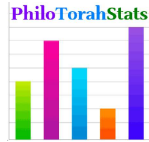


KI TEITZEI

49th of the 54 sedras;
6th of 11 in D'varim



Written on 212.8 lines; ranks 21st

44 Parshiyot; 2 open, 42 closed;
The most of any sedra

110 p'sukim; ranks 28th (5th in D'va)

1582 words; ranks 23rd (5th in D'va)

5856 letters; ranks 26th (6th in D'va)

Slightly larger than average p'sukim;
below average for D'varim. Overall, an
average-sized sedra.

But Mitzva-wise...

MITZVOT

74 of Taryag - 27 ASEI, 47 LO TAASEI

Ki Teitzei has the most mitzvot (12.1% of the Torah's 613), most positive mitzvot (10.9%), most prohibitions (12.9%), and most parshiyot of any sedra.

17 of the Torah's 54 sedras do not have any mitzvot of the Sefer HaChinuch's count; 5 sedras have one mitzva each. 3 have two each. 3 have three each. That's 28 sedras (more than half) have a total of 20 mitzvot (3¼%).

Aliya-by-Aliya Sedra Summary

[P>] and [S>] indicate start of a parsha p'tucha or s'tuma. X:Y is Perek:Pasuk

of the beginning of the parsha; (Z) is the number of p'sukim in the parsha.

Numbers in [square brackets] are the Mitzva-count of Sefer HaChinuch AND Rambam's Sefer HaMitzvot. A=ASEI; L=LAV (prohibition). X:Y is the perek & pasuk from which the mitzva comes.

Kohen - First Aliya - 12 p'sukim - 21:10-21

[S>21:10 (5)] The "beautiful captive": A Jewish soldier must resist the "normal" temptations of battle, but is permitted to take a captive woman - only according to the approved Torah procedures [532, A221 21:11].

Looking at this mitzva from both ends, we first see it as a "concession to the base inclinations of a man", in the heat of battle. On the other hand, it demands more of the Jew than is common of soldiers all over the world (obviously, not all soldiers), who are notorious for immoral behavior.

If he decides after the one-month waiting period not to marry her, he must release her without abusing, humiliating, or selling her [533, 534; L263, L264 21:14]. A Jew's marriage to a Y'FAT TO'AR is also conditional on her conversion to Judaism. If she does not want to convert, he must release her. If she does convert and they want to marry, then it is a full, regular Jewish marriage, with K'dushin & Ketuba...

Anecdote illustrating the higher moral standards of Israel's soldiers. Years ago, during the Lebanon war, my brother and a couple of fellows of his unit, went into a mini-market in Lebanon to buy some food items. (Surprisingly, they found Peter Pan Peanut Butter with an OK hashgacha - something one could not find in Israel. But I digress.) They took their purchases to the counter, only to find it unattended. Then they looked over the counter and found the store-keeper cowering on the floor. When he realized he was 'discovered', he begged them to take anything they wanted - but don't hurt me. Imagine his shock when these IDF soldiers told him, in a calming voice, that they only wanted to pay for the items. KIDDUSH HASHEM. Not a story about a Y'FAT TO'AR, but it illustrates how the Jewish Army, the Israeli Army, is supposed to behave.

[S>21:15 (3)] A man may not favor the son of his beloved wife over his firstborn from a "less-loved" wife. (The juxtaposition of these two topics implies that marrying for the wrong motive is likely to lead to a "hated wife".)

This passage is the source of the firstborn's inheritance. Ramban counts two mitzvot here - the positive command to give the firstborn a double portion and the prohibition of not giving it to him.

Rambam and the Chinuch include the rules of the firstborn as part of the laws of inheritance from Parshat Pinchas and not separately here. This is just one of many examples of different countings among the Sages who attempted to identify the traditional count of TARYAG, 613 mitzvot.

SDT: The Vilna Gaon sees a REMEZ to the double portion of the B'chor in the letters of the word B'CHOR: BET-KAF-REISH. Each letter is double the letter before it - BET (2) is double ALEF (1), KAF (20) is double YUD (10), REISH (200) is double KUF (100). (No other letters of the ALEF-BET are double their predecessors.)

