YESHIVAT HAR ETZION

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**STUDENT SUMMARIES OF SICHOT OF THE ROSHEI YESHIVA**

**Parashat ki-tetze**

**Sicha of HarAV Baruch gigi**

**The Prohibition of Kil'ayim**

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Three *parashiyot* are famous for the great number of *mitzvot* that they contain: *Parashat Mishpatim*, *Parashat Kedoshim* and our *parasha – Parashat Ki-Tetze.*

In *Parashat Mishpatim* we can usually understand the basic direction of the *mitzvot* enumerated therein. The Torah lays out its system of civil law – the laws of damages, the laws of personal injury, the laws of theft and robbery, the laws of bailees, the laws of loans, and the like. In *Parashat Kedoshim* and *Parashat Ki-Tetze*, in contrast, it is much more difficult to organize the *mitzvot* in any orderly system. It is as if the Torah sought to plant the *mitzvot* in these *parashiyot* as "*kil'ayim*" - mixed species.

Among the *mitzvot* mentioned in these two *parashiyot* is the actual *mitzva* of *kil'ayim.* Let us try to understand the foundation of the prohibition of *kil'ayim*, and through that attempt to comprehend the thrust of these two *parashiyot.*

You shall keep My statutes. You shall not let your cattle gender with a diverse kind; you shall not sow your field with two kinds of seed; neither shall there come upon you a garment of two kinds of stuff mingled together. (*Vayikra* 19:19)

It should be noted that these *mitzvot* are described as God's statutes [*chukotai*]. Rashi explains what this means:

"You shall keep My statutes" – These are they: "You shall not let your cattle gender with a diverse kind" [and the other ordinances laid down in the verse], for by the term *chukim* are meant those enactments of the King for which no reason is given. (Rashi, ad loc.)

The Ramban there seeks to provide a certain reason for the prohibition of *kil'ayim*, and therefore remarks about the words of Rashi:

The intention regarding them is not that there is anywhere a decree of the King, the King of kings, without a reason, for "every word of God is tried" (*Mishlei* 30:5). It is only that *chukim* are decrees of the king that he enacts in his kingdom without revealing their benefit to the people, and the people do not take pleasure in them, but rather they criticize them in their hearts and accept them only because of their fear of the king. Similarly, the *chukim* of the Holy One, blessed be He, are His mysteries in the Torah, from which the people do not think that they benefit as they do from the ordinances [*mishpatim*]. But they all have a correct reason and offer full benefit. (Ramban, *Vayikra* ad loc.)

Based on this, the Ramban offers a reason for the prohibition of *kil'ayim* (the foundation for what he says is found already in his comments to the story of creation in *Bereishit,* but here he expands upon the matter):

For God created the various species in the world… and commanded that they should bring forth their own species and never change, as it is stated: "after its kind" (*Bereishit* 1). Here He commands that we let cattle gender one with the other in order to maintain the species, just as men have relations with women for the purpose of reproduction. One who joins together two species changes and denies the creation, as if he thinks that the Holy One, blessed be He, did not fully complete His world and he wishes to assist Him in His creation of the world by adding [new] creatures. (ibid).

These words of the Ramban echo a discussion concerning this point between Rabbi Akiva and Turnus Rufus, revolving around the *mitzva* of circumcision, which removes the foreskin and "perfects" the work of God in creation. The Midrash states:

The evil Turnus Rufus asked Rabbi Akiva: Which are better, things made by the Holy One, blessed be He, or those made by flesh and blood? He replied: Things made by flesh and blood. Turnus Rufus said to him: But heaven and earth, can a human being make anything like these? Rabbi Akiva said: Don’t talk to me about things that are above created beings, that are not subject to [human] control; rather talk to me about things that are to be found among men. He [Turnus Rufus] said: Why do you circumcise? He replied: I knew you would ask me about that, which is why I pre-empted and told you that things made by man are better than things made by the Holy One, blessed be He. Rabbi Akiva brought him wheat and cakes and said to him: These are made by the Holy One, blessed be He, and these are made by man. Aren’t these [cakes] better than the wheat? (*Midrash Tanchuma* [Buber], *Tazria* 7)

We are dealing here with a tension between two perspectives on the question of whether or not there is a place for man to act in this world to improve and perfect it.

