**S.A.L.T. – PARASHAT KI-TEITZEI**

**By Rav David Silverberg**

Motzaei Shabbat

The Torah in Parashat Ki-Teitzei (25:5-10) establishes the laws of *yibum* and *chalitza*, which apply in the case of a married man who dies without children. In such a case, the deceased’s brother must marry the widow (*yibum*), so that they can produce a child who will carry the name of the deceased. If they do not marry, then they instead perform the *chalitza* ceremony described here by the Torah (which is, of course, what is done today). The widow is allowed to marry somebody else only after performing this special ceremony.

The Mishna in Masekhet Sanhedrin (18a) teaches that if a king’s brother dies without children, he performs neither *yibum* nor *chalitza*. Due to the king’s special stature of royalty, it would be demeaning for him to marry his brother’s widow or to perform *chalitza*, which involves the widow expectorating in front of him. Additionally, the Mishna states, if the king dies, his wife neither marries the king’s brother nor performs *chalitza*. The Mishna later teaches that the widow in fact may not marry anyone, as it is considered disrespectful to the king for a person to marry a woman who was once married to him. Rashi (19b) writes that this is the reason why the king’s widow does not perform *chalitza* – because she in any event is not allowed to marry anyone else.

The *Or Gadol* commentary to the Mishna notes that Rashi’s comments appear to yield an important halakhic conclusion – that *chalitza* is required only for the purpose of permitting the widow to remarry, and does not constitute an independent halakhic obligation. One might have assumed that the Torah commands a widow who does not marry her brother-in-law to perform *chalitza* as a separate requirement, irrespective of her plans to remarry. From Rashi, however, it appears that *chalitza* is necessary only to break the levirate bond that exists between her and her brother-in-law so she may then marry somebody else. If she does not wish to marry somebody else, or – as in the case of a king’s widow – she is not permitted to marry somebody else, then she bears no obligation to perform *chalitza*.

This is, indeed, the view taken by several halakhic authorities, including the *Chakham Tzevi* (1), the *Beit Shemuel* commentary to the *Even Ha-ezer* section of the *Shulchan Arukh* (164:9), and the *Chatam Sofer* (E.H. 2:85). However, these and other sources cite a passage from the *Zohar* indicating that there is some inherent spiritual significance to the *chalitza* ceremony, as it benefits the soul of the deceased. Therefore, even if the widow does not wish to remarry, it is proper to perform *chalitza*, albeit for strictly Kabbalistic, as opposed to halakhic, reasons.

Other *Acharonim* refute the proof from Rashi’s comment. The Rashash, in his commentary to the Gemara, insists that *chalitza* must be performed even if the widow does not wish to remarry, arguing that the case of a king’s widow is unique in that she does not have the ability to remarry. According to the Rashash, if a woman is able to remarry, then she must perform *chalitza* even if she has no plans or desire to remarry.

The *Tiferet Yisrael* commentary to the Mishna explains Rashi’s comments to mean that *chalitza* is not performed in the case of a king’s widow as a way to ensure that she does not remarry. The prohibition against marrying a king’s widow is reinforced by retaining the levirate bond, and this is why *chalitza* is not performed in such a case. Generally, however, according to this understanding, *chalitza* must be performed regardless of the widow’s future plans.

(Taken from Rav Asher Anshel Schwartz’s [*Ma’adanei Asher*, Parashat Ki-Teitzei, 5779](http://beinenu.com/sites/default/files/alonim/32_49_79.pdf))

Sunday

The Torah in Parashat Ki-Teitzei (22:8) introduces the *mitzva* of *ma’akeh*, which requires erecting a fence around the flat roof of one’s home: “When you build a new home, you shall make a fence for your roof, so as not to place bloodguilt upon your home when somebody falls from it.” One is required to erect a parapet around the roof for safety, to protect against the risk of falling.