If you have the right math-minded child or adult, you can challenge them to find all the letters of the ALEF-BET that are double their immediate predecessor. Rather than telling them. Then you can tie it to the sedra.

[S>21:18 (4)] The "rebellious son" is warned by his parents to mend his ways. If he continues to defy them, violates certain mitzvot, engages in a specific sequence of actions, and if he is of a specific age and at a particular stage of physical development, and his parents are healthy, normal, and deemed to be on equal levels of character, THEN, AND ONLY THEN, would it be possible to execute him as a BEN SORER U'MOREH. Although it is (almost) impossible to reach that ultimate point - and sources indicate

that there never actually was a case of "the rebellious son" - this parsha serves as a stern warning to wayward children - AND their parents! Some mitzvot seem to be intended primarily as deterrent and Mussar.

Just as one example of the improbability of there actually being a BEN SORER UMOREH: the boy in question would have to be between 13 and 13¼ years old and would have to be at the beginning stage of puberty. If that three month window of time does not coincide with the onset of puberty, he cannot be an "official" rebellious son. There are so many other technical conditions - he has to steal money from his parents, buy meat, eat it raw; the parents have to be of (near) equal character with neither dominating the other... - that must be met that it seems obvious that we were not expected to actually execute a rebellious child as a BEN SORER UMOREH...

Levi - Second Aliya - 9 p'sukim - 21:22-22:7

[S>21:22 (2)] Those executed by stoning were hung after death [535, A230 21:22] for a brief period of time before sunset. They were then buried [536, L66 21:23] (with the hanging post) to avoid extra embarrassment to the Divine image in which we were all created.

The hanging of the body after execu-

tion (which is done in some cases, not all) serves as a deterrent for others and is part of the atonement process for the soul of the guilty party.

A MINI-LESSON IN ENGLISH

The past tense of 'hang' is 'hung' - if that which is hung is inanimate. If a person was executed by hanging, then the past tense of hang is hanged. The cattle thief was hanged for his crimes. The picture was hung on the wall. And in this case, the dead body was hung on a post shortly before sunset...

Using KAL VACHOMER (if this is the respect shown the body of an executed felon, how much more so...), we are taught that burial, in general, and "as soon as is feasible", in particular, is the proper procedure for the dead [537, A231 21:23].

Important to note that the mitzva and requirement of burial of the dead is a d'Oraita (Torah Law), even though it is not specified in the Written Word.

[S>22:1 (3)] One is required to return identifiable lost objects to their rightful owners [538, A204 22:1], even if doing so is difficult. One cannot ignore this responsibility [539, L269 22:3] even if it is easier to just leave the object alone.

Technically, the laws of LOST & FOUND apply to possessions of fellow Jews. However, with the potential for Kiddush HaShem and its

opposite, depending upon what one does, it is important to go out of one's way to return a lost item to a non-Jew as well (and maybe even more so, in some cases!). This too is part of halacha, not just nice to do.

[S>22:4 (1)] Nor may one ignore a fellow's beast of burden that has collapsed under its load [540, L270 22:4]. One is required to help his fellow load his animals [541, A203 22:4].

Sefer HaChinuch points out that this mitzva-pair applies to other animals, not just donkey, and it applies to people as well, by reasoning a KAL VACHOMER. If you see a fellow human over-loaded with what he or she is carrying (or trying to carry), it is a Torah mitzva to help out. Furthermore, if you are approached by friend or neighbor who offers to help you carry some of your packages, you should consider letting him/her, rather than the typical, "It's okay, I got it." It allows your burden to be eased while the other person fulfills a Torah mitzva. Everyone benefits.

[S>22:5 (5)] Men and women may not interchange apparel [542, 543; L39,40 22:5] nor do certain things that are specific to the opposite sex.

R' Yonatan b. Uziel in his Aramaic translation/commentary on Torah, "defines" the prohibition of a woman wearing a man's garb, as the mitzvot

of Tallit and T'filin. Not everyone agrees, but it's something to think about; it might explain (partially) why women traditionally have not voluntarily done these mitzvot, even though there are many other mitzvot that are not obligatory on women which they have taken upon themselves.

