you appoint...”** The Midrash explains, “The judges that are appointed must be ‘baalei zeroah’” The Gemara most often uses this term to connote “strong-armed” or physically powerful people. However within the context of judges the term connotes something more positive. As it states in the Midrash, “The judges should be empowered because of their strength in performing good deeds- as Moshe had done. When Moshe initially established the judicial system he appointed ‘men of power’ because of their strength in Torah, good deeds, and vigor. The judges need to be beyond reproach so that no one could question their integrity. As Moshe had stated regarding himself, ‘There is no basis for them (the Jewish people) to have a claim against me, I had not even taken a donkey from them...’”

The Torah tells us that the Jewish people traveled in the desert in a specific formation. The center camp was the Machne (Camp) Shechina (Divine Presence) - the location of the Mishkan (the Temple). The tribe of Levi encircled the Camp of the Shechina (Machne Shechina). In turn, the tribe of Levi was surrounded by four other camps, each comprised of three tribes. The Torah tells us that the tribe of Yehudah was the first of the camps to travel when the Jewish people were commanded to do so. Included in the camp of Yehudah were the tribes of Yisasschar and Zevulun. One would think that the most powerful tribes should have been the ones to lead in the formation in the desert. However the Torah indicates that this was not so. The camp of Yehudah was the first, indicating that the power of the Jewish people emanates from their spirituality and dimension of Torah. The success and victory of the Jew is not determined by his physical might, but rather through Divine Assistance which one merits through his degree of involvement in Torah.

The Midrash tells us that the Roman emperor had said to Rebbe Yehoshua ben Chananya, “The Jewish people are a tenacious/tough flock.” Meaning, that despite the oppressive decrees and persecutions of the Romans, they survive and function as a people. Rebbe Yehoshua’s response to the emperor was, “It is not due to the tenacity of the flock but rather it is due to their tough shepherd, G’d Himself.” We see from the Midrash that the basis for the Jew’s survival and success is determined by G’d Himself. Therefore the first camp to travel in the desert was the camp of Yehudah because the tribes that were included in his camp personified Torah at the most advanced and exalted level.

The Torah tells us that when Yehudah had guaranteed the return of his brother Binyamin to his father

Yaakov, he had taken upon himself a conditional excommunication if he should fail. Meaning, if he did not return with Binyamin from Egypt, Yehudah would forfeit his share in the physical world and the world to come. The Gemara in Tractate Sotah tells us that although Yehudah had succeeded in returning with his brother Binyamin, the excommunication nevertheless took effect. The Gemara in Tractate Makos tells us that if one accepts upon himself a conditional excommunication and he does not have the power to guarantee the outcome, the excommunication is effective. Thus, Yehudah was bound and limited as a result of his self-imposed excommunication. Consequently his remains remained unsettled throughout the 40-year trek of the Jewish people in the desert. It was because his soul was not admitted into the Heavenly Torah Academy.

Before Moshe’s passing, he supplicated G’d to remove the excommunicated status from Yehudah and reinstate him. It required many levels of prayer in order to restore Yehudah to his kingly status in the heavenly yeshiva. Initially, he was admitted but was not able to understand the subject matter that was being discussed. Through Moshe’s additional prayer, that barrier was removed and he was able to engage in the Torah dialogue. However, the authoritative position was not his. Moshe again supplicated G’d to allow Yehudah to be fully reinstated to his full status as king- thus his opinion in Torah would be accepted as the definitive one. We see clearly from Chazal that a king’s leadership and clarity does not emanate from his physical and intellectual ability, but rather from his spiritual dimension of person which allows him to lead and succeed as the king of Israel.

There is a negative Torah commandment that a judge is not permitted to be intimidated by anyone. If this were not so, his judgment would be impaired and thus he would lose his impartiality. The Gemara tells us that Yani, the king of Israel, became a heretic. He had assumed the status of a Sadducee. (Ultimately, he had ordered that all the rabbis should be put to death.) His Canaanite slave had committed murder and was required to appear before the Sanhedrin. The law dictates that when one’s slave is brought before the court to be judged for murder, the owner is seen as the defendant and therefore must be present in the court. Shimon Ben Shetach, the brother in law of Yani was the head of the Sanhedrin. Yani, as the defendant was obligated by the Torah to stand in the presence of the court. Initially Yani, because of his arrogance, did not stand in their presence. Shimon Ben Shetach as the chief justice commanded him to stand saying, “Yani, stand on your feet!” Yani sat and gazed at the judges to his right and to his left but did not stand. They cowered under his gaze. Seeing the judges’ level of

intimidation, Shimon Ben Shetach reproached them severely, resulting in G'd sending an angel to take the lives of the members of the Sanhedrin.

Shimon Ben Shetach was the leading Torah sage of his generation. If the integrity of the Sanhedrin was compromised in any way, a truthful judgment would not emanate from that court. Therefore, they deserved to die. The clarity of a judge only emanates from his attachment to unadulterated truth. As the Gemara in Tractate Taanis states regarding what is considered a true Torah sage, "Any Torah sage who is not as hard as iron is not considered to be a Torah sage." Meaning, just as iron is unbending, identically the Torah sage must adhere to his values and principles without compromise.

YAD AVRAHAM DAILY CLASS SCHEDULE

Monday Through Friday

5:50- 6:00 am	Chumash with Rashi
6:00- 6:15 am	Pirkei Avos (Maharal)
6:15- 6:30 am	Mishna Berurah
6:30 -6:45 am	Mussar – Path of the Just
6:45 -7:25 am	Talmud—Tractate Chulin –Gid Hanasheh
7:25 - 8:20 am	Davening Followed by Breakfast
8:20 - 8:45 am	Mishna - Rabbi Rovner
9:00 -10:00 am	Daf Yomi- Bava Kamah
2:00pm	Mincha

Special Weekday Classes

Monday

11:30 – 12:30pm	Talmud: Megilah Location: Sunrise Capital 641 Lexington (25 th FL.) Enter on 54 th Street
1:00-2:00 pm	Ramchal: Derech Hashem Location: Cedarview Capital 1Penn Plaza (45 th FL.)

Tuesday

12:10 - 1:10pm	Torah Insight Based on the Parsha Location: Yad Avraham
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Wednesday

11:30 – 12:30 pm	Talmud: Megilah Location: Sunrise Capital 641 Lexington (25 th FL.) Enter on 54 th Street
1:00—2:00 pm	Daas Tevunos Location: Yad Avraham

Thursday

11:00 –12:00pm	Duties of The Heart Location: Yad Avraham
12:30 – 1:30 pm	Talmud: Megilah Sunrise Capital 641 Lexington (25 th FL)