Rav Chaim Mordekhai Rosenbaum of Nadvorna, in *Devar Chaim*, suggests that this command might also teach us about a different kind of danger against which we are to protect ourselves by erecting a “fence,” in the sense of setting responsible limits. The process of building a home represents more than simply erecting a structure. It involves the broader enterprise of establishing one’s material base, arranging his physical needs. The home, where one enjoys shelter, collects and stores his belongings, and eats, signifies the totality of one’s material existence. The *Devar Chaim* thus suggests that the command of *ma’akeh* urges us to make a “fence,” to set limits, on our expenditures in the process of building a home, in obtaining material comforts. Just as a home, which is meant to provide us with safety and security, could pose danger without a physical barrier around the rooftop, likewise, the process of securing material comforts could pose the risk of financial ruin without a “fence,” without appropriate limits. In our quest for luxury and enjoyment, we might end up causing ourselves financial hardship through reckless spending. The *mitzva* of *ma’akeh* thus warns us to erect a “fence” around our “home,” to exercise fiscal discipline so that our “home,” our material lives, will be a source of blessing, and will not cause us to “fall” into financial ruin.

Monday

Towards the end of Parashat Ki-Teitzei, the Torah issues the prohibition against the use of inaccurate weights and measures, concluding, “for it is an abomination to the Lord your God, anyone who does these, anyone who perpetrates evil” (25:16).

A number of commentators raised the question as to the meaning of these two different expressions – “*kol osei eileh*” (“anyone who does these”) and “*kol oseh avel*” (“anyone who perpetrates evil”). To what do these two phrases refer?

Ibn Ezra suggests, very simply, that the Torah here emphasizes that not only are dishonest weights and measures “an abomination to the Lord your God,” but so are all forms of trickery and deceit. Whether one swindles his fellow verbally or with action, openly or clandestinely, such conduct is “abominable,” and so the Torah states that “anyone who does these” – uses inaccurate weights and measures – is an abomination, but so is “anyone who perpetrates evil” of any kind.

*Ketav Sofer* offers a bold, novel interpretation of this verse. He suggests that when the Torah here speaks of “*kol oseh eileh*” as being “an abomination to the Lord your God,” it refers to those who perpetrate these kinds of evils and then perform *mitzvot*. If somebody earns money through dishonest practices, then the *mitzvot* he performs with these assets are rejected by God, and deemed abominable. And thus the Torah concludes, “for it is an abomination to the Lord your God, anyone who does these, anyone who perpetrates evil” – even if someone does “these,” the *mitzvot* presented here in the Torah, he is nevertheless considered an “abomination” if these *mitzvot* are facilitated through “evil,” through corrupt, dishonest means. Unlike other transgressions, deceiving people is not just forbidden on its own right, but also undermines the validity of the good deeds one performs. Not only are such acts themselves “abominable,” but so are the otherwise admirable and valuable acts which result from them.

Tuesday

The Torah in Parashat Ki-Teitzei (21:15-17) addresses the case of a man who fathers two children from two different wives, and the older son was born by the less beloved wife. In such a case, the Torah commands, the man “may not give precedence to the son of the loved wife at the expense of the son of the hated wife” with regard to dividing the inheritance. The older son, even if born to the “despised” wife, must be granted a double portion, following what the Torah calls here “*mishpat ha-bekhora*” – the law of the birthright, which assigns a double portion of the estate to the firstborn.

Rav Mordechai of Chernobyl writes that this law may also be instructive regarding the two “spouses” that each and every person has throughout his life – his positive instincts, and his negative instincts. Just as one produces children with his or her spouse, so do we “produce” results with both conflicting inclinations – our inclination to goodness, and our inclination to sin. When we connect and bond with our positive inclination, we produce good deeds, whereas when we choose to connect to our negative inclination, we produce sin and misconduct. The Maggid of Chernobyl writes that our *yetzer ha-ra* (negative inclination) is our “beloved wife,” while our *yetzer ha-tov* (positive inclination) is our “despised wife.” Sin and vice are, generally, more attractive, appealing and alluring, and thus normally draw more of our “love” and attention. Good deeds, however, often fail to draw our interest and excitement the way sinful activities do, and are thus akin to the “despised” wife. Just as the Torah warns against assigning firstborn status to the younger son, the son of the beloved wife, similarly, we must ensure not to afford primacy to our “beloved wife,” to our evil inclination. Although the *yetzer ha-ra* seems more appealing, we must look beyond appearances and recognize the importance and value of *mitzvot*, resisting the instinct to direct our primary focus towards the *yetzer ha-ra*.