[P>22:6 (2)] When one happens upon a (kosher) bird's nest (in the wild), it is forbidden to take the mother bird alone or with her eggs or chicks [544, L306 22:6], but one may (must? - this is the subject of a dispute with a decidedly kabbalistic flavor on the side that suggests it is an imperative rather than the assumed "if you want the eggs...") take the eggs/chicks if one first sends the mother bird away [545, A148 22:7]. This is an enigmatic mitzva that defies logic. It is shrouded in mysticism, more so than most other mitzvot.

Although our Sages attribute kindness to animals as a reason for some mitzvot - e.g. not muzzling an animal that is working with food, helping to unload a beast of burden, not plowing with an ox and a donkey together - they (our Sages) were more cautious with Shilu'ach HaKen. It can be argued that it is far kinder to leave a nest alone than to chase away the mother bird. And if kindness were the issue, why does the mitzva not apply to a non-kosher bird? Or to a male bird who is tending the nest? This

mitzva is more CHOK-like than other mitzvot involving animals.

Shlishi - Third Aliya - 29 p'sukim - 22:8-23:7

[S>22:8 (2)] One is required to build a protective fence around one's (habitable) roof [546, A184 22:8]. It is forbidden to leave safety hazards on one's property [547, L298 22:8].

Oral law defines these mitzvot as more inclusive than just one's roof. Rabbinic law, "taking the Torah's lead", extends "safety & health" rules further into many areas. Rambam says that a person may not tell others: "Don't tell me what to do; if I want to risk my health or life, it's my business." Saying this can make a person liable to the punishment of MAKAT MARDUT (under conditions when that punishment was meted out). All Israel are responsible for each other.

One may not plant mixed grains in a vineyard [548, L216 22:9], nor may one eat the resulting products [549, L193 22:9].

"Strangely", these two mitzvot - MAAKEH and Mixed Grain - share a single parsha. What connects them to each other more than other neighboring mitzvot? (Keep in mind that Ki Teitzei has the most parshiyot of any sedra. Many mitzvot are in their own parsha, so when two

different kinds of mitzvot share a parsha, we have a question to ask. And for which, I don't have an answer - yet.)

[S>22:10 (2)] Plowing with ox and donkey together is forbidden, as is the tying together of any non-compatible animals (or humans) for any purpose [550, L218 22:10].

Rambam holds that the Torah prohibits any combination of a kosher and non-kosher animal, based on the fact that the Torah's example is one of each. Rambam says that combinations of two kosher or two non-kosher animals is forbidden by Rabbinic law. Many authorities challenge Rambam's distinction and say that it is all Torah law.

Furthermore, whereas most commentaries attribute this mitzva to the avoiding of TZAAR BAALEI CHAYIM, the Rambam considers it a partner mitzva (my term) to the prohibition of cross-breeding animals.

Do not wear Shaatnez, wool and linen together [551, L42 22:11].

[S>22:12 (1)] ...put tzitzit on all four-cornered garments that you wear [counted back in Sh'lach].

[S>22:13 (7)] It is a mitzva to marry according to Jewish Law and for the husband to write a K'TUBA for his wife with various promises and assurances [552, A213 22:13].

The juxtaposition of tzitzit to marriage seems to be the source of the minhag of many Ashkenazi Jews of starting to wear a Talit when one marries (even though the Talit Katan is worn from early childhood). Other communities disagree with waiting until marriage to wear Talit Gadol and consider the obligation to take effect at Bar Mitzva.

If a man had falsely accused his (betrothed) wife of infidelity, he may not divorce her (unless she so desires) [553, 554; A219, L359 22:19]. Penalties are also paid to the girl's family for the insult.

[S>22:20 (2)] If the betrothed maiden did, in fact, willfully, intentionally have relations with another man, and there are kosher witnesses and proper warning, and all the other rules of evidence, then she is an adulteress and can be executed (by stoning).

[S>22:22 (1)] If a man and a married woman have relations (knowing full-well the married status of the woman), and neither was forced, then they are both subject to the death penalty for adultery. **[This prohibition counted from Commandment #7 in Parshat Yitro, and is repeated in Va'etchanan.]**

[S>22:23 (2)] The same applies if the woman is "just" betrothed (this is more than what we call engagement, in our time). The specific incident of stoning is generalized to the mitzva upon the

court to carry out the punishment of "stoning" whenever required [555, A220 22:24].