The words of the Midrash indicate that man's attempt to develop and perfect the world should not be viewed as an insult to God, but just the opposite. It is a fulfillment of the will of God, who wanted us to develop and perfect the world. This is the common interpretation of the verse, "which God created to make" [*asher bara Elokim la'asot*] (*Bereishit* 2:3), that after God created the world, He handed it over to man "to make," and it falls upon man to continue to create, to develop and to perfect it.

Indeed, man has carried this burden on his shoulder, acted in this manner throughout history, and developed the world in a most impressive way. Certainly in our generation, with all the technological revolutions taking place today, if we were to invite a person from the past, not only from centuries ago, but even from relatively recent times, he would not understand what is going on around him. The great human breakthrough came with the Industrial revolution, and from the time of the French Revolution, which brought to the fore the values of liberty and equality, the entire structure of society has evolved beyond recognition.

The approach that ostensibly emerges from the Ramban's remarks would argue that the prohibition of *kil'ayim* is intended to reduce human intervention, which involves a certain challenge to Divine creation. Such activity serves, as it were, as testimony that God did not complete His creation.

The simple explanation is that both the Midrash and the Ramban mean to emphasize that human activity in the world is meant to continue and develop God's world, not in confrontation or in competition, but out of acceptance of the task assigned to us by God.[[1]](#footnote-1) Human activity is favorably received, as long as it maintains the balance, as the Midrash elsewhere stresses: Take care not to cause damage.

We are aware today of the dangers posed by disturbance of the ecological balance in the world, as a result of increased human activity and rapid technological development. We are also faced with serious ethical and moral questions in setting boundaries in various fields that have arisen in the wake of scientific development, especially in the field of genetic engineering and the like. Man should not try to replace the Creator, or God forbid, move Him aside, with the claim that man is better than his Creator. Man must act out of submission and acceptance of the mission imposed upon him by God, out of a commitment to preserve the order of the world.

At times, man takes the liberty to act in other arenas, social arenas, which upsets the balance found in a properly working human society. Society may develop in such a way that it becomes vengeful, incites hatred and separation, oppresses and robs, engages in witchcraft and sorcery, and thus destroys the harmonious relationships that are required. This harmony is the holiness mentioned in *Parashat* *Kedoshim*. The recognition of the people, that we are the nation of God and live before Him, and that we must maintain an orderly society, which does not mix what should be kept separate, as such *kil'ayim* does not allow for the maintenance of a fair and just society.

Thus, also *Parashat Ki-Tetze*, which is the *parasha* that deals with the life of the individual, and prepares him for entry into the Land of Israel,emphasizes the need to preserve an orderly society, and not a society in which one man raises his hand against his fellow, ignores other people's lost property and distress, sets up danger spots in the public domain, rapes, seduces and slanders, testifies falsely, engages in harlotry and usury. A harmonious society is one that cares for its poor and needy, and preserves the sanctity of marriage, family and people. This is the harmony that is required, in contrast to *kil'ayim* that mixes the species of creation and violates the natural order. The Torah demands of us the perfection and order that is so necessary for the maintenance of society, and especially for the maintenance of a society that bears the name of God over HIs people and His inheritance, in the land which God gave them to inherit.

[This *sicha* was delivered on Shabbat *Parashat Ki-Tetze* 5779.]

1. It should, of course, be emphasized that if a person says that he is cross-breeding different species and creating a new species, not as a challenge to God, but as a continuation and completion of His creation, he is still subject to Rashi's words: "These are enactments of the King for which no reason is given." Even if a person claims that he is not clashing with the reason of the *mitzva*, he must still meticulously observe it. [↑](#footnote-ref-1)