As human beings, we will always be “married” to both natural inclinations. We will always be conflicted, and we will end up producing “children” from both, performing many good deeds alongside occasional mistakes and failures. The Maggid of Chernobyl teaches us that while it might be impractical to expect ourselves to “divorce” the “beloved wife,” our negative tendencies, we must, at very least, make it clear to ourselves which element of our beings is the primary element, the one by which we seek to be identified. Rather than strive for perfection, we must strive to achieve “*et ha-bekhor ben ha-senua yakir*” – to recognize our *yetzer ha-tov* as the more important and principal “wife,” the dominant component of our beings which we wish to follow at all times.

Wednesday

The series of commands presented in Parashat Ki-Teitzei includes a number of *mitzvot* relevant to agricultural produce, specifically, certain portions that are to be left for the needy. One such command is that when one harvests his olive tree, “*lo tefaer acharekha*” (24:20). The verb “*tefa’er*,” as a number of commentators note, likely relates to the term “*porot*” which appears in Sefer Yechezkel (17:6) in reference to the thick branches of a tree. Rav Saadya Gaon thus explains the command “*lo tefaer acharekha*” to mean that after one harvests his olives, he may not search through the branches to ensure that all olives have been taken. Instead, he must leave the remaining olives for the poor. This explanation is given also by Ibn Ezra.

The Gemara, however, in Masekhet Chulin (131b), as Rashi cites, associates the command “*lo tefaer*” with the word “*pe’er*,” or “*tiferet*,” which means “splendor” or “glory.” According to the Gemara, the Torah here commands the farmer not to remove the “glory” of the tree, establishing that the law of *pei’a*, which requires leaving aside a corner of one’s field for the poor, applies also a tree, and thus a portion of a tree’s fruit must be left for the poor. Rav Shimshon Raphael Hirsch explains that the *pei’a* is called the “*tiferet*” of the tree because it is usually the uppermost portion, the one situated on the top of the tree, sitting like a “crown.” The Torah in this verse speaks of a person who “strikes” his olive tree (“*ki* ***tachbot*** *zeitekha*”), which, as Rav Hirsch writes, refers to the practice of harvesting olive trees by knocking the olives off with a stick. When harvesting in this fashion, without climbing the tree, the final portion to be harvested is naturally the highest area. The Torah therefore commands leaving the “crown” of the tree, the uppermost section, which is normally last to be harvested, for the poor.

Rav Menachem Bentzion Sacks, in his *Menachem Tziyon*, offers a different explanation for why the word “*tiferet*” is used in reference to the portion left for the poor, stating, very simply, that the possessions which bring us the most glory are the ones we give to those in need. The “crown jewel” of anything we own is the way we utilize it to help other people. Our true glory is the benefit we provide for people who require assistance. The Torah therefore commands, “*lo tefaer acharekha*” – not to remove the tree’s “glory” by keeping it all for oneself. We are to maintain the splendor of our material possessions by sharing them with people in need.

Our natural tendency is to pride ourselves on our especially beautiful, rare, or expensive possessions. We feel “glory” when we own something lavish, ornate, or uniquely aesthetic. But the command of “*lo tefaer acharekha*” teaches us that in truth, our most precious possessions are our generosity and kindness, that which we choose to give for the benefit of other people instead of keeping for ourselves. True glory is achieved not by acquiring luxurious assets, but by using our God-given blessings to care for those in need.

Thursday

The Torah commands in Parashat Ki-Teitzei, “If you enter your fellow’s vineyard, you may eat grapes as you wish, for your satiation, but you may not place [any] in your utensils” (23:25). Rashi, citing the Gemara in Masekhet Bava Metzia (87b), explains that the Torah refers here to an employee hired to work in a vineyard during the grape harvest. The Torah entitles this employee to eat some grapes from the vineyard while he works, with the restriction that he may eat only “for…satiation,” and not more than he needs, and, that he may not take grapes to be eaten later, after he finishes his work. He may eat only as needed to satiate his present hunger.