[S>22:25 (3)] Both consenting parties to a forbidden relationship are culpable. However, if it is possible to consider the woman an unwilling participant, then she must not be punished. We must not punish anyone who might not be responsible for their actions [556, L294 22:26]. This is the source of giving people the benefit of the doubt. This does not mean that the person always deserves the benefit of the doubt. Maybe they actually sinned. The answer - it will have to be left to G-d to punish them; we are obligated to explain the situation as in this example - "certainly the girl screamed but there was no one to save her."

[S>22:28 (2)] A man who forces himself on an unmarried maiden must pay a fine to her father. If the girl wants to be married to the man, he must marry her and never initiate divorce (she, of course, may insist that she wants nothing to do with him and then the court will force him to divorce her, had they married) [557, 558; A218, L358 22:29].

[S>23:1 (1)] A man may not marry his father's former wife (even after his father's death).

[S>23:2 (1)] Castrated men (not all - it depends on how their situation happened) have marriage restrictions [559, L360 23:2].

[S>23:3 (1)] A "mamzer" has marriage restrictions [560, L354 23:3]. A mamzer is the offspring of a union that is prohibited by the Torah, with a death penalty. This includes incestuous and adulterous relationships. He may, however, marry a mamzeret or a female convert to Judaism. And vice versa for a mamzeret.

[S>23:4 (4)] Amonite and Moabite males may not marry into the "Congregation of G-d" [561, L53 23:4], because of the cruel, inhospitable behavior of those two nations towards Israel. And also because they hired Bil'am to "bless" us. Nor may we ever offer those two nations peace as an alternative to war, as is required of all our other enemies [562, L56 23:7].

The Torah is giving a reason for a mitzva, something that it rarely does. We are to do mitzvot because they are G-d's commands. In this case, it is precisely the reason given for this mitzva that allowed our Sages to declare Ruth the Moavite able to marry into the Nation. It was the Moavite men who displayed that unforgivable behavior, not women, who did not "go out" and confront B'nei Yisrael.

R'VI' - Fourth Aliya 17 p'sukim - 23:8-24

[S>23:8 (2)] OTOH, converts from Edom and Egypt are not to be discriminated against, but can fully

integrate only from the third generation on [563, 564 L54, 55 23:8].

[S>23:10 (6)] A military camp must be kept spiritually and physically clean. Sanitary facilities must be provided outside the camp and soldiers must be equipped with appropriate tools for maintaining proper sanitation [566, 567; A192, A193 23:13,14].

An offshoot of this mitzva: entry to Har HaBayit (referring to the area where the Beit HaMikdash and its courtyard DID NOT stand) by people with certain types of ritual impurity is forbidden [565, L78 23:11]. (The area where the Mikdash was - or might have been - is off-limits to all t'mei'im.)

Conceptually, we must realize that G-d's presence among us is affected by our physical and moral behavior. Thus, these mitzvot have ramifications to Jewish society as a whole, and not merely in a military setting.

[S>23:16 (2)] A slave who runs from his master to us for protection, may not be returned. Nor may we abuse a slave who seeks haven in Eretz Yisrael [568, 569; L254, L255 23:16,17].

[S>23:18 (2)] Prostitution is forbidden [570, L355 23:18] and its revenues may not be used for sacred matters [571, L100 23:19]. (Some sources consider the prohibition sex between unmarried people as part of mitzva #570.)

[S>23:20 (2)] Although interest on

personal loans may not be taken from a Jew, it is correct to lend to non-Jews with interest [572, 573; L236, A198 23:20,21].

Society in general accepts the reasonableness of moderate interest on loans. Since a non-Jew can charge a Jew interest, the Torah gives us permission to take interest from them. Usury, loan sharking, is universally recognized as a wrong-doing; but the ban against any interest at all is particular to us - it is as if G-d is commanding us to go out of our way to help the less fortunate in our midst.

[S>23:22 (3)] Pledges to the Mikdash must be fulfilled within the cycle of the three festivals [574, L155 23:22].

It is advisable to refrain from making promises, but once made, a person must keep them [575, A94 23:24]. (Hatarat N'darim provides an "out" for certain ill-advised promises, within limits. Consult a Rav for specific cases.)