Rav Meir of Dzikov, in *Imrei Noam*, suggests that this command may symbolically convey a broader message about the religious experience. He observes that many people go to “vineyards” – places or figures which provide valuable “fruit,” from which they seek to gain spiritual sustenance. Like a hungry worker eating grapes from the vineyards, many people feel a spiritual “hunger” and seek to partake of sweet, nourishing “produce” – wisdom and inspiration to facilitate their religious growth. (The *Imrei Noam* speaks specifically about the chassidic practice to travel – sometimes even long distances – to meet with and gain inspiration from the Rebbe.) Very often, however, the “satiation” received from these experiences proves to be short-lived. The people indeed receive the inspiration they seek, but it does not endure, and not long thereafter, they feel “hungry” once again, they sense a lack of motivation to excel. The “satiation” is fleeting. The *Imrei Noam* writes that just as the Torah allows the worker to enjoy the temporary satiation of the vine’s produce as he works, similarly, we are encouraged to seek religious “satiation” even if we know that it will be short-lived. We should not avoid nourishing “grapes” – meaningful experiences – just because we doubt their enduring impact. Any such “grapes” which we come upon, from which we can meaningfully benefit, should be enthusiastically reaped and enjoyed. Any opportunity for learning and religious growth should be seized, regardless of whether we think it will permanently affect us.

The *Imrei Noam*’s insight relates to the importance of mindfulness, of enjoying the opportunities presented by the present moment without getting distracted by concerns about the future. We must learn to enjoy the “grapes” available at the moment, rather than always trying to fill our “utensils,” constantly worrying about the future. The present offers us many enjoyable “grapes,” opportunities for joy and satisfaction, but we squander these opportunities if we are always focused on our “utensils,” on our plans for tomorrow and beyond. The law of the employee in the vineyard perhaps reminds us to seize and relish the opportunities available to us in the present, without allowing our concerns about the future to undermine our appreciation of what is given to us right now.

Friday

In Yeshayahu’s prophecy read as the *haftara* for Parashat Ki-Teitzei, God famously proclaims to *Benei Yisrael*, “For this for Me is [like] the waters of Noach, that I vowed never to have the waters of Noach again pass over the earth – so have I vowed from being enraged with you…” (54:9). God assures *Benei Yisrael* that despite the sins they had committed in the past, His love for them is everlasting, and He would never abandon them or allow them to be destroyed. He compares this guarantee to the vow He pronounced after the flood in Noach’s time to never again flood the earth (Bereishit 9:11-17). Just as He has promised to never again destroy the earth, so does He guarantee that He would never destroy His treasured nation.

Malbim, commenting on this verse, adds a crucial explanation for this comparison:

Just as I swore during Noach’s time not to bring a flood upon the earth, because I care about the world, that it not be destroyed, **so are you considered in My eyes like the entire world**, such that the possibility of being enraged with you is difficult in My eyes as My bringing a flood of water to destroy all flesh…

The basis of this comparison – between God’s promise not to flood the earth and His promise not to destroy *Benei Yisrael* – is His regard and esteem for His beloved nation. He views *Benei Yisrael* as important and valuable as the entire world, and thus His promise to never destroy the earth *ipso facto* is a promise to never destroy them. Hence, God will never become “enraged” with His nation to the point of annihilating them, just as He would never again become so angry at the world that He would decree its annihilation.

Malbim’s interpretation to this verse is perhaps instructive also with regard to interpersonal relations. One way we avoid becoming “enraged” at our fellow is by recognizing that every individual is, in a sense, like the entire world. As the Mishna (Sanhedrin 37a) famously teaches, “Whoever destroys a single life among Israel – he is considered by the verse as though he destroyed an entire world, and whoever sustains a single life among Israel, he is considered by the verse as though he sustained an entire world.” If we appreciate the value, sanctity, goodness and potential within each and every individual, then we are far more likely to tolerate other people’s faults and failings, and to be more forgiving in all our interpersonal dealings. Just as God promised never to be “enraged” with *Benei Yisrael* because He regards them as the entire world, so will we avoid destructive “rage” when we recognize the inherent greatness of every person, notwithstanding their deficiencies. We become far better equipped to patiently handle the shortcomings of the people around us when we view them from this perspective, appreciating how each and every person is truly an entire world.

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