Chamishi - 5th Aliya - 6 p'sukim - 23:25-24:4

[S>23:25 (1)] Workers are entitled to eat of the food (that which is connected to the ground) they are working with [576, A201 23:25], but may not take any home without permission [577, L268 23:25].

[S>23:26 (1)] Workers mustn't eat while they are working [578, L267

23:26]. In other words, their right to eat [576] is restricted to their breaks.

We see a beautiful balance in the area of Torah Law as it relates to boss-worker relations. On the one hand, the worker is allowed to eat from that which he picks. On the other hand, he cannot do this while he is actually working, as this would reduce his efficiency, thereby short-changing his boss. On the other hand, the boss must provide breaks during the day, when the worker is allowed to eat. On the other hand, the worker may not take any of the fruits home with him, without permission. Talmudic law adds to this list for both sides. For example, it advises a worker not to overdo the eating, although it is permitted, lest the word get out and people will stop hiring him. Boss may not take advantage of worker, and worker may not take advantage of their boss.

[S>24:1 (4)] If a married couple wants to end their marriage, it must be done with a proper GET (divorce document, not the taxi company) [579, A222 24:1]. If a divorcee has remarried, and is subsequently widowed or divorced, she cannot remarry her first husband [580, L356 24:4].

Shishi - Sixth Aliya 9 p'sukim - 24:5-13

[S>24:5 (2)] A man is exempt from military service during the first year of

his marriage [581, L311 24:5], during which time he is to see to it that his wife is happy [582, A214 24:5].

This applies to Milchemet R'shut, optional wars. For Milchemet Mitzva - obligatory wars - there are no exemptions.

On another note - a husband gets a military exemption for a year, but the "seeing to it that his wife is happy" is an untimed obligation (i.e. forever, and that is hopefully a great pleasure, as well).

One may not take a vessel used for preparing food as a security against a loan [583, L242 24:6]. We must be sensitive to the needs of the borrower.

[S>24:7 (1)] Kidnapping and selling the victim is a capital offense. Kidnapping is already counted as a prohibition from Commandment #8, LO TIGNOV (i.e. stealing a person) in Yitro. That was the "warning"; this is the notice of "punishment". Both are needed.

[S>24:8 (2)] We must not remove signs of Tzora'at [584, L308 24:8]. Always remember what happened to Miriam. **[Some mitzva-counters count this ZACHOR among the 613, neither Rambam nor the Chinuch do.]** What happened to Miriam is that she was punished for speaking ill of her brother Moshe and she was afflicted with Tzoraat; hence, the connection between these two p'sukim that share this parsha.

[S>24:10 (4)] We must not be overly forceful in the taking of a security from a poor person who has borrowed from us [585, L239 24:10]. We must not withhold that which has already been taken from him; if he needs it, we must return it to him [586, 587; L240, A199 24:12,13]. Another positive-prohibition pair of mitzvot.

Along the lines above, G-d is expecting (commanding) us to go way beyond the norm (of the rest of the world) in our treatment of borrowers (basically, this involves personal loans to fellow Jews - not business investments, including loans that are set up like a business deal - with a heter iska.)

Let's say you lend someone money and he gives you his winter coat as a security for the loan. Repayment was due at the end of the summer, but the person was not able at that time to repay the loan. Then the winter is upon us and he still hasn't repaid the loan. You have to give him his coat back so that he won't be cold in the winter. Logical? No, not really. You lent him money. You took something in security of the loan. He hasn't given you the money yet. You shouldn't have to give him the coat back. That's the standard of regular human behavior. The nicer people among the nations of the world might also give back a needed object. But that would be their personal decision. We, the Jewish People, are required -

commanded - to give it back.
ASHRECHA YISRAEL.

Sh'VII - Seventh Aliya - 28 p'sukim - 24:14-25:19

[S>24:14 (2)] We may not take unfair advantage of our less-fortunate workers. A day-laborer must be paid on time [588, A200 24:15]. The partner-prohibition of delaying his wages is counted in Parshat K'doshim.

[S>24:16 (1)] Close relatives may not testify against (or for) one another in criminal cases [589, L287 24:16]. There is also the implication here that a person will not be punished for deeds of his parents or children. This is an example (one of many) of a pasuk teaching us two or more quite different things.

[S>24:17 (2)] One must not pervert justice even on behalf of an orphan [590, L280 24:17]. Securities for a loan must not be taken from a widow [591, L241 24:17]. Our experience in Egypt is to be remembered as the motive for many of these "sensitizing" mitzvot.

[S>24:19 (1)] That which is forgotten in the fields after harvesting must be left for the poor; one should not return for it himself [592, 593; A122, L214 24:19].

[S>24:20 (3)] The previous parsha set down the rules of SHICH'CHA; this parsha adds rules for proper kind behavior when picking olives and grapes. Again we are reminded of our

Egyptian experience. Even though Egypt was unspeakably cruel to us, our experience there is supposed to sensitize us to those who are strangers among us.

[S>25:1 (4)] The punishment of makot (whipping) is to be administered by the courts to those found guilty of sins punishable thusly, but care must be taken not to exceed the required number of lashes [594, 595; A224, L300 25:2,3].

The prohibition of not exceeding the approved number of lashes, also includes the more general prohibition of striking a fellow Jew.

Do not muzzle an animal when it is working with food [596, L219 25:4].

[S>25:5 (6)] The widow of a man without offspring is forbidden to marry anyone else [597, L357 25:5] until... She either "marries" her brother-in-law (Yibum) [598, A216 25:5] or the relationship is severed by chalitza [599, A217 25:9], in which case she may marry anyone else (except for a kohen).

The Torah speaks of a man dying without having a BEN. Does that mean "son" or "child"? In this case, the word BEN includes any offspring. If a man has no sons, only a daughter, and he dies, his widow is free to marry anyone except a Kohein Gadol. And she may never marry her late husband's brother. If the man had no

offspring, his widow must* marry his brother (*or receive Chalitza from him). Total opposites, depending upon exactly what BEN means. How do we know? TORAH SHE'B'AL PEH, the Oral Law. We cannot understand Torah without it. The word BEN, and many other words in the Torah, can be defined in an exclusive manner or an inclusive one. We don't get to choose - that's what the Oral Law does for us.

If the deceased husband had no brothers, there is no YIBUM or CHALITZA.

In our time, there is a Rabbinic ban on YIBUM and so CHALITZA is required - no choice. Which also means that it is not considered a criticism of the brother who refuses to perpetuate his brother's name in Israel. It is just the required procedure to sever the halachic connection between the widow and the deceased's brother.

[S>25:11 (2)] If person "A" is pursuing "B" to kill him, we must save B's life even if it means killing "A" [600, A247 25:12]. Do not show mercy to the pursuer, "A" [601, L293 25:12]. If it is possible to stop "A" without killing him, we must do so - to kill him would be murder - even though he forfeits his life, so to speak - because he is a RODEIF.

[S>25:13 (4)] Mere possession of false dry or liquid measures or weights is forbidden [602, L272 25:13]. Honest

weights and measures is one of the pillars of society; G-d despises those who cheat in business.

[P>25:17 (3)] The final portion of the sedra is ZACHOR. We are commanded to remember what Amalek did to us on our way out of Egypt [603, A189 25:17]. The Jewish People as a whole are commanded to destroy the remnant of Amalek from this world [604, A188 25:18]. We (each Jew) must never forget what Amalek did [605, L59 25:19].

Technically, these mitzvot apply to the specific Amalek nation. The idea of remembering and never forgetting, however, must be extended to the Amalek-types that have plagued us throughout Jewish history AD HAYOM HAZEH - until this very day.

Haftara - 10 p'sukim - Yeshayahu 54:1-10

Yeshayahu draws a comparison between the covenant that G-d made with all mankind via No'ach and the promises to the People of Israel concerning their future. Just as G-d promised never to flood the whole Earth again, so too does He promise not to rebuke and punish Israel (in the future).

FYI: The haftara of Ki Teitzei is the first half of the haftara of Parshat No'ach; the haftara of R'ei is No'ach's second half. When R"Ch Elul is Shabbat Parshat R'ei not this year), we read the Shabbat-R"Ch haftara for R'ei and then for Ki Teitzei, the full No'ach haftara is read.